

**RIVERSIDE COUNTY**  
**PLANNING DEPARTMENT**

*file*

*Carolyn Syms Luna*  
*Director*

**DATE: April 11, 2011**

**TO: Clerk of the Board of Supervisors**

**FROM: Planning Department - Riverside Office**

**SUBJECT: FIRST EXTENSION OF TIME for CONDITIONAL USE PERMIT NO. 3522**

(Charge your time to these case numbers)

**The attached item(s) require the following action(s) by the Board of Supervisors:**

- |   |   |
|---|---|
| <input type="checkbox"/> Place on Administrative Action (Receive & File; EOT)                   | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)        |
| <input type="checkbox"/> Labels provided If Set For Hearing                                     | <input type="checkbox"/> Publish in Newspaper:  |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | <b>**SELECT Advertisement**</b>   |
| <input type="checkbox"/> Place on Consent Calendar  | <input type="checkbox"/> <b>**SELECT CEQA Determination**</b>                                   |
| <input checked="" type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC)     | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP)                          | <input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided)   |
|   | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO                         |

**Designate Newspaper used by Planning Department for Notice of Hearing:**  
(5th Dist) Press Enterprise

**Need Director's signature by April 27, 2011**  
**Please schedule on the May 17, 2011 BOS Agenda**

*Bob Smith 5.5.11*

Riverside Office · 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

*"Planning Our Future... Preserving Our Past"*

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**




**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
April 28, 2011

**SUBJECT: FIRST EXTENSION OF TIME** for **CONDITIONAL USE PERMIT NO. 3522** - Applicant: Arturo Gutierrez - Fifth Supervisorial District – University Zoning District - Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) (0.20-0.35 FAR) - Location: Northerly of Villa Street, southerly of Ruby Street, easterly of Iowa Avenue, and westerly of Pacific Avenue – 0.15 Gross Acres - Zoning: Commercial Office (CO) - **APPROVED PROJECT DESCRIPTION:** Conditional Use Permit No. 3522 proposes to permit a new and used tire shop on a .15 acre parcel. The total development proposal includes a 1,419 square foot building (0.22 FAR), 1,830 square feet of landscaping, and 7 parking stalls. - **REQUEST: FIRST EXTENSION OF TIME REQUEST** for **CONDITIONAL USE PERMIT NO. 3522**, extending the expiration date to June 17, 2011.

**RECOMMENDED MOTION:**

**APPROVAL** of the **FIRST EXTENSION OF TIME REQUEST** for **CONDITIONAL USE PERMIT NO. 3522**, extending the expiration date to June 17, 2011, subject to all the previously approved and/or amended Conditions of Approval with the applicant's consent.

  
\_\_\_\_\_  
Carolyn Syms Luna  
Planning Director

Initials:  
CSL:vc

REVIEWED BY EXECUTIVE OFF'

DATE

Tina Grande

Departmental Concurrence

Policy

Consent

Policy

Consent

Dept Re. n.:

Per Exec. Ofc.:

**Prev. Agn. Ref.**

**District:** Fifth

**Agenda Number:**

Agenda Item No.  
Area Plan: Highgrove  
Zoning District: University  
Supervisorial District: Fifth  
Project Planner: Larry Ross

CONDITIONAL USE PERMIT NO. 3522  
FIRST EXTENSION OF TIME (EOT)  
Board of Supervisors: April 26, 2011  
Applicant: Arturo Gutierrez

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

The applicant of the subject case has requested an extension of time to begin substantial construction. This request will not be discussed unless specifically requested by the EOT applicant at the time it is presented to the Board of Supervisors.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

### REQUEST:

**FIRST EXTENSION OF TIME REQUEST for CONDITIONAL USE PERMIT NO. 3522**

### JUSTIFICATION FOR EXTENSION REQUEST:

As per the correspondence from the Extension of Time applicant (dated April 4, 2011), construction has not occurred within the required period of time because the applicant has not been able to secure a business loan.

### BACKGROUND:

On June 17, 2008, the Board of Supervisors adopted Mitigated Negative Declaration for Environmental Assessment No. 41008, tentatively approved of Change of Zone No.7399, and approved Conditional Use Permit No. 3522 as recommended by the Planning Commission.

The County Planning Department, as part of the review of this extension of time request, and after transmittal to Land Development Committee Members, has determined it necessary to recommend the addition of eight (8) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public. The Planning Department (Landscaping Division) is recommending the addition of six (6) Conditions of Approval. The Transportation Department is recommending the addition of two (2) Conditions of Approval.

The Extension of Time applicant was informed of these recommended conditions of approval and has agreed to accept the conditions. Included in this staff report package are the

**CONDITIONAL USE PERMIT NO. 3522  
FIRST EXTENSION OF TIME REQUEST  
Page 2 of 2**

recommended conditions of approval, and the correspondence from the Extension of Time applicant (dated April 4, 2011) indicating the acceptance of the eight (8) conditions.

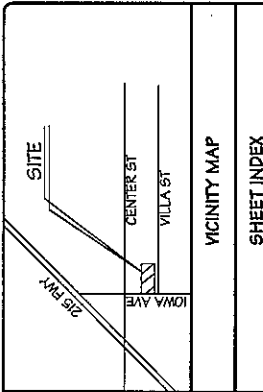
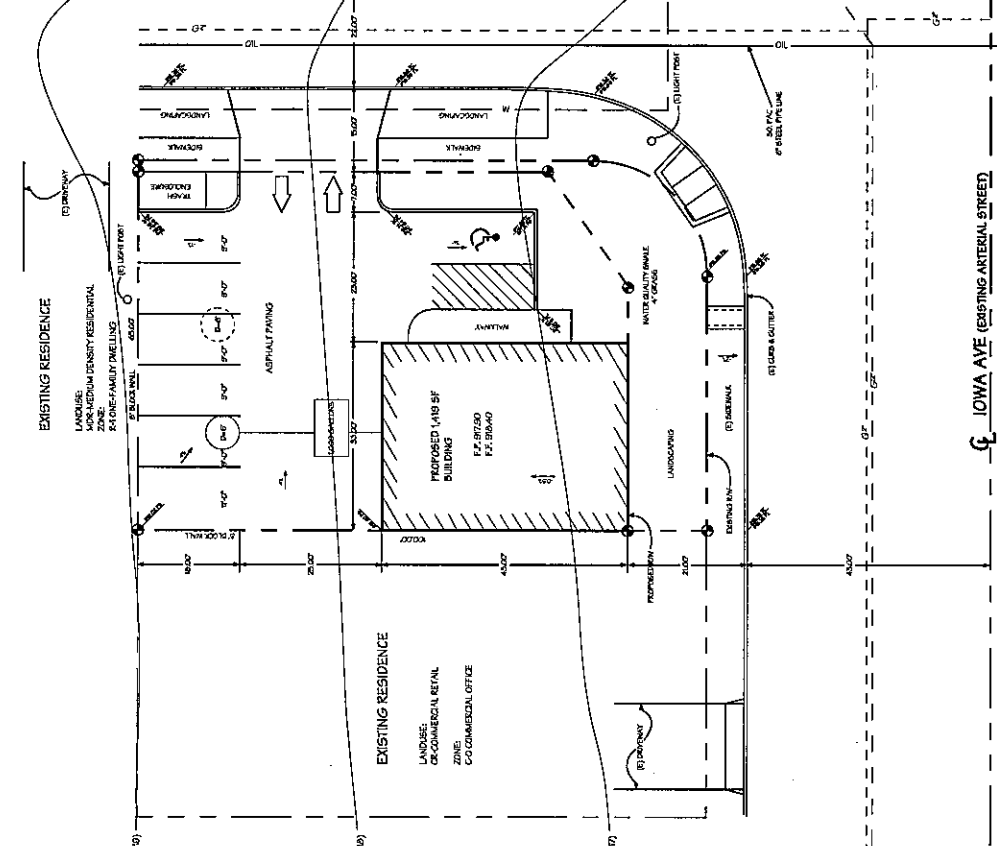
**ORIGINAL Approval Date: June 17, 2008  
ORIGINAL Expiration Date: June 17, 2010**

