

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

110B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 5, 2015

SUBJECT: CONDITIONAL USE PERMIT NO. 3723 – Exempt from CEQA – Applicant: Roy Askar – Fourth Supervisorial District – Bermuda Dunes Zoning District – **REQUEST:** Project proposes 1,641 square foot convenience/liquor store that would include alcohol sales for off-premises consumption (Type 21 Off-Sale General ABC License) with operating hours from 8:00 a.m. to 11:00 p.m., and proposes a determination for Public Necessity & Convenience (PNC). The project site is located within an existing retail commercial center building and includes eight (8) allocated parking spaces.

RECOMMENDED MOTION: That the Board of Supervisors:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Commission on July 29, 2015.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION BY A 5-0 VOTE:

Departmental Concurrence

Steve Weiss

Steve Weiss, AICP
Planning Director

(Continued on next page)

Juan C. Perez

Juan C. Perez
TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: N/A				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

APPROVE

BY:

Steven C. Horn
Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.:

District: 4th

Agenda Number:

1-2

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

FORM 11: Conditional Use Permit No. 3723

DATE: August 5, 2015

PAGE: Page 2 of 2

FOUND the project **EXEMPT** from CEQA pursuant to State CEQA Guidelines Section 15303 based on the findings and conclusions incorporated in the staff report; and,

ADOPTED a **FINDING** of “**PUBLIC NECESSITY AND CONVENIENCE,**” regarding the sale of liquor from the subject site for off-premises consumption; and,

APPROVED CONDITIONAL USE PERMIT NO. 3723, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

The project was heard before the Planning Commission on July 29, 2015. Staff provided a brief presentation and the applicant's representative spoke in favor of the project. The project was approved unanimously with no public testimony.

The project includes a Determination of Public Necessity and Convenience (PCN) as there is an over concentration of alcohol licenses in the census tract for this area. However, due to existing commercial uses including adjacent hotels, and no sensitive land uses such as churches, schools, or public parks within 1,000 feet of the project, staff made findings in support of Public Necessity and Convenience.

Additionally, Condition of Approval 10.Trans.3 (Access Restriction) was changed to “Not Apply” since it referenced construction of a median within Washington Street and the median has been previously constructed which would not be a requirement for this project.

The applicant provided a completed, notarized and signed Indemnification Agreement for the Conditional Use Permit which has been attached to the Board Package.

Impact on Citizens and Businesses

The impact on the local citizens and businesses is a potential economic benefit since the proposed project is adding a new convenience store to the region located within an existing commercial service area which includes two (2) nearby hotels. The project is also estimated to provide three (3) full-time jobs. Additionally, the project was found to be exempt from CEQA, as described in the attached staff report.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on June 30, 2015,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CUP03723 For

Company or Individual's Name RCIT - GIS,

Distance buffered 1000'

Pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

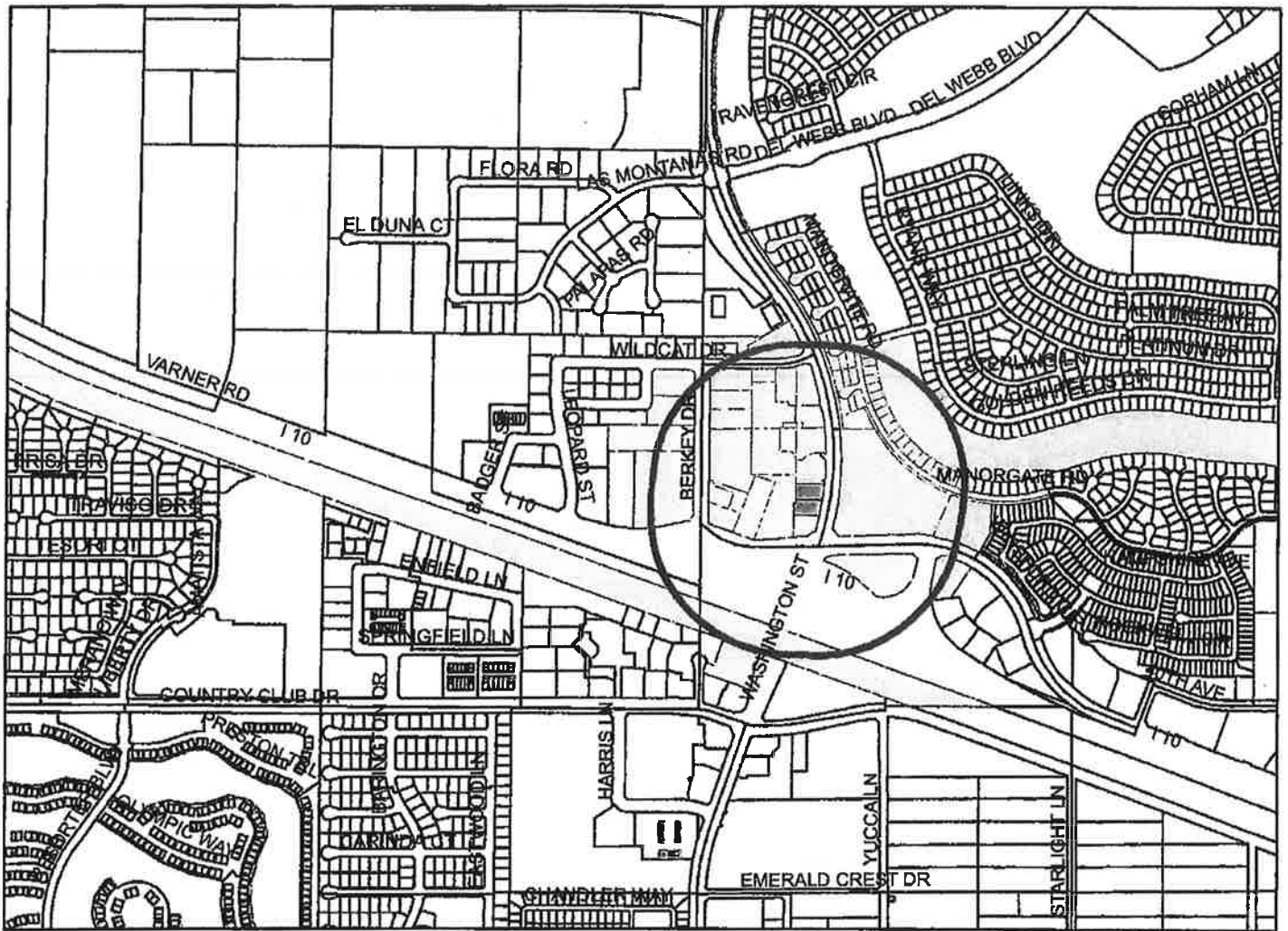
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

APN: 748-370-044, 045 (1000 feet buffer)



Selected Parcels

748-350-005	748-360-014	748-350-048	748-350-050	748-360-019	748-370-015	748-340-048	748-370-062	748-360-024	748-350-002
748-370-031	748-350-052	748-380-001	748-360-023	748-370-011	748-370-012	748-360-026	748-360-016	626-330-029	748-350-006
748-350-051	748-360-022	748-350-054	748-430-008	748-370-025	748-380-023	748-360-020	748-360-017	748-350-056	748-370-054
748-370-058	748-370-033	748-360-012	748-350-047	748-360-018	748-340-047	748-350-003	748-370-023	748-370-024	748-350-055
748-350-004	748-350-001	748-380-002	748-350-049	748-360-013	748-360-009	748-370-042	748-370-014	748-370-013	748-360-010
748-370-044	748-370-045	748-370-040	748-370-052	748-370-060	748-370-065	748-370-066	748-370-053	748-370-056	748-350-053
748-360-021	748-360-015	748-350-046	626-330-030	626-330-042	626-330-044	626-140-002	748-380-014	748-350-057	748-350-058
748-360-025	748-360-027	748-390-022	748-360-011	748-390-024	748-390-025	748-430-005	748-370-039		



1,000 500 0 1,000 Feet

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.

ASMT: 626330030, APN: 626330030
SANDDRIFT PROP
P O BOX 1208
CARPINTERIA CA 93014

ASMT: 748350003, APN: 748350003
SHIRLEY CELLI, ETAL
39567 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 626330042, APN: 626330042
SECURITY PACIFIC STORAGE BERMUDA DUNES
C/O BACO REALTY
51 FEDERAL ST STE 402
SAN FRANCISCO CA 94107

ASMT: 748350004, APN: 748350004
JUDITH JACKSON
39571 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 626330044, APN: 626330044
SECURITY PUBLIC STORAGE BERMUDA DUNES
C/O BACO REALTY
51 FEDERAL ST NO 202
SAN FRANCISCO CA 94107

ASMT: 748350005, APN: 748350005
DAKENDA MARKETING, ETAL
904 228 26TH AVENUE SW
CALGARY AB CANADA T2S3C6

ASMT: 748340047, APN: 748340047
JOHN BRIGHAM
78291 GOLDEN REED DR
PALM DESERT, CA. 92211

ASMT: 748350006, APN: 748350006
CAROLYN MOSS, ETAL
39579 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748340048, APN: 748340048
BRADLEY WILDE
NO 209
2750 SIERRA SUNRISE TER
CHICO CA 95928

ASMT: 748350046, APN: 748350046
ROBERT HART
78038 ALLEGRO CT
PALM DESERT, CA. 92211

ASMT: 748350001, APN: 748350001
JUDY GIGANTE
5924 VIENNA WY
LANSING MI 48917

ASMT: 748350047, APN: 748350047
ELIZABETH ROBERSON, ETAL
78008 ALLEGRO CT
PALM DESERT, CA. 92211

ASMT: 748350002, APN: 748350002
CATHERINE ROMMAL
P O BOX 132127
BIG BEAR LAKE CA 92315

ASMT: 748350048, APN: 748350048
BARBARA BANSMER
232 S ALMONT DR
BEVERLY HILLS CA 90211

ASMT: 748350049, APN: 748350049
MARIANNE VANDIJK, ETAL
285 MOBILE DR
ASHLAND OR 97520

ASMT: 748350056, APN: 748350056
KATHRYN WYATT, ETAL
78083 DEERBROOK CIR
PALM DESERT, CA. 92211

ASMT: 748350050, APN: 748350050
BARBARA SANTY
78071 ALLEGRO CT
PALM DESERT, CA. 92211

ASMT: 748360009, APN: 748360009
MARIANNE TEASLEY
39499 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350051, APN: 748350051
DIANA HAMMONS
554 BRODERICK ST
SAN FRANCISCO CA 94117

ASMT: 748360010, APN: 748360010
N TRUST, ETAL
PO BOX 1354
CHICAGO IL 60690

ASMT: 748350052, APN: 748350052
CAROL RIGGS, ETAL
78040 DEERBROOK CIR
PALM DESERT, CA. 92211

ASMT: 748360011, APN: 748360011
JANICE WAKEFIELD, ETAL
39507 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350053, APN: 748350053
MARY ANDERSON, ETAL
78010 DEERBROOK CIR
PALM DESERT, CA. 92211

ASMT: 748360012, APN: 748360012
SHARON CHASE, ETAL
39511 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350054, APN: 748350054
MARIAN TOCCI, ETAL
11181 ETRICK ST
OAKLAND CA 94605

ASMT: 748360013, APN: 748360013
M GEFFEN
39515 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350055, APN: 748350055
THERESA FEMENELLA, ETAL
21762 CHATHAM
MISSION VIEJO CA 92692

ASMT: 748360014, APN: 748360014
DIANA THAU, ETAL
78206 VARNER RD STE D150
PALM DESERT CA 92211

ASMT: 748360015, APN: 748360015
ELLEN DEWAAAYER, ETAL
1812 MACDONALD ST
VANCOUVER BC CANADA V6K3X9

ASMT: 748360022, APN: 748360022
DIANE BOGER, ETAL
75 PARTRIDGE CT
ALAMO CA 94507

ASMT: 748360016, APN: 748360016
GWENDOLYN GILBERT, ETAL
39527 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748360023, APN: 748360023
DAVID NOORTHOEK
488 OAK BROOK CT
SANTA ROSA CA 95409

ASMT: 748360017, APN: 748360017
GEORGE SAHAGIAN
667 N SUNNYSLOPE AVE
PASADENA CA 91107

ASMT: 748360024, APN: 748360024
C V W D
P O BOX 1058
COACHELLA CA 92236

ASMT: 748360018, APN: 748360018
JO PERRY
39535 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748360026, APN: 748360026
DEL WEB CALIF CORP
39775 BERKEY DR
PALM DESERT CA 92211

ASMT: 748360019, APN: 748360019
SARAH GONZALES, ETAL
39539 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748360027, APN: 748360027
SUN CITY PALM DESERT COMMUNITY ASSN
38180 DEL WEBB BL
PALM DESERT CA 92211

ASMT: 748360020, APN: 748360020
GARY CLARK
39543 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748370012, APN: 748370012
DEL GUIDICE INV
42104 WASHINGTON ST NO 1B
BERMUDA DUNES CA 92203

ASMT: 748360021, APN: 748360021
ESTHER BLOCH, ETAL
39547 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748370013, APN: 748370013
SUNNY ASCH, ETAL
PO BOX 457
LA CANADA 91012

ASMT: 748370014, APN: 748370014
MOTEL 6 OPERATING
C/O TAX DEPT
P O BOX 117508
CARROLLTON TX 75011

ASMT: 748370042, APN: 748370042
OLEANDER, ETAL
88 LENORA ST
SEATTLE WA 98121

ASMT: 748370015, APN: 748370015
BIG SKY INV HOSPITALITY INC
2545 RUDY ST
ROWLAND HEIGHTS CA 91748

ASMT: 748370045, APN: 748370045
P D GROUP
2445 KISER
TUSTIN CA 92782

ASMT: 748370024, APN: 748370024
JOHNSON FAMILY
78005 WILDCAT DR NO 107
PALM DESERT CA 92211

ASMT: 748370056, APN: 748370056
PSTB
C/O CRAIG A LANGE
2700 RADIO WAY
MISSOULA MT 59808

ASMT: 748370025, APN: 748370025
FORCE WILDCAT
C/O ERICKSON
P O BOX 13164
PALM DESERT CA 92255

ASMT: 748370058, APN: 748370058
SHOLEH HANSHAW, ETAL
4438 E WICKHAM AVE
ORANGE CA 92867

ASMT: 748370031, APN: 748370031
CLAIRE MCBRIDE, ETAL
P O BOX 235
ROSS CA 94957

ASMT: 748370062, APN: 748370062
BRAVO PROP INC
C/O CLAUDIO BRAVO
P O BOX 820
DSRT HOT SPG CA 92240

ASMT: 748370033, APN: 748370033
HLDG
ATTN WESLEY D OLIPHANT
77900 AVE OF THE STATES
PALM DESERT CA 92211

ASMT: 748370066, APN: 748370066
PASSCO WASHINGTON SQUARE
2050 MAIN ST STE 650
IRVINE CA 92614

ASMT: 748370039, APN: 748370039
ALLIANCE JN HOSPITALITY GROUP, ETAL
21520 YORBA LINDA BL G338
YORBA LINDA CA 92887

ASMT: 748380001, APN: 748380001
COUNTY OF RIVERSIDE
C/O REAL ESTATE DIVISION
P O BOX 1180
RIVERSIDE CA 92502

ASMT: 748380002, APN: 748380002
LASSEN MARKET INC
C/O MIDLAND OIL GROUP
3270 INLAND EMPIRE NO 430
ONTARIO CA 91764

ASMT: 748380014, APN: 748380014
SOUTHERN PACIFIC TRANSPORTATION CO
SOUTHERN PACIFIC TRANSPORTATION CO
1700 FARNAM ST 10TH FL S
OMAHA NE 68102