**RECOMMENDATION:**

**APPROVAL** of the **FIRST EXTENSION OF TIME REQUEST** for **CONDITIONAL USE PERMIT NO. 3522**, extending the expiration date to June 17, 2011, subject to all the previously approved and/or amended Conditions of Approval with the applicant's consent.

**FIRST EXTENSION OF TIME** for **CONDITIONAL USE PERMIT NO. 3522** - Applicant: Arturo Gutierrez - Fifth Supervisorial District – University Zoning District - Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) (0.20-0.35 FAR) - Location: Northerly of Villa Street, southerly of Ruby Street, easterly of Iowa Avenue, and westerly of Pacific Avenue – 0.15 Gross Acres - Zoning: Commercial Office (CO) - **APPROVED PROJECT DESCRIPTION:** Conditional Use Permit No. 3522 proposes to permit a new and used tire shop on a .15 acre parcel. The total development proposal includes a 1,419 square foot building (0.22 FAR), 1,830 square feet of landscaping, and 7 parking stalls. - **REQUEST: FIRST EXTENSION OF TIME REQUEST** for **CONDITIONAL USE PERMIT NO. 3522**, extending the expiration date to June 17, 2011.

# CONDITIONAL USE PERMIT NO. 3522



- SHEET INDEX**
1. SITE PLAN/GRADING
  2. ELEVATIONS
  3. FLOOR PLAN
  4. LANDSCAPING

**LAND OWNER:**  
MR. GUTIERREZ  
438 IOWA AVE.  
RIVERSIDE, CA 92507  
(951) 684-4222

**EXISTING PREPARED:**  
MR. GUTIERREZ  
438 IOWA AVE.  
RIVERSIDE, CA 92507  
(951) 684-4222

**APPROVAL:**  
AL AGUIRRE  
2222 KANSAS AVE. SUITE D  
RIVERSIDE, CA 92507  
(951) 684-4222

**DESIGN PREPARED:**  
AL AGUIRRE  
2222 KANSAS AVE. SUITE D  
RIVERSIDE, CA 92507  
(951) 684-4222

**UTILITIES:**  
ELECT. - SOUTHERN CALIFORNIA EDISON  
SANITARY - SOUTHERN CALIFORNIA EDISON  
WATER - METROPOLITAN WATER DISTRICT  
SEWER - METROPOLITAN WATER DISTRICT  
GAS - SOUTHERN CALIFORNIA GAS COMPANY  
CABLE - COMCAST  
TELEPHONE - VERIZON  
FIRE - CALIFORNIA FIRE DEPARTMENT  
POLICE - CALIFORNIA POLICE DEPARTMENT  
SCHOOL - RIVERSIDE UNIFIED SCHOOL DISTRICT

**PROJECT DESCRIPTION:**  
REPLACE EXISTING 140 SF BUILDING WITH A NEW 140 SF BUILDING. THE NEW BUILDING WILL BE USED AS A RESTAURANT. THE PROJECT IS LOCATED AT THE INTERSECTION OF IOWA AVENUE AND VILLA STREET, RIVERSIDE, CA 92507.

**ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.**

**THESE ARE THE PRELIMINARY PLANS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. THE CLIENT IS ALSO RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.**

**THESE ARE THE PRELIMINARY PLANS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. THE CLIENT IS ALSO RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.**

REVISIONS	BY	DATE

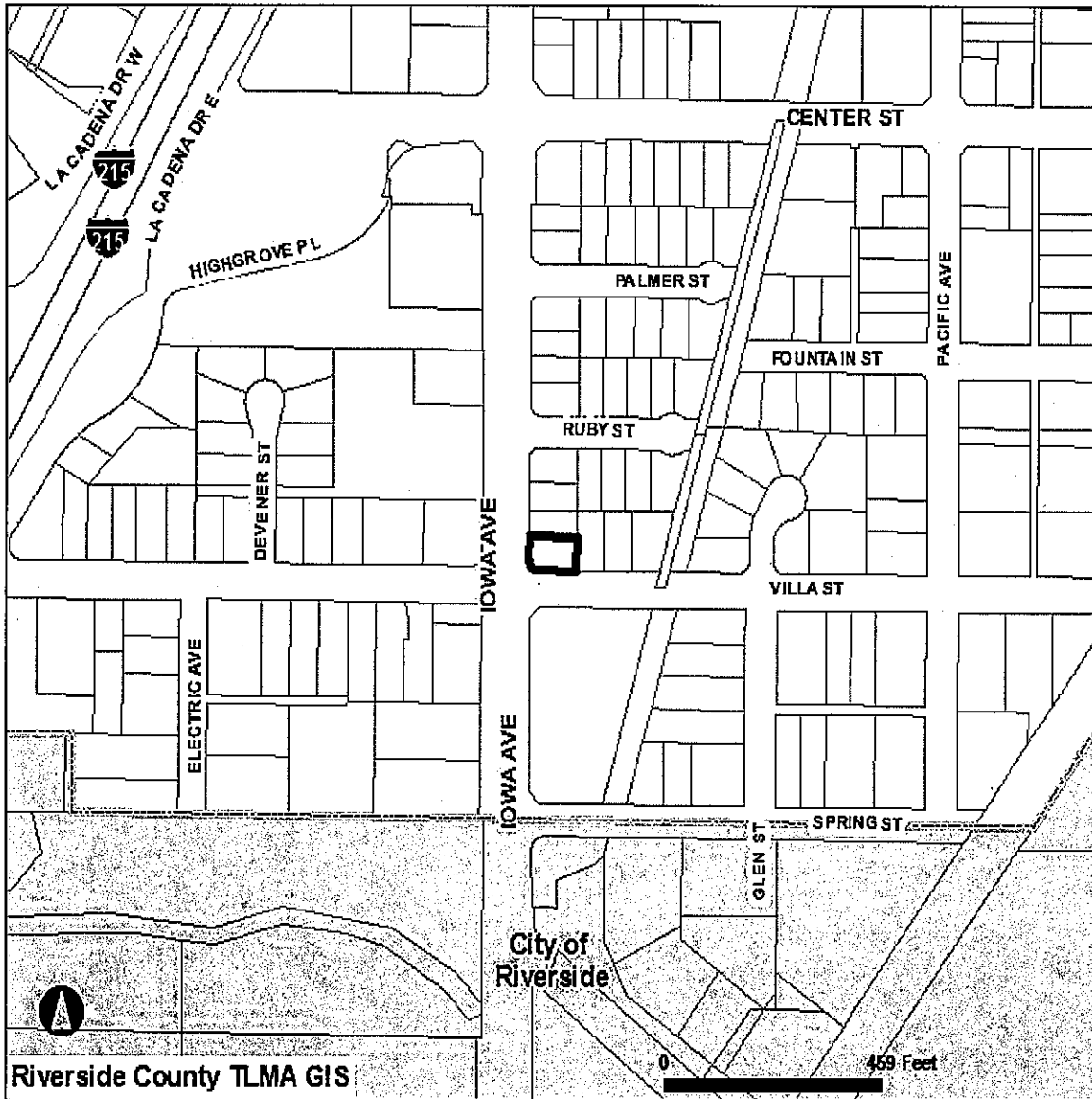
**AGUIRRE & ASSOCIATES INC.**  
BUILDING DESIGNERS  
2222 KANSAS AVE. SUITE D  
RIVERSIDE, CA 92507  
(951) 684-4222

**MR. GUTIERREZ**  
438 IOWA AVE.  
RIVERSIDE, CA 92507

DRAWN	1
CHECKED	
DATE	
SCALE	1" = 10'-0"
JOB NO.	
SHEET	1

**DESIGN & ENGINEERING**  
AL AGUIRRE & ASSOCIATES  
2222 KANSAS AVE. SUITE D  
RIVERSIDE, CA 92507  
TEL: (951) 684-4222  
FAX: (951) 684-4222