ASMT: 748380023, APN: 748380023
FOUNTAINHEAD INDIO
1401 QUAIL ST STE 100
NEWPORT BEACH CA 92660

ASMT: 748390022, APN: 748390022
SUN CITY PALM SPRINGS COMMUNITY ASSN
C/O THOMAS LUCAS
2231 E CAMELBACK RD
PHOENIX AZ 85016

ASMT: 748390025, APN: 748390025
THE MARKETPLACE, ETAL
C/O GEORGE CHAMI JR
1667 E LINCOLN AVE
ORANGE CA 92865

ASMT: 748430005, APN: 748430005
WILDCAT DRIVE I
C/O BEARDLAND IMPROVEMENT
530 11TH ST
MODESTO CA 95354

ASMT: 748430008, APN: 748430008
EISENOWER MEDICAL CENTER
ATTN CHIEF FINANCIAL OFFICER
39000 BOB HOPE DR
RANCHO MIRAGE CA 92270



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP
Planning Director

DATE: August 5, 2015

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Desert Office *KGB 8/25/15*

SUBJECT: CONDITIONAL USE PERMIT 3723 – Exempt from CEQA (NOE)
(Charge your time to these case numbers)

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

- Place on Administrative Action
- Receive & File
- EOT
- Labels provided If Set For Hearing
 - 10 Day
 - 20 Day
 - 30 day
- Place on Consent Calendar
- Place on Policy Calendar (Resolutions, Ordinances, PNC)
- Place on Section Initiation Proceeding (GPIP)
- Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
- Publish in Newspaper:
 - **SELECT Advertisement****
 - CEQA Exempt
 - 10 Day
 - 20 Day
 - 30 day
- Notify Property Owners (app/agencies/property owner labels provided)

15-SW

Please try to add to the September 1, 2015 BOS Hearing
(If possible)

SW

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

Desert Office • 77-588 Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7040

"Planning Our Future... Preserving Our Past"



**PLANNING COMMISSION
MINUTE ORDER
JULY 29, 2015**

I. AGENDA ITEM 4.2

CONDITIONAL USE PERMIT NO. 3723 – Exempt from CEQA – Applicant: Roy Askar – Representative: Keefer Consulting – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Community Area Plan: Community Development: Commercial Retail (CD: CR) (0.20 – 0.35 FAR) – Location: Northerly of Varner Road, southerly of Market Place, and westerly of Washington Street at 39615 Washington Street, Suite A, Palm Desert – .50 Acres.

II. PROJECT DESCRIPTION:

The conditional use permit proposes 1,641 square foot convenience/liquor store that would include alcohol sales for off-premises consumption (Type 21 Off-Sale General ABC License) with operating hours from 8:00 a.m. to 11:00 p.m., and proposes a determination for Public Necessity & Convenience (PNC). The project site is located within an existing retail commercial center building and includes eight (8) allocated parking spaces.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Jay Olivas at (760) 863-7050 or email jolivas@rctlma.org.

Keith Gardner, Representative, (951) 533-2934 spoke in favor of the proposed project. No one spoke in opposition or in a neutral position to the proposed project.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Sanchez, 2nd by Chairman Valdivia,

A vote of 5-0

FOUND EXEMPT FROM CEQA; and,


ADOPTED A FINDING OF PUBLIC NECESSITY AND CONVENIENCE; and,

APPROVED CONDITIONAL USE PERMIT NO. 3723, as modified at hearing.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.

Agenda Item No.: 4.2
Area Map: Western Coachella Valley
Zoning District: Bermuda Dunes
Supervisory District: Fourth
Project Planner: Jay Olivas
Planning Commission: July 29, 2015

CONDITIONAL USE PERMIT NO. 3723
Exempt from CEQA
Applicant: Roy Askar
Representative: Keefer Consulting


Steve Weiss, AICP
Planning Director

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit No. 3723 proposes 1,641 square foot convenience/liquor store that would include alcohol sales for off-premises consumption (Type 21 Off-Sale General ABC License) with operating hours from 8:00 a.m. to 11:00 p.m., and proposes a determination for Public Necessity & Convenience (PNC). The project site is located within an existing retail commercial center building and includes eight (8) allocated parking spaces.

The project site is located in the Community of Bermuda Dunes within the Western Coachella Area Plan in Eastern Riverside County; more specifically, north of Varner Road, south of Marketplace Drive, west of Washington Street.

BACKGROUND:

The subject site consists of an existing 12,900 square foot retail/commercial building with eight (8) suites that was originally approved under Plot Plan No. 20466 in 2006. Conditional Use Permit No. 3723 (CUP 3723) now proposes to occupy a portion of the retail/commercial building consisting of Suite A with a new 1,641 square foot convenience/liquor store. Suite A is currently unoccupied.

No exterior changes are proposed to the existing retail building or suite with the 1,641 square foot convenience/liquor store other than potential future commercial signage which would be administratively reviewed in accordance with Zoning Ordinance No. 348 as stated under Condition of Approval (COA) 10.Planning.7- Permit Signs Separately. Interior improvements such as shelving and coolers are proposed as a building tenant improvement in accordance with proposed floor plan.

ISSUE OF POTENTIAL CONCERN:

The proposed convenience/liquor store is located within the Del Webb Specific Plan (SP) within Planning Area 15 commercial portion of the SP. Planning Area 15 which references the Scenic Highway Commercial (C-P-S) zone, does not indicate convenience/liquor stores as being prohibited, but may be allowed as a conditional use. The proposed project is adjacent to existing commercial businesses and hotels along with nearby residences and golf course areas of the SP.

The ABC (Alcohol Beverage Control Board) has four (4) licenses for the census block 0514.00 and would be over concentrated by one (1) license with approval of CUP 3723. However, a determination can be made by Letter of Public Convenience and Necessity to support this additional license, as stated below.

Permitting alcohol sales at a small liquor sale in a shopping center generally does not have the social impacts of such a permit of other types of liquor sales since most of the customers arrive and depart the site in cars, and loitering does not occur. Also, with the lack of impacts to schools, churches, and parks in the immediate vicinity or within 1,000 feet of the proposed liquor store, and being located within an existing developed commercial area, staff finds that the additional ABC license would not have a negative impact to the community. Therefore, staff supports adding the use of alcohol sales for off-premises consumption to this site.

SUMMARY OF FINDINGS:

- | | |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Existing Land Use (Ex. #1): | Commercial retail center |
| 2. Surrounding Land Use (Ex. #1): | Commercial shopping center, single family residences, banks, hotels, golf course area. |
| 3. Existing Zoning (Ex. #2): | Specific Plan (S-P) |
| 4. Surrounding Zoning (Ex. #2): | Specific Plan (S-P), Scenic Highway Commercial (C-P-S), Industrial Park (I-P), General Commercial (C-1/C-P) |
| 5. General Plan Land Use (Ex. #5): | Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) |
| 6. Surrounding General Plan Land Use (Ex. #5): | Community Development: Commercial Retail (CD: CR) (0.25 - 0.35 Floor Area Ratio), Community Development: Medium Density Residential (CD: MDR) (2 - 5 Dwelling Units per Acre), Light Industrial (CD: LI) (0.25 - 0.60 Floor Area Ratio) |
| 7. Project Data: | Total Acreage: 0.50
Total Number of Existing Buildings: 1
Total Existing Building Sq. Ft.: 1,641 (Suite A)
Total Existing Parking Spaces: 8
Liquor License Type: Off Sale General Type 21 |
| 8. Environmental Concerns: | Exempt from CEQA |

RECOMMENDATIONS:

FIND the project **EXEMPT** from CEQA pursuant to State CEQA Guidelines Section 15303 based on the findings and conclusions incorporated in the staff report; and,

ADOPT a **FINDING** of “**PUBLIC NECESSITY AND CONVENIENCE,**” regarding the sale of liquor from the subject site for off-premises consumption, based upon the findings and conclusions incorporated in the staff report; and,

APPROVE CONDITIONAL USE PERMIT NO. 3723, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings which is incorporated herein by reference.

1. The project site is designated Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) on the Western Coachella Valley Area Plan.
2. The proposed use, a convenience/liquor store with sale of liquor (Type 21 Off-Sale General ABC License) for off-premises consumption, is consistent with the Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) land use designation.
3. The Community Development: Commercial Retail (CD:CR) (.20-.35 Floor Area Ratio) allows for the development of commercial retail uses at a neighborhood, community, and regional level. The proposed convenience/liquor store would serve nearby land uses which includes residential, commercial, and industrial business that frequent the area including nearby hotels.
4. The project site is surrounded by properties which are designated Community Development: Commercial Retail (CD: CR) (0.25 - 0.35 Floor Area Ratio), Community Development: Medium Density Residential (CD: MDR) (2 - 5 Dwelling Units per Acre), and Light Industrial (CD: LI) (0.25 - 0.60 Floor Area Ratio).
5. The zoning for the subject site is Specific Plan (S-P) and is located within Planning Area 15 of the Sun City Del Webb Specific Plan No. 281 as amended by Amendment No. 5 which allows convenience/liquor stores with an approved conditional use permit.
6. The project site is surrounded by properties which are zoned Specific Plan (S-P), Scenic Highway Commercial (C-P-S), Industrial Park (I-P), and General Commercial (C-1/C-P)
7. The project is surrounded by existing urbanized development consisting of commercial retail businesses, existing banks, single family residences, hotels, restaurants, a golf cart sales shop, and vacant land. The project is located within an existing developed retail, industrial, and residential area.
8. The proposed site plan with existing building and existing 1,641 square foot suite (Suite A) for the proposed convenience/liquor store is consistent with the development standards including existing 25 foot building height, eight (8) existing parking spaces for the proposed Suite A which meet or exceed the minimum parking, and the existing building screening roof mounted mechanical equipment.
9. The project has adequate access to paved roads. Washington Street (116' ROW) and Market Place are paved and improved. The project site has paved access through the internal drive aisles of the existing parking lot.
10. The project was transmitted to the City of Palm Desert (Sphere of Influence) with no comments received either in support of or opposition to the project.
11. The project was transmitted to the County Sheriff Palm Desert Office with no comments received in support of or opposition to the project.

12. No exterior changes are proposed to the existing retail building or suite with the convenience/liquor store other than minor security lighting to be hooded and potential future commercial signage which would be administratively reviewed in accordance with Zoning Ordinance No. 348. Interior improvements such as shelving and coolers are proposed as a building tenant improvement.
13. The project was reviewed by the Airport Land Use Commission (ALUC) and was found to be "consistent" with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan as stated in the ALUC letter dated June 22, 2015.
14. Visual impacts are addressed with existing project architecture including varied roof lines, perimeter landscaping including along Washington Street to buffer adjacent commercial center and residential properties within Del Webb.
15. The year 2010 census population for census tract 0514.00 was 6,956 persons according to the US Census Bureau (Census 2010).
16. Per email letter received June 29, 2015 from ABC, there are currently four (4) alcohol beverage control licenses allowed in Census Tract 0514.00. Approval of this Conditional Use Permit would increase the number of existing ABC licenses from four (4) to five (5) requiring a determination for Public Necessity and Convenience (PNC).
17. With no sensitive land uses such as a school, church, public park, or playground within the immediate vicinity or within a 1,000 feet, and existing commercial land uses such as hotels and mixed use development in the immediate area, a determination of Public Necessity and Convenience (PNC) is warranted for the proposed convenience/liquor store with alcohol sales for off-premises consumption.
18. The project site is consistent with the objectives and development standards of Section 18.48 (Alcoholic Beverage Sales) of Ordinance No. 348 in that vehicle traffic from the liquor store will not be potential hazard to a school, church, public park or playground as these uses are not currently present in the immediate vicinity of the project or within a 1,000 feet.
19. Pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures), the Riverside County Planning Department has determined the project for a convenience/liquor store within an existing vacant 1,641 square foot commercial suite is exempt from CEQA in that:
 - i) Section 15303 indicates projects may be exempt that entail the conversion of existing small structures from one use to another where only minor modifications are made to the exterior. The project meets this criteria in that the liquor store is proposed within an existing vacant commercial suite with no exterior changes proposed to the existing building.
 - ii) Section 15303 indicates a store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet in floor area on sites zoned for such use in urbanized areas and where necessary public facilities area available, may be exempt from CEQA. The project meets this criteria due to the fact that it is vacant suite being converted into a small convenience/liquor store, which is

allowed under the applicable zoning, it is only 1,641 square feet, and it has existing urban improvements and required public facilities.

- iii) Additionally, the existing commercial building was previously reviewed and approved under Plot Plan No. 20466 / Environmental Assessment No. 40161 which determined Mitigated Negative Declaration with less than significant impacts.

CONCLUSIONS:

1. The proposed project is in conformance with the Community Development: Commercial Retail (CD: CR) (0.20 - 0.35 Floor Area Ratio) land use designation, and with all other elements of the Riverside County General Plan.
2. The proposed project consisting of a convenience/liquor store is consistent with the Specific Plan (S-P) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety and general welfare are protected through project design.
4. The proposed project is compatible with the present and future logical development of the area.
5. The proposed project is not located within a conservation area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSCHP).
6. The proposed project is exempt from CEQA in accordance with Section 15303, Class 3 (New Construction or Conversion of Small Structures).

INFORMATIONAL ITEMS:

1. As of this writing (7/15/15), no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. An Agriculture Preserve;
 - b. A Policy Area;
 - c. A High Fire area;
 - d. A County Fault Zone;
 - e. An Area Drainage Plan Area; or,
 - f. A Dam Inundation Area.
3. The project site is located within:
 - a. An Area subject to the Mt. Palomar Lighting Ordinance No. 655 (Zone B);
 - b. A City of Sphere of Influence (Palm Desert);
 - c. An Airport Influence Area (Bermuda Dunes);
 - d. An Area of Liquefaction Potential (Moderate);
 - e. An Area Susceptible to Subsidence;
 - f. A Development Impact Fee Area (Ordinance No. 659) (Western Coachella Valley);

- g. The Bermuda Dunes Community Service District (#121);
 - h. The boundaries of the Desert Sands Unified School District.
4. The subject site is currently designated as Assessor's Parcel Number 748-370-045.

RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03723

VICINITY/POLICY AREAS

Supervisor Benoit
District 4

Date Drawn: 06/30/2015
Vicinity Map



Zoning District: Bermuda Dunes

Author: Vinnie Nguyen

NOT TO SCALE. On October 7, 2008, the County of Riverside adopted a new General Plan providing for land use designations for unincorporated Riverside County parcels. This Zoning District Plan is a voluntary effort to provide a framework for the Planning Department staff to use in providing zoning recommendations to the Planning Commission. This map is not a legal document. For more information, please contact the Planning Department at (951) 968-2000 (Business Center) or the Public Works at (951) 968-4377 (Business Center) or Website: <http://www.riversideca.gov>



RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03723

LAND USE

Supervisor Benoit
District 4

Date Drawn: 06/30/2015
Exhibit 1



Zoning District: Bermuda Dunes

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://riverside.net/cup>

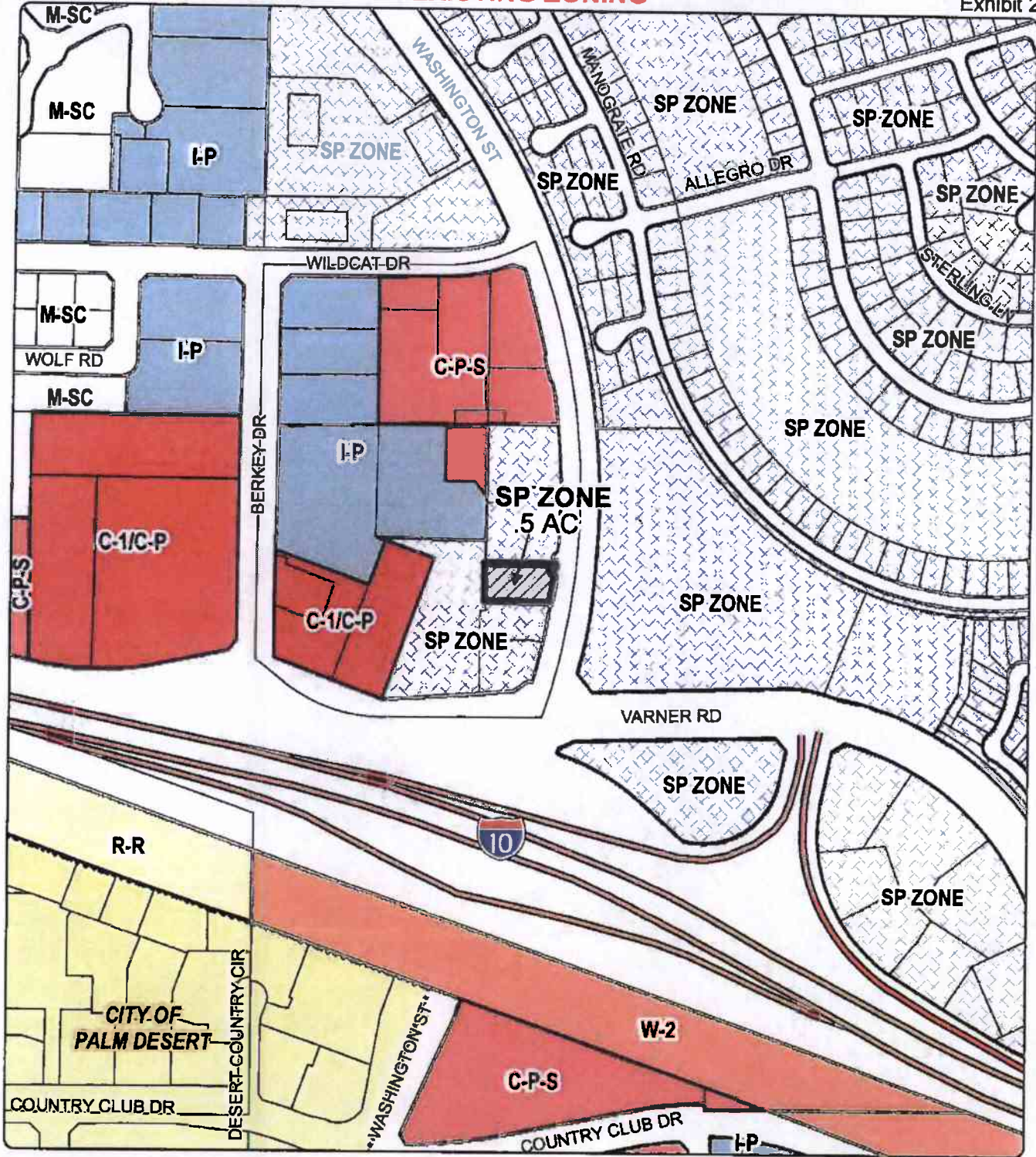
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03723

EXISTING ZONING

Supervisor Benoit
District 4

Date Drawn: 06/30/2015
Exhibit 2



Zoning District: Bermuda Dunes

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)950-3200 (Western County) or in Palm Desert at (760)663-8277 (Eastern County) or Website <http://planning.riverside.ca.gov>

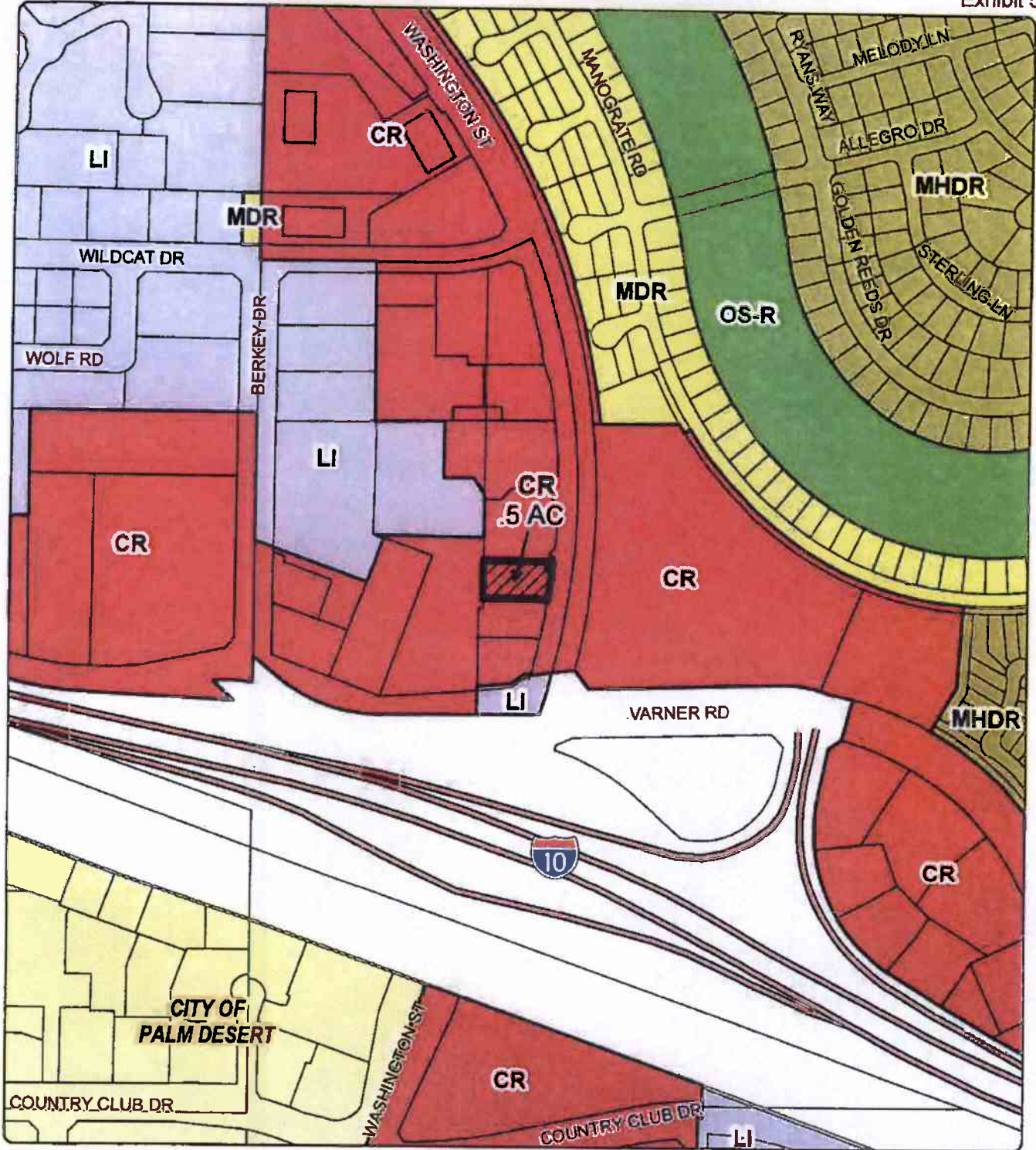
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03723

EXISTING GENERAL PLAN

Supervisor Benoit
District 4

Date Drawn: 06/30/2015
Exhibit 5



Zoning District: Bermuda Dunes

Author: Vinnie Nguyen

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)985-3200 (Western County) or in Palm Desert at (760)865-8277 (Eastern County) or Website <http://planning.riverside.ca.gov>





6149 BLUFFERWOOD DR.
RIVERSIDE, CA. 92506
(951)533-2934

OWNER:
PD. GROUP LLC
1891 E. MIRA LOMA AVE.
PLACENTIA, CA 92870

APPLICANT:
ROY ASKAR
4580 CARMEN STREET
CHINO, CA 92710

CONDITIONAL USE PERMIT
39615 WASHINGTON, STE A
PALM DESERT, CA 92211

EXISTING PROPOSED
SITE PLAN

DATE
03/10/2015
DRAWN BY
J. HOFFMAN
SCALE
1"=10'
APN.
748-370-045
SHEET NO.

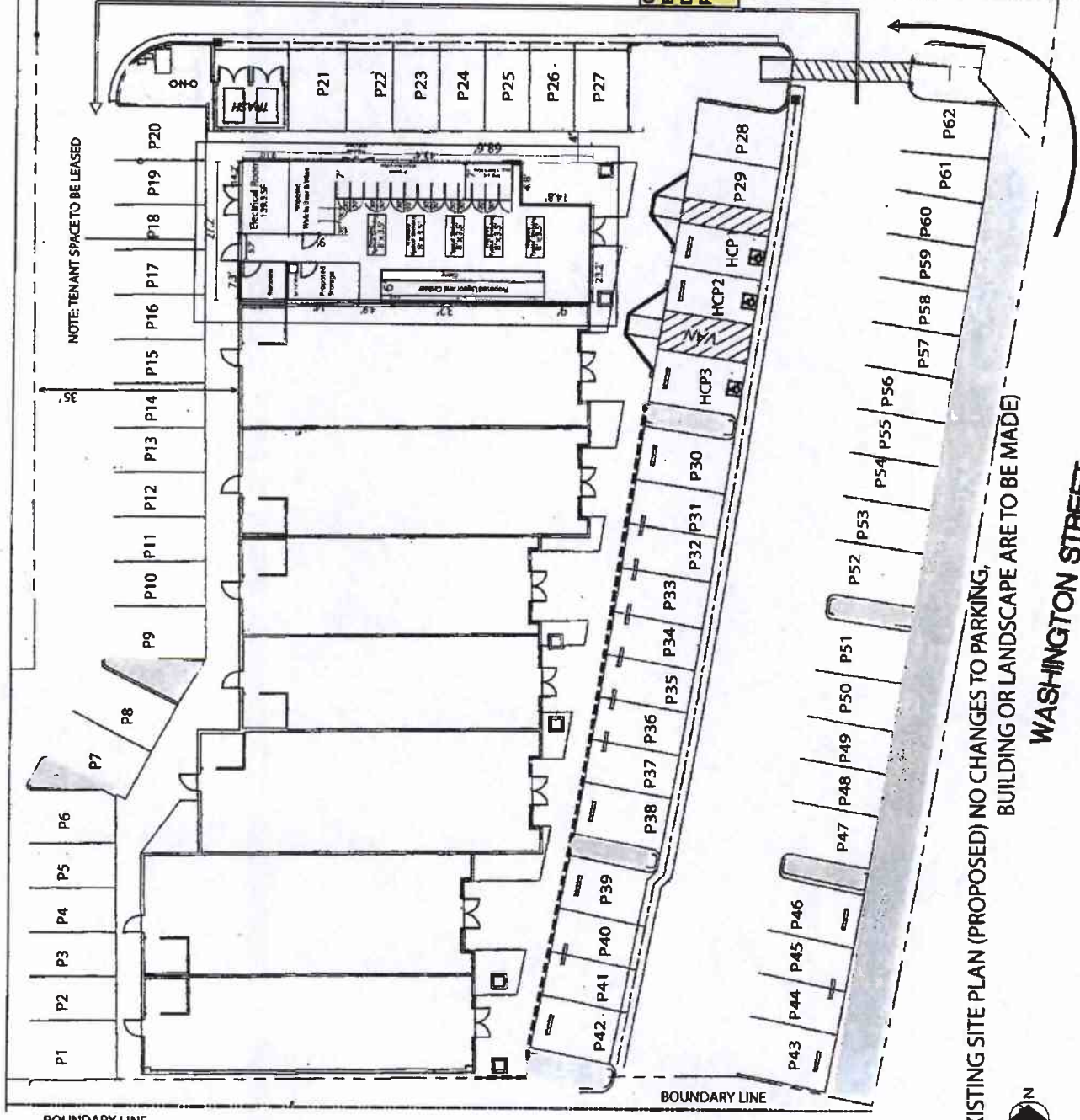
OF 15 SHEET

PROJECT DATA

- 10. PAR 4 OF PARCEL MAP NO. 29251
- 11. RECORDED LOT SIZE IS 0.5 ACRES
- 14. PAGE 819 GRID/FZ
- 16. Total 1641.3 SF
- 19. CURRENT AND PROPOSED ZONING: SP
- 20. CURRENT AND PROPOSED LAND USE: CR
- 21. SPECIFIC PLAN NO. 286 PA15
- 22. COACH VAL CO WTR STORM WTR UNIT
COACHELLA VALLEY COUNTY WATER
COUNTRY WASTE RESOURCE MGMT DIST
DESERT SANDS UNIFIED SCHOOL DIST.
- 23. NO EASEMENTS KNOWN
- 28/29. NO STREET IMPROVEMENT
- 30/31/32. NO GRADING PROPOSED
- 33. N/A
- 34/35/36. ON PROPOSED REPORT
- 37. NO CONSTRUCTION GRADE PROPOSED
- 38. NO OPEN CHANNELS
- 39/40. NOT AVAILABLE
- 41. NO SIGN ON FRONT OF PROPERTY
- 42. PARKING SPACE 18X8 FEET
VAN ACCESSIBLE SPACES ARE 11 FT WIDE
ACCESSIBLE FOR EITHER SPACE IS 5 FT WIDE
- 43. SEE AERIAL
- 45. NO PROPOSED BUILDINGS
- 47. NO PROPOSED STRUCTURES
- 48. SEE PHOTOS, CODE C
- 50. ESTIMATE FOR FLOOR PLAN SHOWN
- 51. NO NEW LANDSCAPE PROPOSED
- 52. NO NEW PARKING PROPOSED
- 53. NO NEW CONSTRUCTION