CUP03522 - SUPERVISORIAL DISTRICT



Selected parcel(s):  
247-101-004

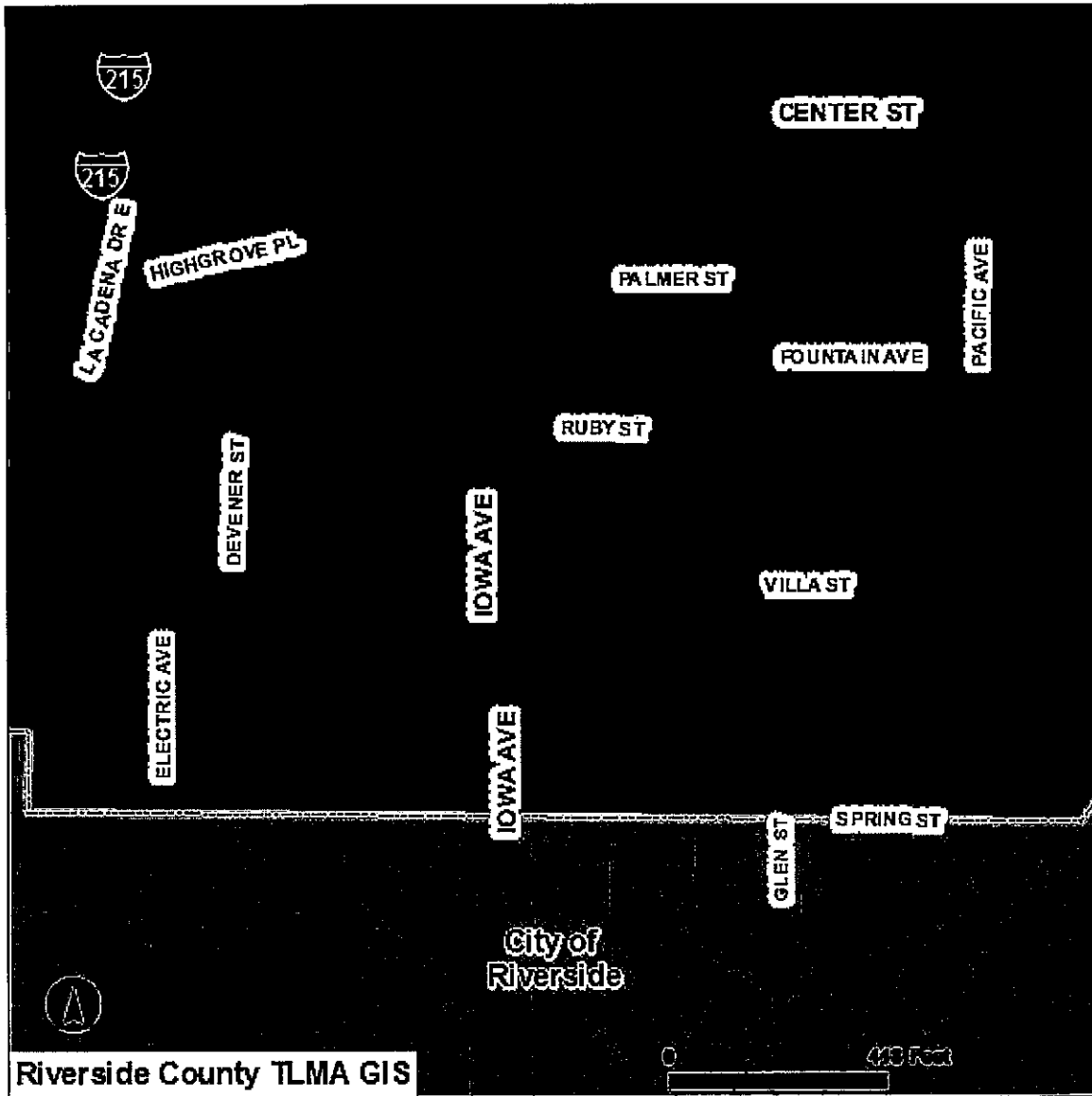
**\*IMPORTANT\***

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Tue Apr 05 08:31:49 2011





Version 101221

AREA PLAN - CUP03522



Selected parcel(s):  
247-101-004

AREA PLAN

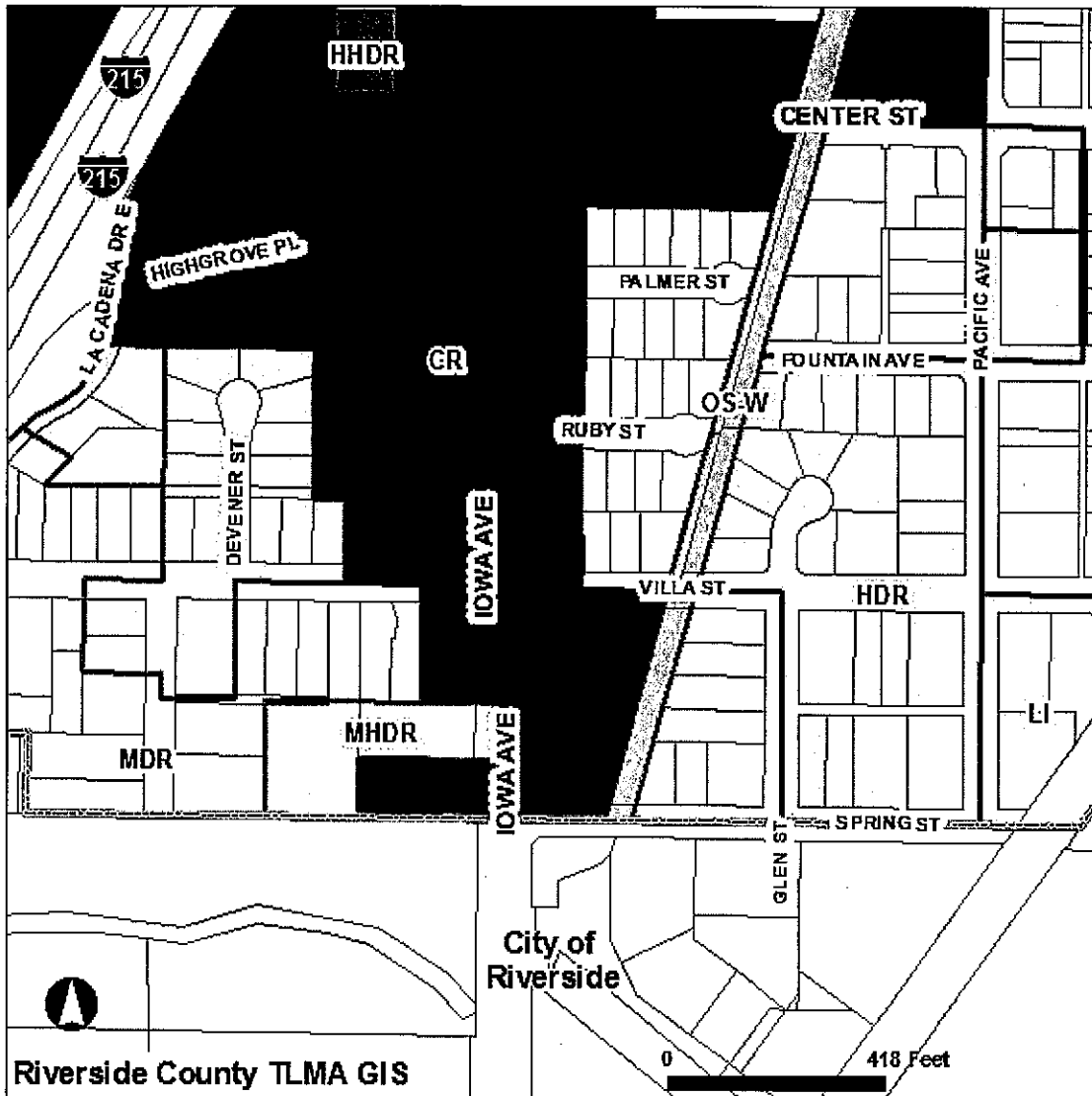
- SELECTED PARCEL
- PARCELS
-  INTERSTATES
-  CITIES OF RIVERSIDE AND NORCO
-  HIGHWAYS
-  HIGHGROVE
- CITY

**\*IMPORTANT\***

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REPORT PRINTED ON...Wed Jul 07 09:16:09 2010  
Version 100412

LAND USE - CUP03522



Selected parcel(s):  
247-101-004

LAND USE

- |                       |                                  |  |                                    |
|-----------------------|----------------------------------|--|------------------------------------|
| SELECTED PARCEL       | INTERSTATES                      | HIGHWAYS                               | CITY                               |
| PARCELS               | CR - COMMERCIAL RETAIL           | HDR - HIGH DENSITY RESIDENTIAL         | HHDR - HIGHEST DENSITY RESIDENTIAL |
| LI - LIGHT INDUSTRIAL | MDR - MEDIUM DENSITY RESIDENTIAL | MHDR - MEDIUM HIGH DENSITY RESIDENTIAL | OS-W - WATER                       |

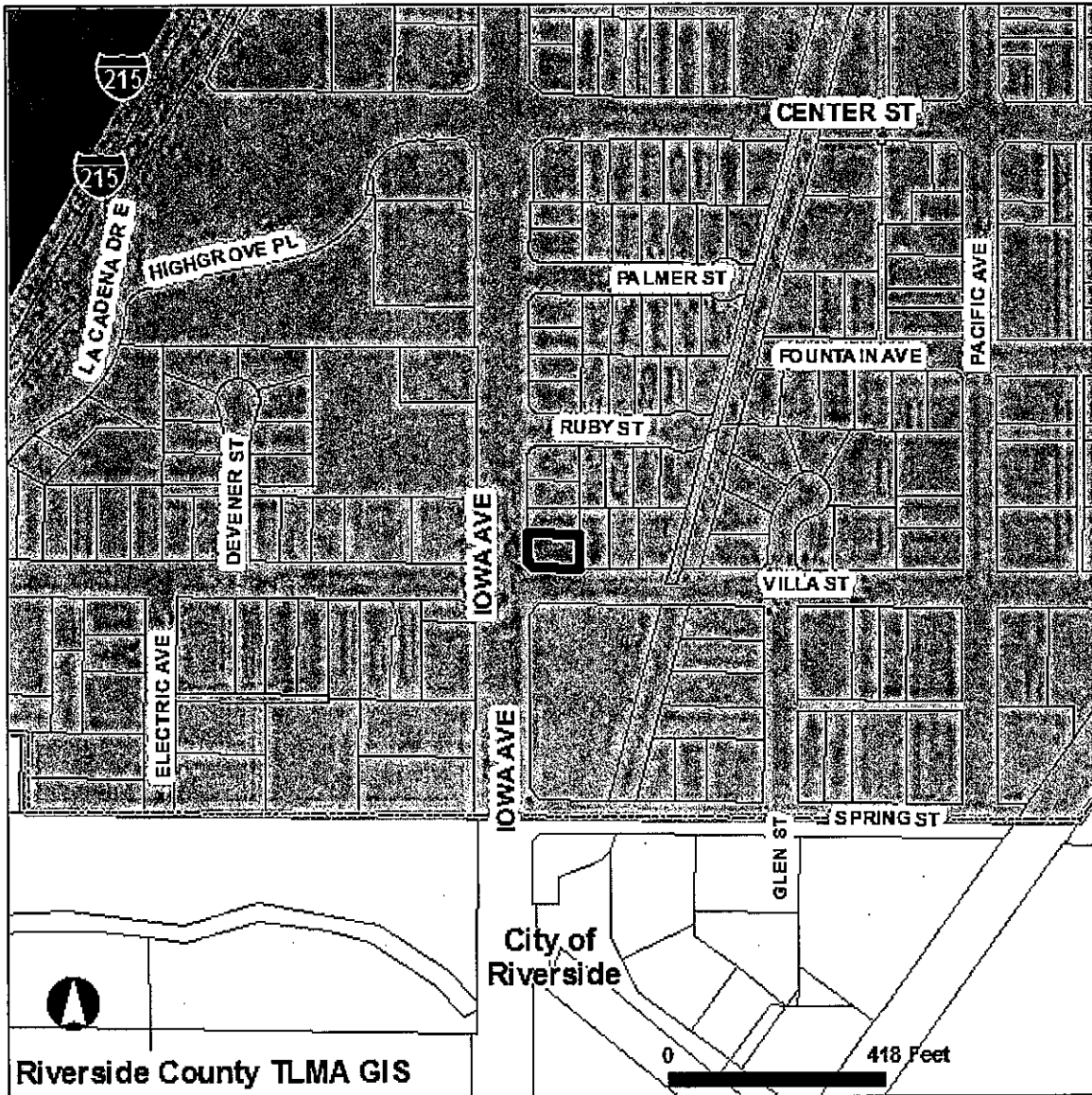
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Version 100412

ZONING DISTRICTS & ZONING AREAS - CUP03522



Selected parcel(s):  
247-101-004

ZONING DISTRICTS AND ZONING AREAS

- SELECTED PARCEL
- NORTH RIVERSIDE DISTRICT
- INTERSTATES
- HIGHWAYS
- PARCELS
- UNIVERSITY DISTRICT

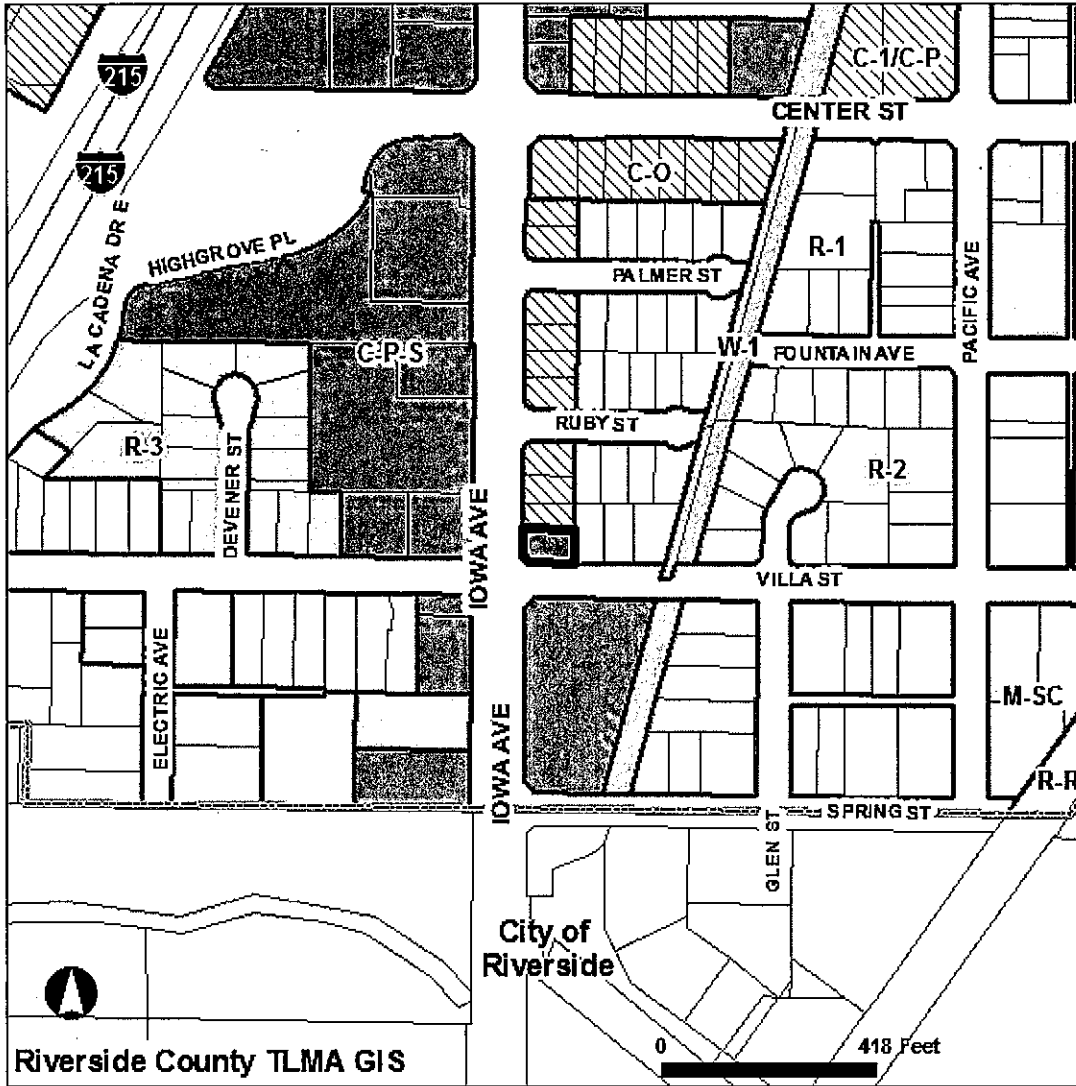
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Version 100412

ZONING - CUP03522



Selected parcel(s):  
247-101-004

ZONING

- |                 |                 |          |      |
|-----------------|-----------------|----------|------|
| SELECTED PARCEL | INTERSTATES     | HIGHWAYS | CITY |
| PARCELS         | ZONING BOUNDARY | C-P-S    | M-SC |
| R-1             | R-2             | R-3      | R-R  |
| W-1             |                 |          |      |

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Version 100412

# Extension of Time Environmental Determination

Project Case Number: CUP03522  
Original E.A. Number: EA41008  
Extension of Time No.: First  
Original Approval Date: June 17, 2008  
Project Location: Northerly of Villa Street, southerly of Ruby Street, easterly of Iowa Avenue, and westerly of Pacific Avenue  
Project Description: Conditional Use Permit No. 3522 proposes to permit a new and used tire shop on a .15 acre parcel. The total development proposal includes a 1,419 square foot building (0.22 FAR), 1,830 square feet of landscaping, and 7 parking stalls.