CASE: CUP03723
EXHIBIT: A
DATE: 4/13/16
PLANNER: J. OIYAS

LANDSCAPE AREAS



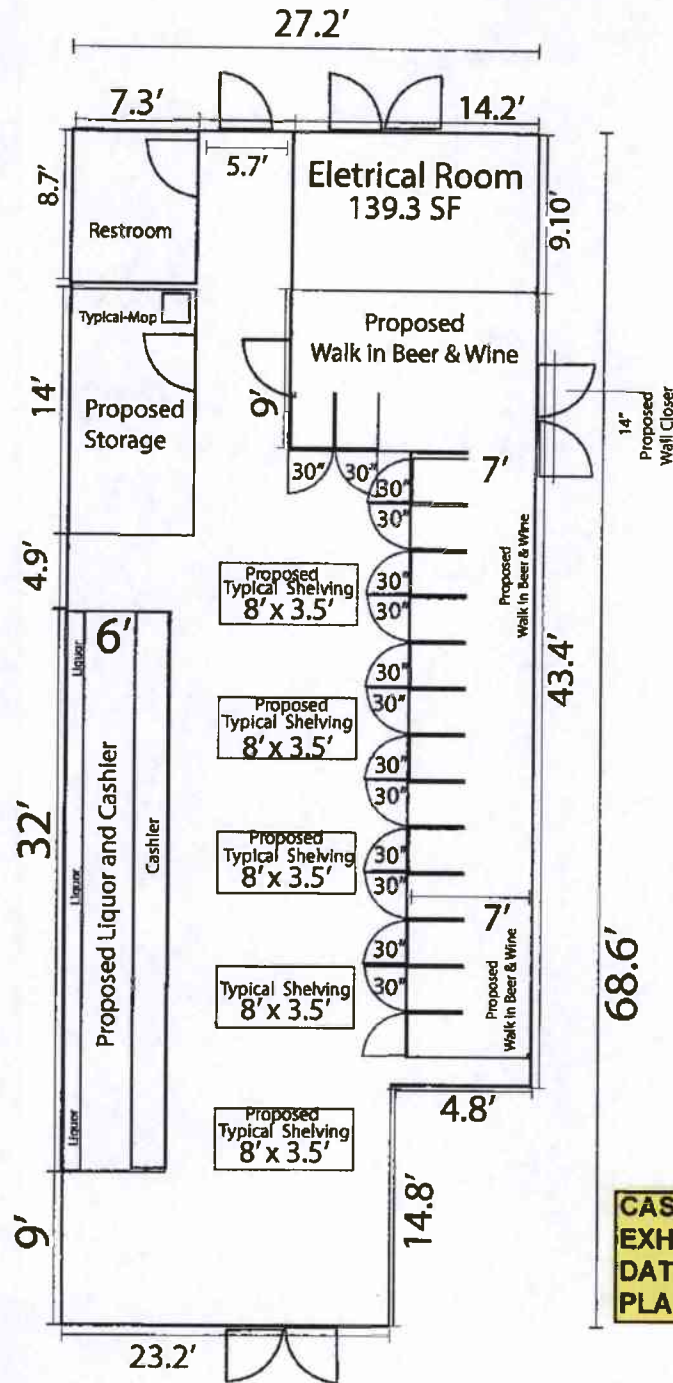
EXISTING SITE PLAN (PROPOSED) NO CHANGES TO PARKING,
BUILDING OR LANDSCAPE ARE TO BE MADE)



VARNIER RD.



1'=10"



CASE: CUP03723
 EXHIBIT: C
 DATE: 4/13/16
 PLANNER: J. Olivas

Proposed Land Use:
 New convenience store/liquor store

APN
 748-370-045-0

3/9/2015

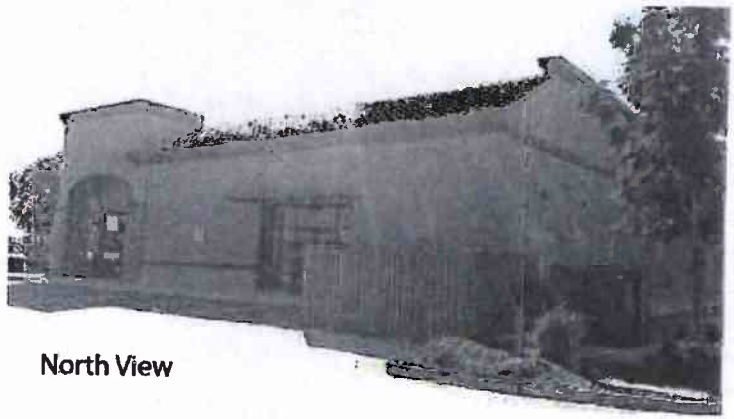
Applicant
 Roy Askar
 4580 Carmen Street
 Chino, CA 92710
 951-966-6412

Owner
 P.D. Group, LLC
 1891 E. Mira Loma Ave.
 Placentia, CA 92870

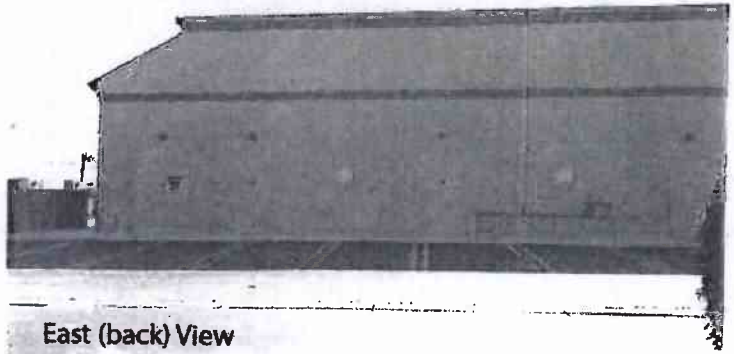
Address
 39615 Washington ST
 Palm Desert, CA 92211



6149 Bluffwood Dr.
 Riverside, CA 92506
 951-533-2931



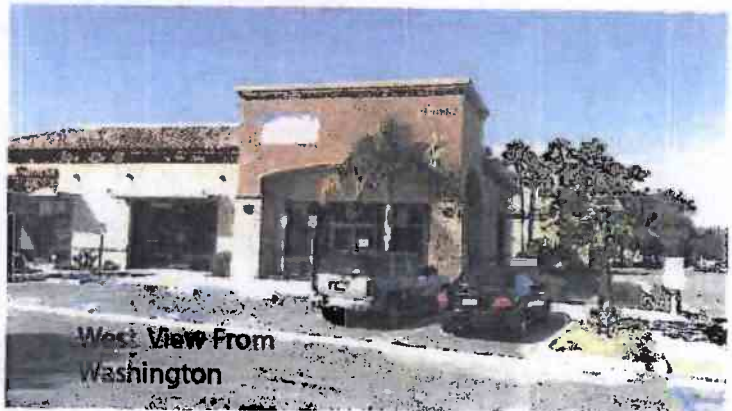
North View



East (back) View



South View From
Washington



West View From
Washington

Address
39615 Washington ST
Palm Desert, CA 92211



6149 Bluffwood Dr.
Riverside, CA 92506
951-533-2931

APN
748-370-045-0

3/9/2015

Owners /Applicant
Roy Askar
4580 Carmen Street
Chino, CA 92710
951-966-6412

Aerial Photo with Vehicular Circulation



CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - PROJECT DESCRIPTION RECOMMND

The use hereby permitted is for a 1,641 square foot convenience/liquor store that would include alcohol sales for off-premises consumption (Type 21 Off-Sale General ABC License) with operating hours from 8:00 a.m. to 11:00 p.m., and includes determination for Public Necessity & Convenience (PNC). The project site is located within an existing retail commercial center building and includes eight (8) allocated parking spaces.

10. EVERY. 2 USE - HOLD HARMLESS RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the CONDITIONAL USE PERMIT; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the CONDITIONAL USE PERMIT, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through

08/05/15
15:28

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 2

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10. EVERY. 2 USE - HOLD HARMLESS (cont.) RECOMMND

its Office of County Counsel.

10. EVERY. 3 USE - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. 3723 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Exhibit A (Site plan) & Exhibit C (Floor plan) dated April 13, 2015.

BS PLNCK DEPARTMENT

10.BS PLNCK. 1 USE - PLAN CHECK COMMENTS RECOMMND

NOTE:

VAN ACCESSIBLE PARKING SPACE TO BE 12'x18' WITH A 5' ACCESS AISLE ON THE PASSENGER SIDE. STANDARD SPACES TO REMAIN AT 9'X18' WITH A 5' ACCESS AISLE.

PERMIT ISSUANCE:

Per section 105.1 (2013 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment.

Craig Lobnow
Principal Building Inspector
Riverside County Building & Safety
(951) 955-8578

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

FIRE DEPARTMENT

10.FIRE. 1 USE* -#23-MIN REQ FIRE FLOW RECOMMND

Minimum required fire flow shall be 1500 GPM for a 2 hour duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site.

10.FIRE. 2 USE-#89-KNOX BOX RECOMMND

Knox Box key storage cabinet shall be installed on the outside of the building. Applications for the Knox Box can be picked up at 77933 Las Montanas Rd. Ste. 201, Palm Desert, CA

PARKS DEPARTMENT

10.PARKS. 1 USE - CLASS 2 BIKEPATH RECOMMND

The Class 2 bikepath located on Washington Street will not require bikepath improvements for CUP03723.

PLANNING DEPARTMENT

10.PLANNING. 1 USE - COMPLY WITH ORD./CODES RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A, unless otherwise amended by these conditions of approval.

10.PLANNING. 3 USE - LIGHTING HOODED/DIRECTED RECOMMND

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING. 4 USE - LAND DIVISION REQUIRED RECOMMND

Prior to the sale of any individual structure as shown on APPROVED EXHIBIT A, a land division shall be recorded in accordance with Riverside County Ordinance No. 460, and any other pertinent ordinance.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.PLANNING. 5 USE - HOURS OF OPERATION RECOMMND

Use of the facilities approved under this conditional use permit shall be limited to the hours of 8:00 a.m. to 11:00 p.m., excepting for maintenance and cleaning, Monday through Sunday in order to reduce conflict with nearby residential zones and/or land uses.

10.PLANNING. 7 USE - PERMIT SIGNS SEPARATELY RECOMMND

No signs are approved pursuant to this project approval. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only) of Ordinance No. 348.

10.PLANNING. 8 USE - MAINTAIN LICENSING RECOMMND

At all times during the conduct of the permitted use the permittee shall maintain and keep in effect valid licensing approval from the California Alcoholic Beverage Control Board, or equivalent agency as provided by law. Should such licensing be denied, expire or lapse at any time in the future, this permit shall become null and void.

10.PLANNING. 9 USE - EXTERIOR NOISE LEVELS RECOMMND

Exterior noise levels produced by any use allowed under this permit, including, but not limited to, any outdoor public address system, shall not exceed 45 db(A), 10-minute LEQ, between the hours of 10:00 p.m. to 7:00 a.m., and 65 db(A), 10-minute LEQ, at all other times as measured at any residential, hospital, school, library, nursing home or other similar noise sensitive land use. In the event noise exceeds this standard, the permittee or the permittee's successor-in-interest shall take the necessary steps to remedy the situation, which may include discontinued operation of the facilities. The permit holder shall comply with the applicable standards of Ordinance No. 847.

10.PLANNING. 10 USE - CAUSES FOR REVOCATION RECOMMND

In the event the use hereby permitted under this permit,
a) is found to be in violation of the terms and conditions of this permit,
b) is found to have been obtained by fraud or perjured

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.PLANNING. 10 USE - CAUSES FOR REVOCATION (cont.) RECOMMND

testimony, or
c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

10.PLANNING. 11 USE - CEASED OPERATIONS RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 12 USE - 90 DAYS TO PROTEST RECOMMND

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, The imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of the project.

10.PLANNING. 13 USE - ABC21 OFF SALE GENERAL RECOMMND

OFF SALE GENERAL - (Package Store) Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

10.PLANNING. 14 USE - MT PALOMAR LIGHTING AREA RECOMMND

Within the Mt. Palomar Special Lighting Area, as defined in Ordinance No. 655, low pressure sodium vapor lighting or overhead high pressure sodium vapor lighting with shields or cutoff luminaires, shall be utilized.

10.PLANNING. 15 USE - PLANNING AREA 15 RECOMMND

The proposed project shall comply with Planning Area 15 standards of the Del Webb Sun City Palm Desert Specific Plan No. 281A5.

10.PLANNING. 17 USE - SITE MAINTENANCE RECOMMND

The project site shall be kept in good repair. Graffiti shall be removed from any structures within one week of observation and/or notification.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.PLANNING. 18 USE - BUSINESS LICENSING RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at www.rctlma.org.buslic.

10.PLANNING. 19 USE - ALUC LETTER RECOMMND

The permit holder shall remain in compliance with the attached Airport Land Use Commission (ALUC) letter dated June 22, 2015, summarized as follows:

- 1) Any new outdoor lighting that is installed shall be hooded or shielded;
- 2) The following uses shall be prohibited:
 - a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations.
 - b) Any use which would cause sunlight to be reflected towards an aircraft.
 - c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds.
 - d) Any use which would generate electrical interference that may be detrimental to aircraft.
- 3) The attached "Notice of Airport in Vicinity" shall be provided to all potential tenants and purchasers.

TRANS DEPARTMENT

10.TRANS. 1 USE - STD INTRO 3(ORD 460/461) RECOMMND

With respect to the conditions of approval for the referenced tentative exhibit,

the landowner shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.TRANS. 1 USE - STD INTRO 3(ORD 460/461) (cont.) RECOMMND

Standards (Ordinance 461). It is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. These ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 2 USE - NO ADD'L ON-SITE R-O-W RECOMMND

No additional on-site right-of-way shall be required on Washington Street since adequate right-of-way exists.

10.TRANS. 3 USE - NO ADD'L ROAD IMPRVMENTS RECOMMND

No additional road improvements will be required at this time along Washington Street due to existing improvements.

10.TRANS. 4 USE - ACCESS RESTRICTION NOTAPPLY

Access from Washington Street is restricted to right-in right-out only. Applicant is responsible to construct a raised median on Washington Street to restrict this access. No additional Driveway is allowed on Washington Street or as approved by the Transportation Department.

CHANGED TO NOT APPLY AT PLANNING COMMISSION 7/29/15

10.TRANS. 5 USE - UTILITY INSTALL. 1 RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and within the project boundaries.

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15:28

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 8

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.TRANS. 6 USE - ENCROACHMENT PERMIT RECOMMND

An encroachment permit must be obtained from the Transportation Department prior to the commencement of any work within the county road right-of-way.

80. PRIOR TO BLDG PRMT ISSUANCE

E HEALTH DEPARTMENT

80.E HEALTH. 1 USE - WATR/SEWR WILL SERVE RECOMMND

A "will serve" letter is required from the agency/agencies serving potable water and sanitary sewers. This area is currently serviced by Coachella Valley Water District.

80.E HEALTH. 2 USE - FOOD PLANS REQD RECOMMND

A total of 3 complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with current State and Local regulations.

FIRE DEPARTMENT

80.FIRE. 1 USE-#17A-BLDG PLAN CHECK \$ RECOMMND

Building Plan check deposit base fee of \$1,056.00, shall be paid in a check or money order to the Riverside County Fire Department after plans have been approved by our office.

80.FIRE. 2 USE*-#51-WATER CERTIFICATION RECOMMND

The applicant or developer shall be responsible to submit written certification from the water company noting the location of the existing fire hydrant and that the existing water system is capable of delivering 1500 GPM fire flow for a 2 hour duration at 20 PSI residual operating pressure. If a water system currently does not exist, the applicant or developer shall be responsible to provide written certification that financial arrangements have been made to provide them.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 1 USE - CONFORM TO FLOOR PLANS RECOMMND

Floor plans shall be in substantial conformance with that shown on APPROVED EXHIBIT A.