On 4/05/11, this \*SELECT\* and its original environmental assessment/environmental impact report was reviewed to determine: 1) whether any significant or potentially significant changes in the original proposal have occurred; 2) whether its environmental conditions or circumstances affecting the proposed development have changed. As a result of this evaluation, the following determination has been made:

<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and the project's original conditions of approval.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, and there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to the project's original conditions of approval which have been made and agreed to by the project proponent.
<input type="checkbox"/>	I find that there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, which the project's original conditions of approval may not address, and for which additional required mitigation measures and/or conditions of approval cannot be determined at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS REQUIRED in order to determine what additional mitigation measures and/or conditions of approval, if any, may be needed, and whether or not at least one of the conditions described in California Code of Regulations, Section 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the environmental assessment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION OF TIME SHOULD BE RECOMMENDED FOR APPROVAL.
<input type="checkbox"/>	I find that the original project was determined to be exempt from CEQA, and the proposed project will not have a significant effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME.

Signature: \_\_\_\_\_

Larry Ross, Principal Planner

Date: 4/05/11

For Carolyn Syms Luna, Director

**Morales, Catherine**

---

**From:** Cristina Gonzalez [cachinilla83@yahoo.com]  
**Sent:** Monday, April 04, 2011 9:20 PM  
**To:** Morales, Catherine  
**Subject:** letter for Extention for permit # 3522  
**Attachments:** planning director.docx

TO: Catherine Morales

Attention: Arturo Gutierrez Munoz

Permit # 3522

Date: April 4, 2011

To: Cardlyn Syms Luna

I Arturo Gutierrez accept the eight purposed conditions listed on the letter and agree to follow them. I wasn't able to continue my project at this moment because I having problems with getting my business loan due to my credit score dropping because the economic crisis. Me and my wife where out of work for ten months. And because of this problem I was denied twice for my business loan. I would like to request for an extension so I could get everything together. I been working for the pass six months and trying to get back on my feet.

The conditions:	10.Planning .42	80. Planning.28
	60. Trans.2	90. Planning.32
	60. trans.3	90. Planning.33
	80.planning.27	90. Planning.34

If you need anymore information about my letter please feel free to call me at (951) 660-7193 after 4 from Mon-Thur and Fri-Sat at any time. You could also E- Mail me at [Cachinilla83@yahoo.com](mailto:Cachinilla83@yahoo.com)

Sincerely Arturo Gutierrez Munoz

08/09/10  
15:30

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 1

CONDITIONAL USE PERMIT Case #: CUP03522

Parcel: 247-101-004

10. GENERAL CONDITIONS

PLANNING DEPARTMENT

10.PLANNING. 42

USE - LC LANDSCAPE REQUIREMENT

RECOMMND

The developer/ permit holder shall:

1)Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;

2)Ensure all landscaping is provided with California Friendly landscaping and a weather based irrigation controller(s) as defined by County Ordinance No. 859;

3)Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and,

4)Be responsible for maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the twelve (12) month inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

To ensure ongoing maintenance, the developer/ permit holder or any successor in interest shall:

1)Connect to a reclaimed water supply for landscape irrigation purposes when reclaimed water is made available.

2)Ensure that landscaping, irrigation and maintenance systems comply with the Riverside County Guide to California Friendly Landscaping, and Ordinance No. 859.

3)Ensure that all landscaping is healthy, free of weeds, disease and pests.

EOT1.

60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 2

USE-SBMT/APPVD GRADG PLAN EOT1

RECOMMND

TRANS WILL CLEAR THE CONDITION.

When you submit a grading plan to the Department of

08/09/10  
15:30

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 2

CONDITIONAL USE PERMIT Case #: CUP03522

Parcel: 247-101-004

60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 2                      USE-SBMT/APPVD GRADG PLAN EOT1 (cont.)                      RECOMMND

Building and Safety, a copy of the grading plan shall be submitted and approved by the Transportation Department prior to a grading permit issuance.

Submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA.

60.TRANS. 3                      USE-OBTAIN L&LMD APPL (EOT1)                      RECOMMND

Obtain an application from the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, to submit application for required annexation per condition of approval 80.TRANS.6, 80.TRANS.21 and 90.TRANS.15.

If you have any questions or for the processing fee amount, please call the L&LMD Section at (951) 955-6748.

80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 27                      USE - LC LANDSCAPE PLOT PLAN                      RECOMMND

Prior to issuance of building permits, the developer/permit holder shall file a Landscaping Minor Plot Plan Application to the Riverside County Planning Department for review and approval along with the current fee. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping.

At minimum, plans shall include the following components:  
1)Landscape and irrigation working drawings "stamped" by a California certified landscape architect;

2)Weather based controllers and necessary components to eliminate water waste;

3)A copy of the "stamped" approved grading plans; and,

4)Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

CONDITIONAL USE PERMIT Case #: CUP03522

Parcel: 247-101-004

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 27

USE - LC LANDSCAPE PLOT PLAN (cont.)

RECOMMND

- 1) Identification of all common/open space areas;
- 2) Natural open space areas and those regulated/conserved by the prevailing MSHCP;
- 3) Shading plans for projects that include parking lots/areas;
- 4) The use of canopy trees (24" box or greater) within the parking areas;
- 5) Landscaping plans for slopes exceeding 3 feet in height;
- 6) Landscaping and irrigation plans associated with entry monuments. All monument locations and dimensions shall be provided on the plan; and/or,
- 7) If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

NOTE:

1) Landscaping plans for areas within the road right-of-way shall be submitted for review and approval by the Transportation Department only. The Planning Department shall not approve landscape plans within the Road Right-of-Way.

) When the Landscaping Plot Plan is located within a special district such as Valley-Wide Recreation and Park District, Jurupa Community Services District, Coachella Valley Water District, a County Service Area (CSA) or other maintenance district, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Planning Department that the subject District has approved said plans.

As part of the plan check review process and request for condition clearance, the developer/permit holder shall show proof of the approved landscaping plot plan by providing the Plot Plan number. The planning department shall verify the landscape route is approved and the Plot Plan is in TENTAPPR status. Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Planning Department shall clear this condition.

EOT1.