80.PLANNING. 3 USE - WASTE MGMT CLEARANCE RECOMMND

A clearance letter from Riverside County Waste Management District shall be provided to the Riverside County Planning Department verifying compliance with the conditions contained in their letter dated April 15, 2015, summarized as follows: prior to issuance of building permit, the developer shall submit a Waste Recycling Plan (WRP) to the Riverside County Waste Management Department for approval.

80.PLANNING. 5 USE - SCHOOL MITIGATION RECOMMND

Impacts to the Desert Sands Unified School District shall be mitigated in accordance with California State law.

TRANS DEPARTMENT

80.TRANS. 1 USE - TUMF RECOMMND

Prior to the issuance of a building permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 USE - BUSINESS REGISTRATION RECOMMND

Prior to final building inspection, the applicant/owner shall register the project with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

90. PRIOR TO BLDG FINAL INSPECTION

FIRE DEPARTMENT

90.FIRE. 1 USE-#45-FIRE LANES RECOMMND

The applicant shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs. Maintain new/existing Fire Lanes with painted red curbs or signs.

90.FIRE. 3 USE-#12A-SPRINKLER SYSTEM RECOMMND

Install a complete fire sprinkler system per NFPA 13 2013 edition in all buildings requiring a fire flow of 1500 GPM or greater. Sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project structural engineer to certify (wet signature) the stability of the building system for seismic and gravity loads to support the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The post indicator valve and fire department connection shall be located to the front, within 50 feet of a hydrant, and a minimum of 25 feet from the building(s). A statement that the building(s) will be automatically fire sprinkled must be included on the title page of the building plans. (If existing building, we will need a copy of the 5 year certificate of the sprinkler system from the owner/landlord.

Applicant or developer shall be responsible to install a U.L. Central Station Monitored Fire Alarm System. Monitoring system shall monitor the fire sprinkler system(s) water flow, P.I.V.'s and all control valves. Plans must be submitted to the Fire Department for approval prior to installation. Contact fire department for guideline handout.

90.FIRE. 4 USE-#83-AUTO/MAN FIRE ALARM RECOMMND

Applicant or developer shall be responsible to install a manual and automatic Fire Alarm System. Plans must be submitted to the Fire Department for approval prior to installation.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 5 USE-#37-EXIT SIGN RECOMMND

Exit signs, exit markers and exit path marking shall be installed per the California Building Code.

90.FIRE. 6 USE-#27-EXTINGUISHERS RECOMMND

Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire Extinguishers located in public areas shall be in recessed cabinets mounted 48" (inches) to center above floor level with maximum 4" projection from the wall. Contact Fire Department for proper placement of equipment prior to installation.

PLANNING DEPARTMENT

90.PLANNING. 1 USE - PARKING PAVING MATERIAL RECOMMND

A minimum of eight (8) parking spaces shall be provided as shown on the APPROVED EXHIBIT A, unless otherwise approved by the Planning Department. The existing parking area shall be maintained with asphaltic concrete or concrete to current standards as approved by the Department of Building and Safety.

90.PLANNING. 2 USE - ACCESSIBLE PARKING RECOMMND

A minimum of one (1) accessible parking space for persons with disabilities shall be provided as shown on APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk. A sign shall also be posted in a conspicuous place, at each entrance to the off-street parking facility, not less than 17 inches by 22 inches, clearly and conspicuously stating the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at ___ or by telephoning

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 2 USE - ACCESSIBLE PARKING (cont.) RECOMMND

____."

In addition to the above requirements, the surface of each parking space shall have a surface identification sign duplicating the symbol of accessibility in blue paint of at least 3 square feet in size.

90.PLANNING. 3 USE - ROOF EQUIPMENT SHIELDING RECOMMND

Roof-mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval.

90.PLANNING. 4 USE - INSTALL BIKE RACKS RECOMMND

A bicycle rack with a minimum of two (2) spaces shall be provided in convenient locations to facilitate bicycle access to the project area. The bicycle rack shall be shown on project plans submitted for Planning Department approval, and shall be installed in accordance with those plans.

90.PLANNING. 5 USE - WASTE MGMT CLEARANCE RECOMMND

A clearance letter from Riverside County Waste Management Department shall be provided to the Riverside County Planning Department verifying compliance with the conditions of their letter dated April 15, 2105, summarized as follows: prior to final inspection, evidence to demonstrate project compliance with the approved WRP shall be presented by project proponent to the Planning Division of the Riverside County Waste Management Department.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - PROJECT DESCRIPTION RECOMMND

The use hereby permitted is for a 1,641 square foot convenience/liquor store that would include alcohol sales for off-premises consumption (Type 21 Off-Sale General ABC License) with operating hours from 8:00 a.m. to 11:00 p.m., and includes determination for Public Necessity & Convenience (PNC). The project site is located within an existing retail commercial center building and includes eight (8) allocated parking spaces.

10. EVERY. 2 USE - HOLD HARMLESS RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the CONDITIONAL USE PERMIT; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the CONDITIONAL USE PERMIT, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through

08/05/15
15:31

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 2

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10. EVERY. 2 USE - HOLD HARMLESS (cont.) RECOMMND

its Office of County Counsel.

10. EVERY. 3 USE - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. 3723 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Exhibit A (Site plan) & Exhibit C (Floor plan) dated April 13, 2015.

BS PLNCK DEPARTMENT

10.BS PLNCK. 1 USE - PLAN CHECK COMMENTS RECOMMND

NOTE:

VAN ACCESSIBLE PARKING SPACE TO BE 12'x18' WITH A 5' ACCESS AISLE ON THE PASSENGER SIDE. STANDARD SPACES TO REMAIN AT 9'X18' WITH A 5' ACCESS AISLE.

PERMIT ISSUANCE:

Per section 105.1 (2013 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment.

Craig Lobnow
Principal Building Inspector
Riverside County Building & Safety
(951) 955-8578

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

FIRE DEPARTMENT

10.FIRE. 1 USE* - #23-MIN REQ FIRE FLOW RECOMMND

Minimum required fire flow shall be 1500 GPM for a 2 hour duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site.

10.FIRE. 2 USE - #89-KNOX BOX RECOMMND

Knox Box key storage cabinet shall be installed on the outside of the building. Applications for the Knox Box can be picked up at 77933 Las Montanas Rd. Ste. 201, Palm Desert, CA

PARKS DEPARTMENT

10.PARKS. 1 USE - CLASS 2 BIKEPATH RECOMMND

The Class 2 bikepath located on Washington Street will not require bikepath improvements for CUP03723.

PLANNING DEPARTMENT

10.PLANNING. 1 USE - COMPLY WITH ORD./CODES RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A, unless otherwise amended by these conditions of approval.

10.PLANNING. 3 USE - LIGHTING HOODED/DIRECTED RECOMMND

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING. 4 USE - LAND DIVISION REQUIRED RECOMMND

Prior to the sale of any individual structure as shown on APPROVED EXHIBIT A, a land division shall be recorded in accordance with Riverside County Ordinance No. 460, and any other pertinent ordinance.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.PLANNING. 5 USE - HOURS OF OPERATION RECOMMND

Use of the facilities approved under this conditional use permit shall be limited to the hours of 8:00 a.m. to 11:00 p.m., excepting for maintenance and cleaning, Monday through Sunday in order to reduce conflict with nearby residential zones and/or land uses.

10.PLANNING. 7 USE - PERMIT SIGNS SEPARATELY RECOMMND

No signs are approved pursuant to this project approval. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only) of Ordinance No. 348.

10.PLANNING. 8 USE - MAINTAIN LICENSING RECOMMND

At all times during the conduct of the permitted use the permittee shall maintain and keep in effect valid licensing approval from the California Alcoholic Beverage Control Board, or equivalent agency as provided by law. Should such licensing be denied, expire or lapse at any time in the future, this permit shall become null and void.

10.PLANNING. 9 USE - EXTERIOR NOISE LEVELS RECOMMND

Exterior noise levels produced by any use allowed under this permit, including, but not limited to, any outdoor public address system, shall not exceed 45 db(A), 10-minute LEQ, between the hours of 10:00 p.m. to 7:00 a.m., and 65 db(A), 10-minute LEQ, at all other times as measured at any residential, hospital, school, library, nursing home or other similar noise sensitive land use. In the event noise exceeds this standard, the permittee or the permittee's successor-in-interest shall take the necessary steps to remedy the situation, which may include discontinued operation of the facilities. The permit holder shall comply with the applicable standards of Ordinance No. 847.

10.PLANNING. 10 USE - CAUSES FOR REVOCATION RECOMMND

In the event the use hereby permitted under this permit,
a) is found to be in violation of the terms and conditions of this permit,
b) is found to have been obtained by fraud or perjured

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.PLANNING. 10 USE - CAUSES FOR REVOCATION (cont.) RECOMMND

testimony, or
c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

10.PLANNING. 11 USE - CEASED OPERATIONS RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 12 USE - 90 DAYS TO PROTEST RECOMMND

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, The imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of the project.

10.PLANNING. 13 USE - ABC21 OFF SALE GENERAL RECOMMND

OFF SALE GENERAL - (Package Store) Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

10.PLANNING. 14 USE - MT PALOMAR LIGHTING AREA RECOMMND

Within the Mt. Palomar Special Lighting Area, as defined in Ordinance No. 655, low pressure sodium vapor lighting or overhead high pressure sodium vapor lighting with shields or cutoff luminaires, shall be utilized.

10.PLANNING. 15 USE - PLANNING AREA 15 RECOMMND

The proposed project shall comply with Planning Area 15 standards of the Del Webb Sun City Palm Desert Specific Plan No. 281A5.

10.PLANNING. 17 USE - SITE MAINTENANCE RECOMMND

The project site shall be kept in good repair. Graffiti shall be removed from any structures within one week of observation and/or notification.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.PLANNING. 18 USE - BUSINESS LICENSING

RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at www.rctlma.org.buslic.

10.PLANNING. 19 USE - ALUC LETTER

RECOMMND

The permit holder shall remain in compliance with the attached Airport Land Use Commission (ALUC) letter dated June 22, 2015, summarized as follows:

- 1) Any new outdoor lighting that is installed shall be hooded or shielded;
- 2) The following uses shall be prohibited:
 - a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations.
 - b) Any use which would cause sunlight to be reflected towards an aircraft.
 - c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds.
 - d) Any use which would generate electrical interference that may be detrimental to aircraft.
- 3) The attached "Notice of Airport in Vicinity" shall be provided to all potential tenants and purchasers.

TRANS DEPARTMENT

10.TRANS. 1 USE - STD INTRO 3(ORD 460/461)

RECOMMND

With respect to the conditions of approval for the referenced tentative exhibit,

the landowner shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.TRANS. 1 USE - STD INTRO 3(ORD 460/461) (cont.) RECOMMND

Standards (Ordinance 461). It is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. These ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 2 USE - NO ADD'L ON-SITE R-O-W RECOMMND

No additional on-site right-of-way shall be required on Washington Street since adequate right-of-way exists.

10.TRANS. 3 USE - NO ADD'L ROAD IMPRVMENTS RECOMMND

No additional road improvements will be required at this time along Washington Street due to existing improvements.

10.TRANS. 4 USE - ACCESS RESTRICTION NOTAPPLY

Access from Washington Street is restricted to right-in right-out only. Applicant is responsible to construct a raised median on Washington Street to restrict this access. No additional Driveway is allowed on Washington Street or as approved by the Transportation Department.

CHANGED TO NOT APPLY AT PLANNING COMMISSION 7/29/15

10.TRANS. 5 USE - UTILITY INSTALL. 1 RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and within the project boundaries.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

10. GENERAL CONDITIONS

10.TRANS. 6 USE - ENCROACHMENT PERMIT RECOMMND

An encroachment permit must be obtained from the Transportation Department prior to the commencement of any work within the county road right-of-way.

80. PRIOR TO BLDG PRMT ISSUANCE

E HEALTH DEPARTMENT

80.E HEALTH. 1 USE - WATR/SEWR WILL SERVE RECOMMND

A "will serve" letter is required from the agency/agencies serving potable water and sanitary sewers. This area is currently serviced by Coachella Valley Water District.

80.E HEALTH. 2 USE - FOOD PLANS REQD RECOMMND

A total of 3 complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with current State and Local regulations.

FIRE DEPARTMENT

80.FIRE. 1 USE-#17A-BLDG PLAN CHECK \$ RECOMMND

Building Plan check deposit base fee of \$1,056.00, shall be paid in a check or money order to the Riverside County Fire Department after plans have been approved by our office.

80.FIRE. 2 USE*-#51-WATER CERTIFICATION RECOMMND

The applicant or developer shall be responsible to submit written certification from the water company noting the location of the existing fire hydrant and that the existing water system is capable of delivering 1500 GPM fire flow for a 2 hour duration at 20 PSI residual operating pressure. If a water system currently does not exist, the applicant or developer shall be responsible to provide written certification that financial arrangements have been made to provide them.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 1 USE - CONFORM TO FLOOR PLANS RECOMMND

Floor plans shall be in substantial conformance with that shown on APPROVED EXHIBIT A.

80.PLANNING. 3 USE - WASTE MGMT CLEARANCE RECOMMND

A clearance letter from Riverside County Waste Management District shall be provided to the Riverside County Planning Department verifying compliance with the conditions contained in their letter dated April 15, 2015, summarized as follows: prior to issuance of building permit, the developer shall submit a Waste Recycling Plan (WRP) to the Riverside County Waste Management Department for approval.

80.PLANNING. 5 USE - SCHOOL MITIGATION RECOMMND

Impacts to the Desert Sands Unified School District shall be mitigated in accordance with California State law.

TRANS DEPARTMENT

80.TRANS. 1 USE - TUMF RECOMMND

Prior to the issuance of a building permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 USE - BUSINESS REGISTRATION RECOMMND

Prior to final building inspection, the applicant/owner shall register the project with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

90. PRIOR TO BLDG FINAL INSPECTION

FIRE DEPARTMENT

90.FIRE. 1 USE-#45-FIRE LANES RECOMMND

The applicant shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs. Maintain new/existing Fire Lanes with painted red curbs or signs.

90.FIRE. 3 USE-#12A-SPRINKLER SYSTEM RECOMMND

Install a complete fire sprinkler system per NFPA 13 2013 edition in all buildings requiring a fire flow of 1500 GPM or greater. Sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project structural engineer to certify (wet signature) the stability of the building system for seismic and gravity loads to support the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The post indicator valve and fire department connection shall be located to the front, within 50 feet of a hydrant, and a minimum of 25 feet from the building(s). A statement that the building(s) will be automatically fire sprinkled must be included on the title page of the building plans. (If existing building, we will need a copy of the 5 year certificate of the sprinkler system from the owner/landlord.

Applicant or developer shall be responsible to install a U.L. Central Station Monitored Fire Alarm System. Monitoring system shall monitor the fire sprinkler system(s) water flow, P.I.V.'s and all control valves. Plans must be submitted to the Fire Department for approval prior to installation. Contact fire department for guideline handout.

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CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

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Exit signs, exit markers and exit path marking shall be installed per the California Building Code.

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Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire Extinguishers located in public areas shall be in recessed cabinets mounted 48" (inches) to center above floor level with maximum 4" projection from the wall. Contact Fire Department for proper placement of equipment prior to installation.

PLANNING DEPARTMENT

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A minimum of eight (8) parking spaces shall be provided as shown on the APPROVED EXHIBIT A, unless otherwise approved by the Planning Department. The existing parking area shall be maintained with asphaltic concrete or concrete to current standards as approved by the Department of Building and Safety.

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A minimum of one (1) accessible parking space for persons with disabilities shall be provided as shown on APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk. A sign shall also be posted in a conspicuous place, at each entrance to the off-street parking facility, not less than 17 inches by 22 inches, clearly and conspicuously stating the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at ___ or by telephoning

CONDITIONAL USE PERMIT Case #: CUP03723

Parcel: 748-370-045

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 2 USE - ACCESSIBLE PARKING (cont.) RECOMMND

____."

In addition to the above requirements, the surface of each parking space shall have a surface identification sign duplicating the symbol of accessibility in blue paint of at least 3 square feet in size.

90.PLANNING. 3 USE - ROOF EQUIPMENT SHIELDING RECOMMND

Roof-mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval.

90.PLANNING. 4 USE - INSTALL BIKE RACKS RECOMMND

A bicycle rack with a minimum of two (2) spaces shall be provided in convenient locations to facilitate bicycle access to the project area. The bicycle rack shall be shown on project plans submitted for Planning Department approval, and shall be installed in accordance with those plans.

90.PLANNING. 5 USE - WASTE MGMT CLEARANCE RECOMMND

A clearance letter from Riverside County Waste Management Department shall be provided to the Riverside County Planning Department verifying compliance with the conditions of their letter dated April 15, 2105, summarized as follows: prior to final inspection, evidence to demonstrate project compliance with the approved WRP shall be presented by project proponent to the Planning Division of the Riverside County Waste Management Department.

INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and P.D. Group, LLC, a Limited Liability Company ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

WITNESSETH:

WHEREAS, the PROPERTY OWNER has a legal interest in the certain real property described as APN 748-370-045 ("PROPERTY"); and,

WHEREAS, on March 17, 2015, PROPERTY OWNER filed an application for Conditional Use Permit No. 3723 ("PROJECT"); and,

WHEREAS, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

WHEREAS, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

WHEREAS, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

WHEREAS, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

NOW, THEREFORE, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. ***Indemnification.*** PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the COUNTY, its agents, officers, and employees to attack, set aside, void or annul any

approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

2. ***Defense Cooperation.*** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.

3. ***Representation and Payment for Legal Services Rendered.*** COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by APPLICANT to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.

4. ***Payment for COUNTY's LITIGATION Costs.*** Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

5. ***Return of Deposit.*** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.

6. ***Notices.*** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by

certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:
Office of County Counsel
Attn: Melissa Cushman
3960 Orange Street, Suite 500
Riverside, CA 92501

PROPERTY OWNER :
P.D. Group, LLC
Attn: Jasmin Hsu
2445 Kiser
Tustin, CA 92782

7. **Default and Termination.** This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:

- a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
- b. Rescind any PROJECT approvals previously granted;
- c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

8. **COUNTY Review of the PROJECT.** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.

9. **Complete Agreement/Governing Law.** This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.

10. **Successors and Assigns.** The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.

11. **Amendment and Waiver.** No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.

12. **Severability.** If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. **Survival of Indemnification.** The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.

14. **Interpretation.** The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.

15. **Captions and Headings.** The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

16. **Jurisdiction and Venue.** Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.

17. **Counterparts; Facsimile & Electronic Execution.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.

18. **Joint and Several Liability.** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.

19. **Effective Date.** The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

COUNTY:
COUNTY OF RIVERSIDE,
a political subdivision of the State of California

By: Steven Weiss
Steven Weiss
Planning Director

Dated: 8/19/15

FORM APPROVED COUNTY COUNSEL
BY: Melissa R. Cushman 8/19/15
MELISSA R. CUSHMAN DATE

PROPERTY OWNER:
P.D. Group, LLC, a California Limited Liability Company

By: Jasmin Hsu
Jasmin Hsu

Dated: 07/29/15

By: Sheldon J. Mc Knight
Sheldon J. Mc Knight

Dated: 07/29/15

**CERTIFICATE ATTACHED FOR
CALIFORNIA NOTARY WORDING**

CALIFORNIA JURAT
(CALIFORNIA GOVERNMENT CODE § 8202)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

Subscribed and sworn to (or affirmed) before me on this 8th day of August, 2015,
by Jasmin Hsu and Sheldon Jerome McKnight proved to me on the basis of
(Name of Signer(s))
satisfactory evidence to be the person(s) who appeared before me.



Shirley Koehn
Signature of Notary Public

(Notary Seal)

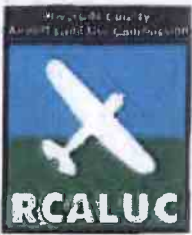
ADDITIONAL OPTIONAL INFORMATION

Description of Attached Document

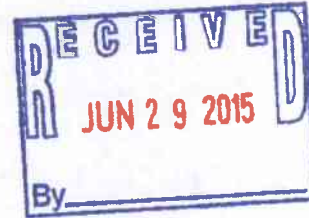
Title or Type of Document: Indemnification Document Date: 8/8/15
Agreement

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Additional Information: _____



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



June 22, 2015

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

Glen Holmes
Hemet

John Lyon
Riverside

Greg Pettis
Cathedral City

Steve Manos
Lake Elsinore

STAFF

Director
Ed Cooper

John Guerin
Russell Brady
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Mr. Jay Olivas, Urban Regional Planner IV
Riverside County Planning Department
Desert Permit Assistance Center
77-588 El Duna Court, Suite H
Palm Desert, CA 92211

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1058BD15
Related File No.: CUP03723 (Conditional Use Permit)
APN: 748-370-045

Dear Mr. Olivas:

Pursuant to the project-specific delegation of the Riverside County Airport Land Use Commission (ALUC) authorized at its June 11, 2015 meeting, staff reviewed the above-referenced proposal to utilize a 2,055 square foot suite within an existing 13,800 square foot retail building on two adjoining half-acre properties located on the westerly side of Washington Street, northerly of its intersection with Varner Road (to wit, Suite A at 39615 Washington Street), as a liquor store/convenience store.

The site is located within Airport Compatibility Zone C of the Bermuda Dunes Airport Influence Area (AIA). Airport Compatibility Zone C allows up to 75 people per acre. The three northerly suites at this address share Assessor's Parcel Number 748-370-045, a parcel that is one-half acre in area, thereby permitting an occupancy of 37 persons. Suite A is slightly larger than Suites B and C and is, therefore, allocated 36 percent of the parcel's allocated occupancy (13 persons). It is highly unlikely that a liquor store/convenience store of this size would ever be occupied by more than 13 persons at any given time.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, subject to the following conditions:

CONDITIONS:

1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses/activities are not authorized pursuant to this Conditional Use Permit and are prohibited on this site pursuant to Note 1 of Table 4 of the Western Coachella Valley Area Plan:

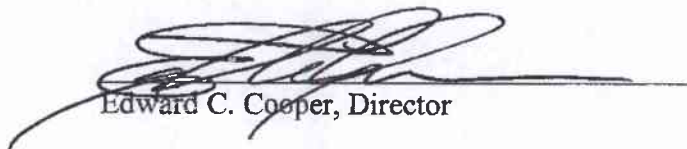
AIRPORT LAND USE COMMISSION

June 22, 2015

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be provided to all potential purchasers and tenants of the building, and shall be recorded as a deed notice.
4. Future changes in tenancy of this suite to establish a different type of retail facility or office shall not require ALUC review. However, the County of Riverside or its successor-in-interest shall submit any proposal to establish a more intensive use to ALUC for review. These more intensive uses would be uses that permit more than one occupant per 30 square feet pursuant to the Uniform Building Code (minimum square feet per occupant less than 30), and include, but are not necessarily limited to, the following:
- Assembly areas, churches and places of worship, dance floors, fraternal lodges, conference facilities, restaurants (dine-in), bars and cocktail lounges, gymnasiums, stages, gaming, auction rooms, classrooms.
5. Pursuant to the 2004 Riverside County Airport Land Use Compatibility Plan, none of the suites in this structure shall be utilized as a children's school, day care center or nursery, hospital (excluding animal hospitals), skilled nursing facility, or community care facility.

If you have any questions, please contact John Guerin, Principal Planner, at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

JJGJG

Attachments: Notice of Airport in Vicinity

AIRPORT LAND USE COMMISSION

June 22, 2015

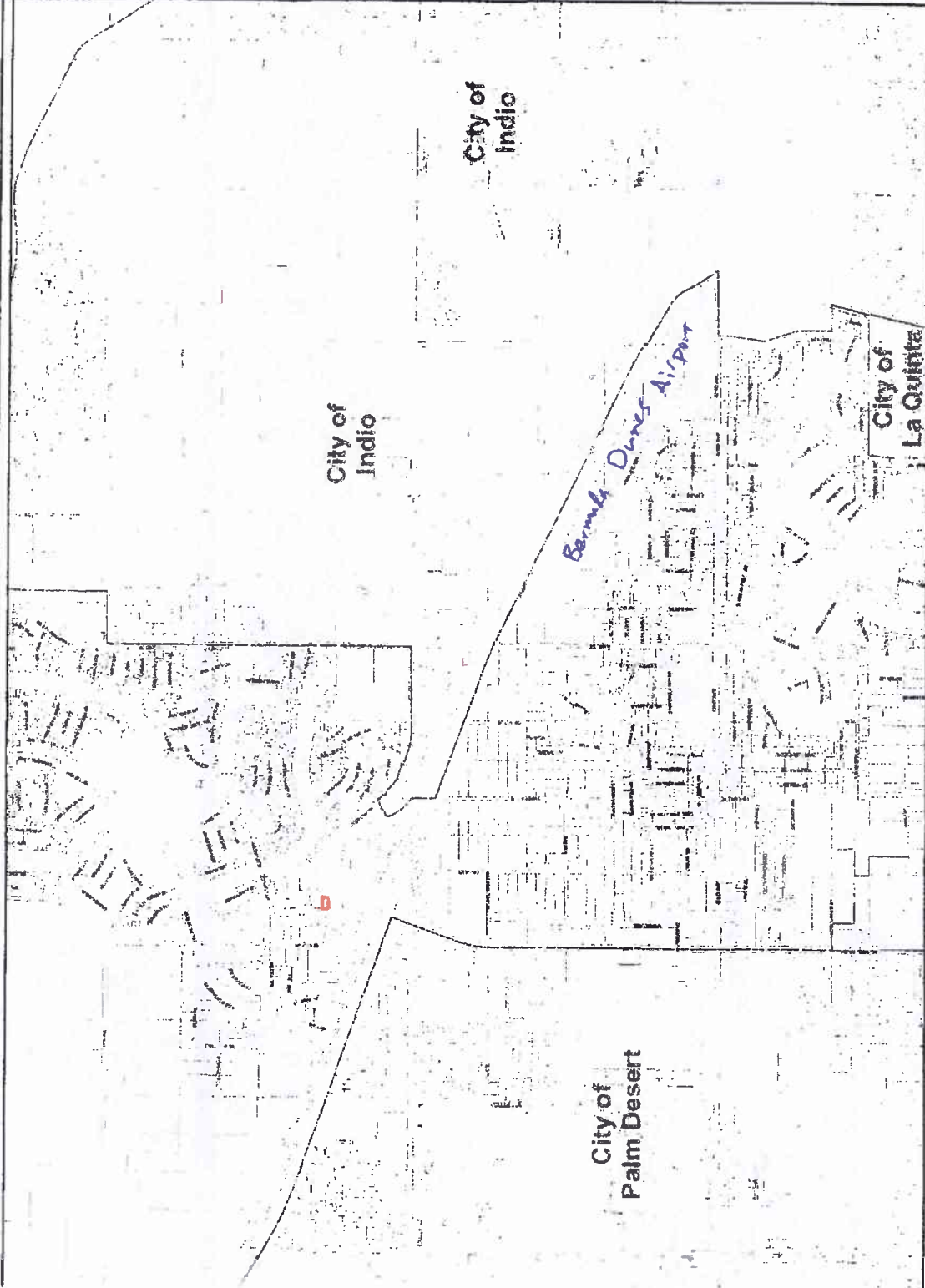
cc: Roy and Nahla Askar (applicant/payee)
P. D. Group, LLC – Tustin address (property owner)
P. D. Group, LLC – Placentia address (property owner)
Keith Gardner, Keefer Consulting (representative)
Kathleen Browne (alternative representative/advocate)
Jeff Porras, Manager, Bermuda Dunes Executive Airport
ALUC Case File

Y:\AIRPORT CASE FILES\Bermuda Dunes\ZAP1058BD15\ZAP1058BD15.LTR.doc

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

My Map



Legend

- City Boundaries
- Cities
- roads
- highways
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- roads
- Major Roads
- Arterial
- Collector
- Residential
- counties
- cities
- hydrographylines
- waterbodies
- Lakes
- Rivers

Notes

"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.



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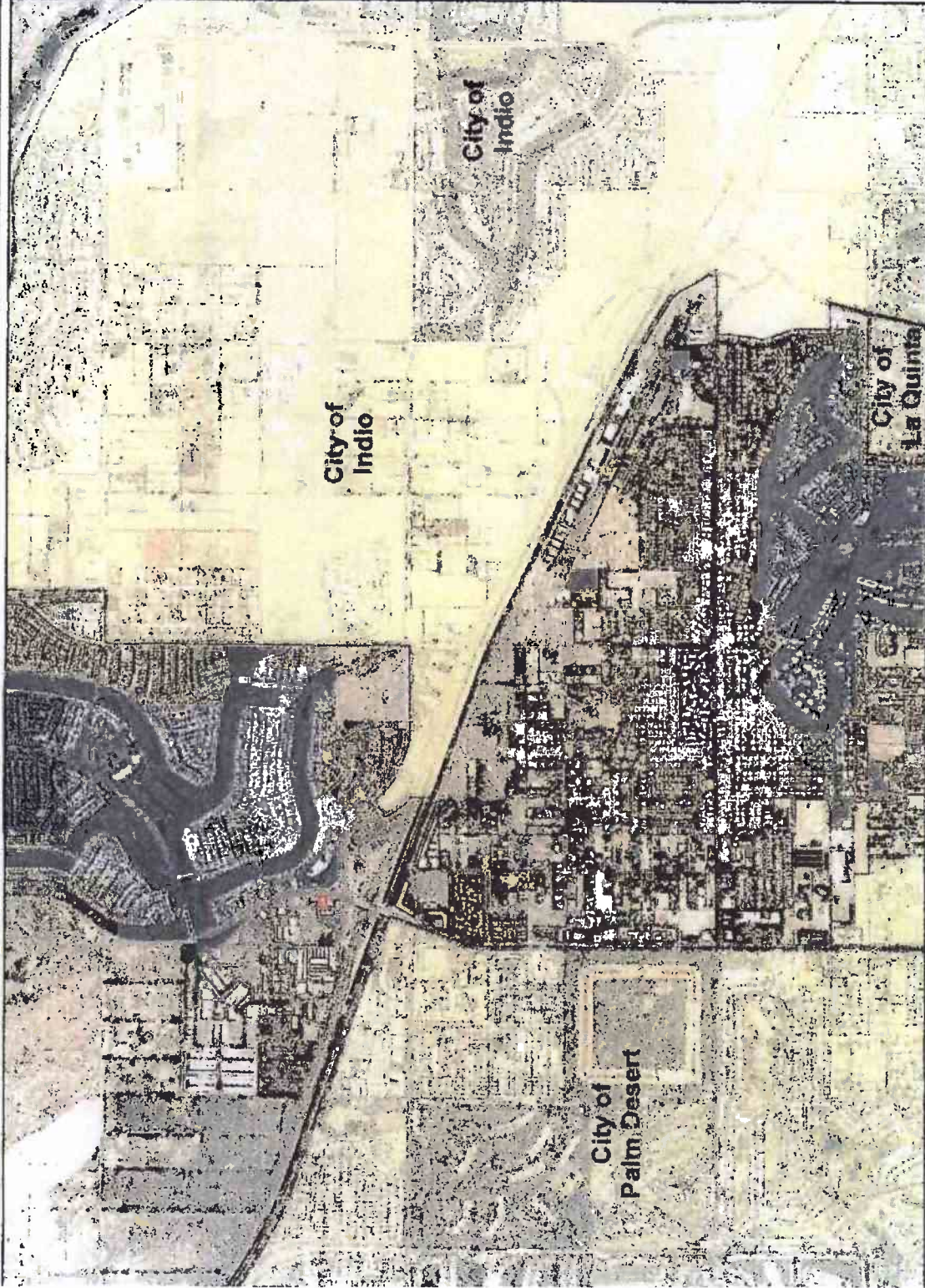
6,516 Feet



REPORT PRINTED ON... 9/20/2016 7:27:42 AM

© Riverside County TLMA GIS

My Map



Legend

- City Boundaries
- Cities
- roads
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- roads
- Major Roads
- Arterial
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Notes

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.