CONDITIONAL USE PERMIT Case #: CUP03522

Parcel: 247-101-004

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 28 USE - LC LANDSCAPE SECURITIES

RECOMMND

Prior to the issuance of building permits, the developer/permit holder shall submit an estimate to replace plantings, irrigation systems, ornamental landscape elements, walls and/or fences, in amounts to be approved by the Riverside County Planning Department, Landscape Division. Once the Planning Department has approved the estimate, the developer/permit holder shall submit the estimate to the Riverside County Department of Building and Safety who will then provide the developer/permit holder with the requisite forms. The required forms shall be completed and submitted to Building and Safety for processing and review in conjunction with County Counsel. Upon determination of compliance, the Department of Building and Safety shall clear this condition.

NOTE:

A cash security shall be required when the estimated cost is \$2,500.00 or less. It is highly encouraged to allow adequate time to ensure that securities are in place. The performance security shall be released following a successful completion of the One Year Post-Establishment Inspection, and the inspection report confirms that the planting and irrigation components are thriving and in good working order consistent with the approved landscaping plans.

EOT1.

90. PRIOR TO BLDG FINAL INSPECTION

PLANNING DEPARTMENT

90.PLANNING. 32 USE - LC LNDSCP INSPCT REQMNTS

RECOMMND

The permit holder's landscape architect responsible for preparing the Landscaping and Irrigation Plans (or on-site representative) shall arrange for a PRE-INSTALLATION INSPECTION with the Planning Department at least five (5) working days prior to the installation of any landscape or irrigation components.

Upon successful completion of the PRE-INSTALLATION INSPECTION, the applicant will proceed with the installation of the approved landscape and irrigation system and arrange for an INSTALLATION INSPECTION at least five 5 working days prior to the building final inspection or issuance of occupancy permit, whichever occurs first and

CONDITIONAL USE PERMIT Case #: CUP03522

Parcel: 247-101-004

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 32                   USE - LC LNDSCP INSPCT REQMNTS (cont.)                   RECOMMND

comply with the Planning Department's Milestone 80 conditions entitled "USE-LANDSCAPING SECURITY" and the Milestone 90 condition entitled "LANDSCAPE INSPECTION DEPOSIT." Upon successful completion of the INSTALLATION INSPECTION, the County Planning Department's Landscape Inspector and the permit holder's landscape architect (or on-site representative) shall execute a Landscape Certificate of Completion that shall be submitted to the Planning Department and the Department of Building and Safety. The Planning Department shall clear this condition upon determination of compliance.  
EOT1.

90.PLANNING. 33                   USE - LC LNDSCP INSPECT DEPOST                   RECOMMND

Prior to building permit final inspection, the developer/permit holder shall file an Inspection Request Form and deposit sufficient funds to cover the costs of Installation, Six Month Establishment, and One Year Post-Establishment inspections. In the event that an open landscape case is not available, then the applicant shall open a FEE ONLY case to conduct inspections. The deposit required for landscape inspections shall be determined by the Riverside County Landscape Division. The Planning Department shall clear this condition upon determination of compliance.  
EOT1.

90.PLANNING. 34                   USE - LC COMPLY W/ LNDSCP/ IRR                   RECOMMND

The developer/permit holder shall coordinate with their designated landscape representative and the Riverside County Planning Department's landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Planning Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Riverside County Planning Department's landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. Upon determination of compliance, the Planning Department shall clear this condition.  
EOT1.

**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**

*George A. Johnson · Agency Director*

**Planning Department**

*Carolyn Syms Luna · Planning Director*

Date: August 10, 2010

To: Arturo Gutierrez  
526 N. Orange  
Riverside, CA 92507

RE: **FIRST EXTENSION OF TIME REQUEST for CONDITIONAL USE PERMIT No. 3522.**

Dear Applicant:

The County Planning Department has transmitted this extension of time request to the Land Development Committee (LDC) for comments on **August 5, 2010**. The LDC has determined it necessary to recommend the addition of eight (8) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public. The Planning Department (Landscaping Division) is recommending the addition of six (6) Conditions of Approval. The Transportation Department is recommending the addition of two (2) Conditions of Approval.

Please review the proposed conditions of approval attached in this correspondence. If these conditions are acceptable, then submit a short written letter/memo/email that clearly references this case, the acceptance of each condition by name and number, and clearly stat that you, the Extension of Time Applicant, accept these conditions. This documentation will then be included in the staff report package. The attached document is a copy of the recommended conditions which are identified as follows:

10. PLANNING.42	80. PLANNING.28
60. TRANS.2	90. PLANNING.32
60. TRANS.3	90. PLANNING.33
80. PLANNING.27	90. PLANNING.34

If the addition of the conditions is not acceptable, please notify me so we can discuss your concerns. If the issue cannot be resolved, then I will direct you to contact the individual Department representative to discuss this matter further.

Once the conditions have been accepted, I will begin preparing the staff report package for a Planning Commission hearing as a consent item. County Ordinance requires that conditions added thru the extension of time process are presented to and accepted by the applicant. If you, the EOT applicant, is unable to accept these conditions, the Planning Department will recommend denial of this extension of time request. An opportunity will, if requested, be provided for arguments to be made to the hearing body justifying why this request should be approved without the recommended conditions of approval.

CUP03522, FIRST EXTENSION OF TIME  
Condition Acceptance Letter

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I am eager to move this case forward and continue the extension of time process. If you have not contacted me within thirty (30) days, I will begin preparing this case with a recommendation of denial. I need one of two items to proceed:

- 1) Correspondence from you, the EOT applicant, accepting the recommended conditions per the directions provided above; or,
- 2) Correspondence from you, the EOT applicant, advising me of the concerns with the recommended conditions. If the concern still exists after our discussion, then direction on how to approach the issue will be given and additional time will be provided until the issue is resolved.

If you have any questions, please contact me at 951-955-1681 or via email at [cdimagib@rcplma.org](mailto:cdimagib@rcplma.org), or my supervisor David Mares at 951-955-9076 or via email at [dmares@rcplma.org](mailto:dmares@rcplma.org).

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT  
Carolyn Syms/Luna, Planning Director



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Catherine Dimagiba, Planning Technician II

Attached: EOT Recommended Conditions of Approval

**LAND DEVELOPMENT COMMITTEE**  
**INITIAL CASE TRANSMITTAL**  
**RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE**  
**P.O. Box 1409**  
**Riverside, CA 92502-1409**

DATE: July 8, 2010

TO:

Transportation Dept.  
Environmental Health Dept.  
Flood Control District  
Fire Department  
Dept. of Bldg. & Safety (Grading)

Regional Parks & Open Space District  
Co. Geologist – Dave Jones  
Environmental Programs Dept.  
P.D. Trails Coordinator – Kristi Lovelady  
P.D. Landscaping Section - Kristi Lovelady

**FIRST EXTENSION OF TIME for CONDITIONAL USE PERMIT No. 3522** - Applicant: Arturo Gutierrez - Fifth Supervisorial District – University Zoning District - Highgrove Area Plan: Community Development: Commercial Retail (CD:CR) (0.20-0.35 FAR) - Location: Northerly of Villa Street, southerly of Ruby Street, easterly of Iowa Avenue, and westerly of Pacific Avenue – 0.15 Gross Acres - Zoning: Commercial Office (CO) - **APPROVED PROJECT DESCRIPTION:** Conditional Use Permit No. 3522 proposes to permit a new and used tire shop on a .15 acre parcel. The total development proposal includes a 1,419 square foot building (0.22 FAR), 1,830 square feet of landscaping, and 7 parking stalls. - **REQUEST: FIRST EXTENSION OF TIME REQUEST for CONDITIONAL USE PERMIT No. 3522**, extending the expiration date to June 17, 2011.

Please review the attached information, together with your existing records for the subject case. This extension request is being placed on the **August 5, 2010 LDC Comment Agenda** in order to establish a deadline for review and comment. All County Agencies and Departments must complete their review prior to the LDC Comment date. Failure to complete the review and/or provide comments within the indicated time frame will result in a presumption that the affected Agency/Department has no comment, and the extension request will be moved forward based on that presumption.

Each LDC Agency or Department may recommend conditions of approval to maintain conformance with the County General Plan, or to ensure the project does not adversely affect the health, safety or welfare of the general public. New or revised conditions of approval should be added to the subject case condition set the by LDC Comment date and placed in recommend status. After the LDC Comment date, the Planning Department will then forward all recommended extension of time conditions to the applicant for acceptance prior to moving this request forward for approval.

**LDC MEMBERS ARE ENCOURAGED TO DIFFERENCIATE THOSE CONDITIONS ADDED AS PART OF THE EXTENSION BY ADDING A REFERENCE IN THE CONDITION TITLE AND/OR BODY OF THE CONDITION (ie. "EOT 1, EOT 2)**

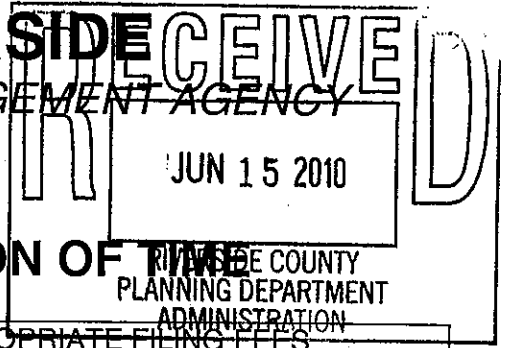
If any LDC Agency or Department finds that the project, as approved, cannot be found to be in conformance with the General Plan and/or finds the project adversely affects the general health, safety and welfare of the public without the processing and approval of a Revised Permit to the Approved Use Permit, said Agency or Department must provide to the Planning such a recommendation and provide details as to what issues such an application must address.

Should you have any questions regarding this item, please do not hesitate to contact **Catherine Dimagiba** at micro **5-1681** or via e-mail at **CDIMAGIB@rctlma.org**. You can also send documents to **MAILSTOP# 1070**.

COUNTY OF RIVERSIDE  
TRANSPORTATION AND LAND MANAGEMENT AGENCY

Planning Department

Ron Goldman · Planning Director



APPLICATION FOR EXTENSION OF

RIVERSIDE COUNTY  
PLANNING DEPARTMENT  
ADMINISTRATION

THIS APPLICATION MUST BE ACCOMPANIED BY APPROPRIATE FILING FEES

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION

CASE NUMBER: CUP03522 DATE SUBMITTED: 6/15/10

Assessor's Parcel Number(s): 247-101-004

EXTENSION REQUEST  First  Second  Third  Fourth  Fifth

Phased Final Map  Attach evidence of public improvement or financing expenditures.

NOTE: Land divisions may obtain a maximum of five 1-year extensions of time. Conditional Use Permits and Public Use Permits may obtain extensions of time only to the extent that the period in which to begin substantial construction does not exceed a maximum of three years from the original decision date. Plot Plans may obtain extensions of time only to the extent that the period in which to begin substantial construction does not exceed a maximum of five years from the original decision date. Variances may obtain extensions of time only to the extent that the period in which the variance is to be used does not exceed a maximum of three years from the original decision date, except that a variance in connection with a land division may be used during the same period of time that the land division may be used.

Date of Original Approval: JUN 17 2008

Applicant's Name: ARTURO GUTIERREZ E-Mail: \_\_\_\_\_

Mailing Address: 526 W ORANGE  
Riverside CA 92507  
City State ZIP

Daytime Phone No: (951) 276-2956 Fax No: ( )

Property Owner's Name: ARTURO GUTIERREZ  
438 IDUA E-Mail: \_\_\_\_\_

Mailing Address: 526 W ORANGE  
Riverside CA 92501  
City State ZIP

Daytime Phone No: (951) 276-2956 Fax No: ( )  
951 252 206-7966

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

Riverside Office · 4080 Lemon Street, 9th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

**APPLICATION FOR EXTENSION OF TIME**

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

*All approvals of extension of time must be consistent with the pertinent elements of the Riverside County General Plan, the Riverside County Land Use Ordinance (Ordinance No. 348), and the Multiple Species Habitat Conservation Plan (MSHCP).*

*An extension of time for a land division based on the filing of a phased final map shall not be granted unless the Planning Department determines that the requisite funds have been expanded to construct, improve, or finance the construction of public improvements outside the boundaries of the land division. Any other extension of time for a land division shall not be granted unless the land division conforms to the Comprehensive General Plan, is consistent with existing zoning, conforms to the currently applicable schedule of improvements specified by the Riverside County Land Division Ordinance (Ordinance No. 348) and does not affect the general health, safety, and welfare of the public. If required to bring the subject land division into conformance with current general plan, Ordinance No. 460 and public health, safety, and welfare requirements, additional conditions of approval may be imposed upon approval of an extension of time request.*

I hereby request an extension of time for the above referenced project, and I acknowledge that if the basis for extension is something other than the filing of a phased final map, additional conditions of approval may be imposed upon approval of the extension of time and that I may refuse to accept additional conditions of approval only in writing prior to action by the Planning Director, or in writing or in person prior to action by the Planning Commission.

\_\_\_\_\_  
PRINTED NAME OF APPLICANT

\_\_\_\_\_  
SIGNATURE OF APPLICANT

**AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:**

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

ARTURO GUTIERREZ  
PRINTED NAME OF PROPERTY OWNER(S)

Arturo Gutierrez  
SIGNATURE OF PROPERTY OWNER(S)

\_\_\_\_\_  
PRINTED NAME OF PROPERTY OWNER(S)

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.