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6,516 Feet



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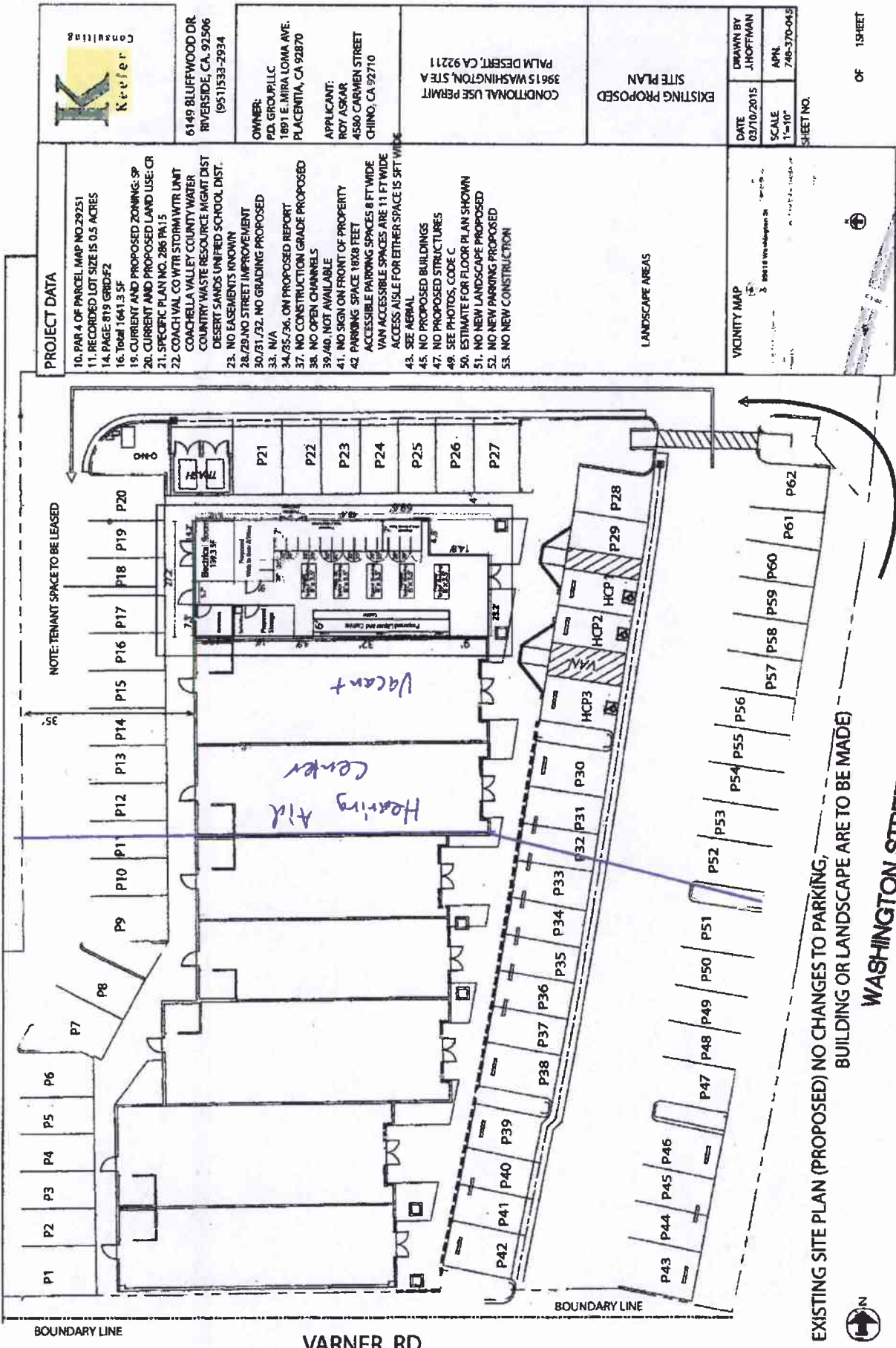
© Riverside County TLMA GIS

All Available Layers



Lat:
 Lon:
 < >

APN 748-370-045



PROJECT DATA

- 10. PAR 4 OF PARCEL MAP NO. 29251
- 11. RECORDED LOT SIZE IS 0.5 ACRES
- 14. PAGE 819 GRID 5F
- 16. TOTAL 1641.3 SF
- 19. CURRENT AND PROPOSED ZONING: SP
- 20. CURRENT AND PROPOSED LAND USE: CR
- 21. SPECIFIC PLAN NO. 286 PN 1.5
- 22. COACHELLA CO WTR STORMWTR UNIT
- 23. COACHELLA VALLEY COUNTY WATER
- 24. COUNTRY WASTE RESOURCE MGMT DIST
- 25. DESERT SANDS UNIFIED SCHOOL DIST.
- 26. NO EASEMENTS KNOWN
- 27. NO STREETS IMPROVEMENT
- 28. NO STREETS IMPROVEMENT
- 29. NO STREETS IMPROVEMENT
- 30. N/A
- 31. N/A
- 32. ON PROPOSED REPORT
- 33. NO CONSTRUCTION GRADE PROPOSED
- 34. NO OPEN CHANNELS
- 35. NOT AVAILABLE
- 36. NOT AVAILABLE
- 37. NO SIGN ON FRONT OF PROPERTY
- 38. PARKING SPACE 10X8 FEET
- 39. ACCESSIBLE PARKING SPACES 8 FT WIDE
- 40. VAN ACCESSIBLE SPACES ARE 11 FT WIDE
- 41. ACCESS AISLE FOR EITHER SPACE IS 5 FT WIDE
- 42. SEE AERIAL
- 43. NO PROPOSED BUILDINGS
- 44. NO PROPOSED STRUCTURES
- 45. SEE PHOTOS, CODE C
- 46. ESTIMATE FOR FLOOR PLAN SHOWN
- 47. NO NEW LANDSCAPE PROPOSED
- 48. NO NEW PARKING PROPOSED
- 49. NO NEW CONSTRUCTION

LANDSCAPE AREAS

VICINITY MAP



6149 BLUFFWOOD DR
RIVERSIDE, CA. 92506
(951)533-2934

OWNER:
PDA GROUP LLC
1891 E. MIRA LOMA AVE.
PLACENTIA, CA 92870

APPLICANT:
ROY ASGAR
4580 CARMEN STREET
CHINO, CA 92710

CONDITIONAL USE PERMIT
39615 WASHINGTON, STE A
PALM DESERT, CA 92211

EXISTING PROPOSED
SITE PLAN

DATE	DRAWN BY
03/10/2015	J. HOFFMAN
SCALE	APN
1"=10'	748-370-045

SHEET NO.

OF 15 SHEET

BOUNDARY LINE

VARNER RD.

BOUNDARY LINE

EXISTING SITE PLAN (PROPOSED) NO CHANGES TO PARKING,
BUILDING OR LANDSCAPE ARE TO BE MADE

WASHINGTON STREET



WASHINGTON PLAZA

ARCHITECT: HURD architecture
 10000 WASHINGTON BLVD
 SUITE 200
 WASHINGTON, DC 20007
 TEL: 202-462-1000
 FAX: 202-462-1001
 WWW.HURDARCHITECTURE.COM

P.D. GROUP, LLC

DEVELOPER
 10000 WASHINGTON BLVD
 SUITE 200
 WASHINGTON, DC 20007

HURD architecture

ARCHITECT: HURD architecture
 10000 WASHINGTON BLVD
 SUITE 200
 WASHINGTON, DC 20007
 TEL: 202-462-1000
 FAX: 202-462-1001
 WWW.HURDARCHITECTURE.COM



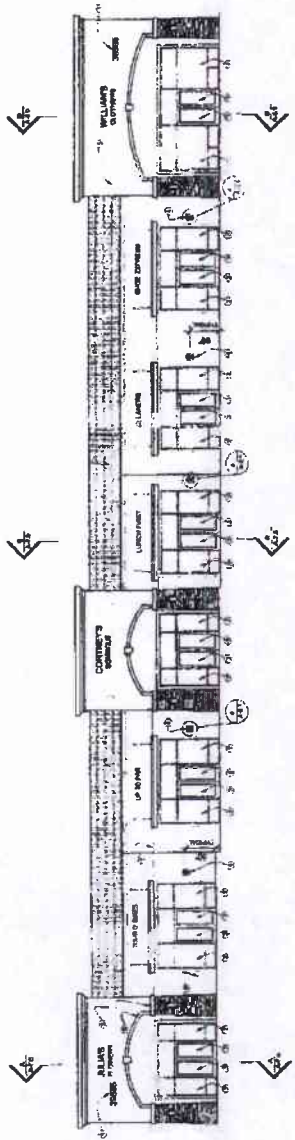
DATE: 10/15/08

APPROVED DATE: 10/15/08

PROJECT: WASHINGTON PLAZA
 10000 WASHINGTON BLVD
 WASHINGTON, DC 20007
 SHEET: A-6.0
 DATE: 10/15/08
 DRAWN BY: [Name]
 CHECKED BY: [Name]

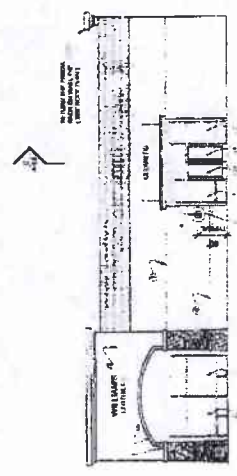
CONTRACT NO.: [Number]
 CONTRACT DATE: [Date]
 CONTRACT VALUE: [Amount]
 CONTRACT TYPE: [Type]
 CONTRACT STATUS: [Status]

A-6.0



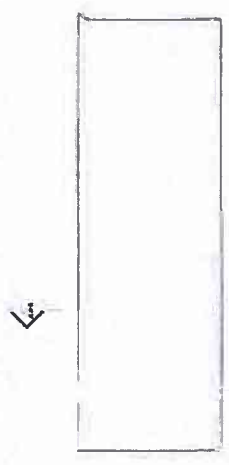
FRONT ELEVATION

SCALE: 1/8" = 1'-0"



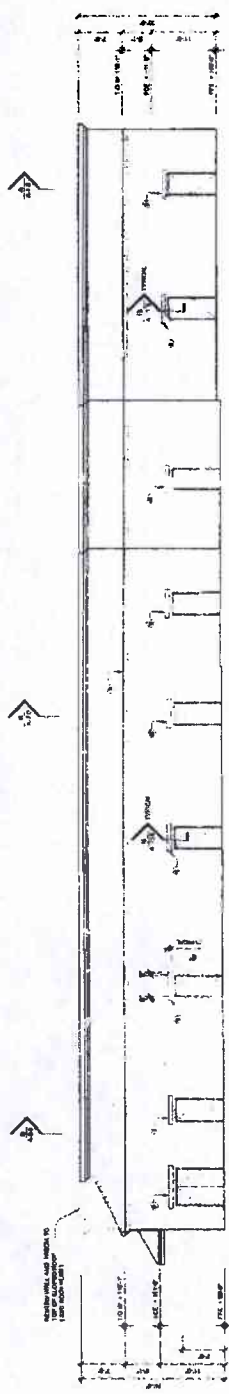
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



LEFT ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"

ELEVATION NOTES

1. FINISHES TO BE DETERMINED BY THE ARCHITECT AT THE TIME OF THE COMMENCEMENT OF WORK.
2. MATERIALS TO BE DETERMINED BY THE ARCHITECT AT THE TIME OF THE COMMENCEMENT OF WORK.
3. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
4. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
5. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
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10. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

COLOR SCHEDULES

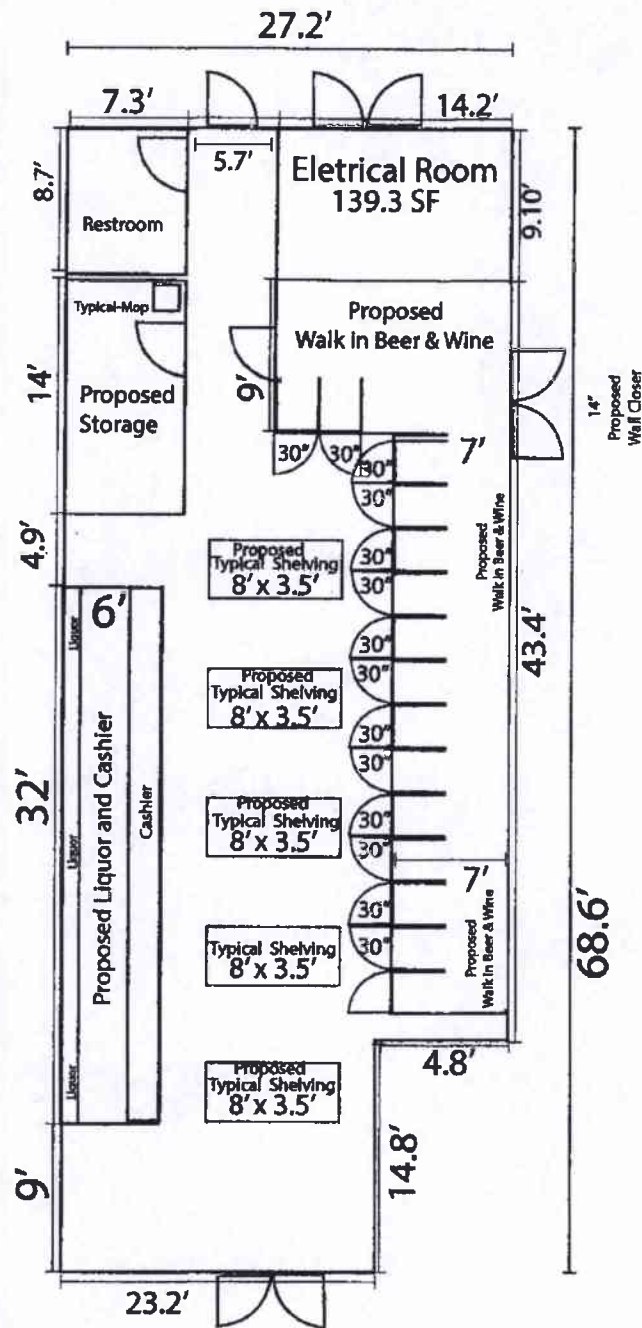
1. EXTERIOR WALLS: [Color]
 2. EXTERIOR WALLS: [Color]
 3. EXTERIOR WALLS: [Color]
 4. EXTERIOR WALLS: [Color]
 5. EXTERIOR WALLS: [Color]
 6. EXTERIOR WALLS: [Color]
 7. EXTERIOR WALLS: [Color]
 8. EXTERIOR WALLS: [Color]
 9. EXTERIOR WALLS: [Color]
 10. EXTERIOR WALLS: [Color]

PLOT PLAN EXHIBIT

1. EXTERIOR WALLS: [Color]
 2. EXTERIOR WALLS: [Color]
 3. EXTERIOR WALLS: [Color]
 4. EXTERIOR WALLS: [Color]
 5. EXTERIOR WALLS: [Color]
 6. EXTERIOR WALLS: [Color]
 7. EXTERIOR WALLS: [Color]
 8. EXTERIOR WALLS: [Color]
 9. EXTERIOR WALLS: [Color]
 10. EXTERIOR WALLS: [Color]



1' = 10"



Proposed Land Use:
New convenience store/liquor store

APN
748-370-045-0

Applicant
Roy Askar
4580 Carmen Street
Chino, CA 92710
951-966-6412

Owner
P.D. Group, LLC
1891 E. Mira Loma Ave.
Placentia, CA 92870

Address
39615 Washington ST
Palm Desert, CA 92211



6149 Bluffwood Dr.
Riverside, CA 92506
951-533-2931



Other tenant spaces
on the same property

FOR LEASE

RETAIL SUITES

COLDWELL BANKER COMMERCIAL
LYLE & ASSOCIATES
 CalBRE 01462012



39615 WASHINGTON STREET / PALM DESERT, CA

- 13,800 SF Center
- Join Sherwin-Williams & Papa John's Pizza
- 2 Suites Available
- 1,687 SF to 1,821 SF
- Up to 3,488 SF Contiguous
- \$1.75 PSF/Mo NNN
- 5.0 / 1,000 Parking



**Washington Street at
 Interstate 10 (Varner Road)
 Across from The Marketplace Center**

DEMOGRAPHICS

	1 MILE	3 MILE	5 MILE
POPULATION:	6,663	46,306	115,952
HOUSEHOLDS:	3,340	20,900	46,897
MED. HH INCOME:	\$56,161	\$60,618	\$55,883

DAN O'DONNELL CalBRE# 00558058

dodonnell@cbclyle.net

Office: 760.772.6400 X230 Cell: 925.813.1333

78-000 Fred Waring Drive, Suite 200 Palm Desert, CA 92211 www.cbclyle.com

The information above has been obtained from sources believed to be reliable. While we attempt to ensure that the information is accurate, we do not warrant, represent or make any other statement about the information.

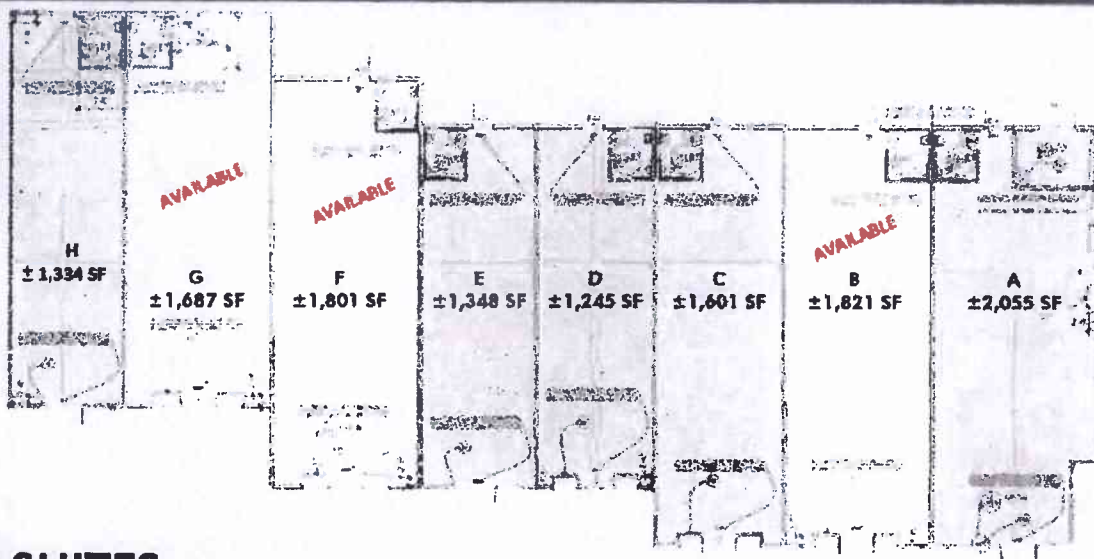
FOR LEASE

RETAIL SUITES

COLDWELL
BANKER
COMMERCIAL

LYLE & ASSOCIATES

CalBRE 03462012



AVAILABLE SUITES

Suite Number	Size (SF)	Rent/SF/Month
B	1,822	\$1.75
F	1,802	\$1.75
G	1,687	\$1.75

DAN O'DONNELL CalBRE# 00558058

dodonnell@cbclyle.net

Office: 760.772.6400 X230 Cell: 925.813.1333

78-000 Fred Waring Drive, Suite 200 Palm Desert, CA 92211 www.cbclyle.com



Riverside County
Waste Management Department

Hans W. Kernkamp, General Manager-Chief Engineer

April 15, 2015

Jay Olivas, Project Planner
County of Riverside Planning Department
77588 El Duna Ct.
Palm Desert, CA 92211

RE: Conditional Use Permit (CUP) No. 3723
Proposal: The CUP proposes the conversion of a vacant, 1,641 sq. ft. suite, to a liquor store on an existing retail commercial center building.
APN: 748-370-045

Dear Mr. Olivas:

The Riverside County Waste Management Department (RCWMD) has reviewed the proposed project located north of Varner Road, south of Marketplace Drive and west of Washington Street in the Western Coachella Valley Community Area Plan. In order to mitigate the project's potential solid waste impacts and help the County comply with AB 939 (Integrated Waste Management Act), AB 1327 (California Solid Waste Reuse and Recycling Access Act), the California Green Building Standards, AB 341 (Mandatory Commercial Recycling), and AB 1826 (Organic Waste Recycling) through diverting solid waste from landfill disposal, the RCWMD recommends that the following conditions be made a part of any Conditions of Approval for the project:

1. **Prior to issuance of building permit**, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Waste Management Department for approval. At a minimum, the WRP must identify the materials (i.e., cardboard, concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.
2. **Prior to final building inspection**, evidence (i.e., receipts or other type of verification) to demonstrate project compliance with the approved WRP shall be presented by the project proponent to the Planning Division of the Riverside County Waste Management Department in order to clear the project for occupancy permits. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.
3. Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries,

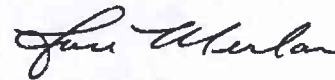
Jay Olivas, Project Planner
CUP No. 3723
April 15, 2015
Page 2

oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division, at 1.888.722.4234.

4. AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
 - Subscribe to a recycling service with their waste hauler.
 - Provide recycling service to their tenants (if commercial or multi-family complex).
 - Demonstrate compliance with the requirements of California Code of Regulations Title 14.

Thank you for the opportunity to review this proposal. If you have any questions, please call me at (951) 486-3200.

Sincerely,



Jose L. Merlan
Urban/Regional Planner II

PD# 173771



Established in 1918 as a public agency
Coachella Valley Water District

Directors:

John P. Powell, Jr., President - Div. 3
Peter Nelson, Vice President - Div. 4
G. Patrick O'Dowd - Div. 1
Ed Pack - Div. 2
Cástulo R. Estrada - Div. 5

Officers:

Jim Barrett, General Manager
Julia Fernandez, Board Secretary

Best Best & Krieger LLP, Attorneys

April 30, 2015

File: 0163.1
0421.3
0721.3
1150.011
Geo. 050706-3
PZ 15-6305

Jay Olivas
Riverside County Planning Department
77588 El Duna Court
Palm Desert, CA 92211

Dear Mr. Olivas:

Subject: Conditional Use Permit 3723, Marketplace, APN 748-370-045

The proposed Conditional Use Permit (CUP) 3723 does not conflict with Coachella Valley Water District (CVWD) stormwater facilities.

Approval of the proposed CUP 3723 does not constitute any approval to construct, locate or substantially improve structures. It does not constitute approval to perform grading.

Riverside County (County) Ordinance No. 458, as amended, states:

No structure shall be constructed, located or substantially improved, no land shall be graded or developed and no permit or approval shall be granted unless it complies with all applicable requirements.

This area is designated partially Zone AO, depth 3 feet on Federal Flood Insurance rate maps, which are in effect at this time by the Federal Emergency Management Agency (FEMA). The remainder is designated Zone X.

The project is located within the service area of CVWD for the provision of domestic water and sanitation service. The initiation of said service to this area will be subject to the satisfaction of terms and conditions established by CVWD and imposed from time to time, including but not limited to fees and charges, water conservation measures, etc.



April 30, 2015

This notice of domestic water and sanitation service availability only applies to the specific property for which it was issued and shall expire three (3) years from date of issuance. Unless or until all requirements for the initiation of service are met, the developer shall not be deemed to have any vested right or other commitment to receive water and/or sanitation service. In the event all of the terms, conditions, fees and charges are not satisfied on or before the expiration date, this notice shall expire. Upon expiration, the developer will be required to submit a new application and otherwise comply with any and all new or amended requirements for the provision of service as may be determined by CVWD pursuant to its rules and regulations.

Domestic water and sanitation service remains at all times subject to changes in regulations adopted by CVWD's Board of Directors including reductions in, or suspensions of, service.

This development is subject to the County's Landscape Ordinance which was adopted in accordance with the State's Model Water Efficient Landscape Ordinance and CVWD's Ordinance 1374. The purpose of these ordinances is to establish effective water efficient landscaping requirements for newly installed and rehabilitated landscapes. In order to ensure this development's compliance, plans for grading, landscaping and irrigation systems shall be submitted to CVWD for review prior to installation. This review is intended to promote efficient water management. However, by reviewing the plans, CVWD does not represent or warrant any amount of water or financial savings.

This development lies within the study area of the 2010 Water Management Plan Update. The groundwater basin in the Coachella Valley is in a state of overdraft. Each new development contributes incrementally to the overdraft. CVWD has a Water Management Plan in place to reduce the overdraft to the groundwater basin. The elements of the Water Management Plan include supplemental imported water, source substitution and water conservation. The plan lists specific actions for reducing overdraft. The elements and actions described in the plan shall be incorporated into the design of this development to reduce its negative impact on the Coachella Valley groundwater basin.

If you have any questions, please call Tommy Fowlkes, Development Services Supervisor, extension 3535.

Sincerely,



Carrie Oliphant
Engineering Manager

Jay Olivas
Riverside County Planning Department

3

April 30, 2015

cc: Majeed Farshad
Riverside County Department of Transportation
77588 El Duna, Suite H
Palm Desert, CA 92211

Alan French
Riverside County Department of Transportation
4080 Lemon Street, 8th Floor
Riverside, CA 92501

Mark Abbott
Supervising Environmental Health Specialist
Riverside County Department of Environmental Health
Environmental Protection and Oversight Division
47-950 Arabia Street, Suite A
Indio, CA 92201

Roy Askar
4580 Carmen Street
Chino, CA 92710

RM: kf\Eng\Dev Srvs\2015\Apr\DRL CUP 3723



Carolyn Syms Luna
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

APPLICATION FOR LAND USE PROJECT

CHECK ONE AS APPROPRIATE:

- PLOT PLAN CONDITIONAL USE PERMIT TEMPORARY USE PERMIT
 REVISED PERMIT PUBLIC USE PERMIT VARIANCE

PROPOSED LAND USE: New convenience store / liquor store (type 41 ABC licence)

ORDINANCE NO. 348 SECTION AUTHORIZING PROPOSED LAND USE: 9.1-D.17 & 18.48

ALL APPLICATIONS MUST INCLUDE THE INFORMATION REQUIRED UNDER ANY SUPPLEMENTAL INFORMATION LIST APPLICABLE TO THE SPECIFIC PROJECT. ADDITIONAL INFORMATION MAY BE REQUIRED AFTER INITIAL RECEIPT AND REVIEW. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: CUP 3723 DATE SUBMITTED: 3/17/15

APPLICATION INFORMATION

Applicant's Name: Roy Askar E-Mail: rovaskar@yahoo.com

Mailing Address: 4580 Carmen Street
Chino, CA 92710
City State ZIP

Daytime Phone No: (951) 966-6412 Fax No: ()

Engineer/Representative's Name: Keith Gardner E-Mail: keefergard@gmail.com

Mailing Address: 6149 Bluffwood Drive
Riverside, CA 92506
City State ZIP

Daytime Phone No: (951) 533-2934 Fax No: (951) 682-2876

Property Owner's Name: P.D. Group, LLC a California Limited Liability Company E-Mail: Jasmin Hsu, Managing Member
jasminsm@aol.com

Mailing Address: 2445 Kiser
Tustin CA 92782
City State ZIP

Daytime Phone No: (714) 617-2958 Fax No: ()

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

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
Tel (760) 862-8277 · Fax (760) 862-7555

APPLICATION FOR LAND USE PROJECT

If the property is owned by more than one person, attach a separate page that references 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.

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.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

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

Roy Askar

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.

SHELDON MCKNIGHT
P.D. Group LLC, a California Limited Liability Company

PRINTED NAME OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)

Jaemin Ha - Managing Member

PRINTED NAME OF PROPERTY OWNER(S)

X

SIGNATURE OF PROPERTY OWNER(S)

If the property is owned by more than one person, 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.

See attached sheet(s) for other property owners' signatures.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 748-370-045

Section: 6 southwest Township: 5 south Range: 7 East



APPLICATION FOR LAND USE PROJECT

Approximate Gross Acreage: .5

General location (nearby or cross streets): North of Varner, South of Wildcat, East of Berkey, West of Washington Street

Thomas Brothers map, edition year, page number, and coordinates: _____

Project Description: (describe the proposed project in detail)

Leasing out space for a liquor store / convenience store

8am - 10pm hours of operation (8-11pm Friday / Saturday)
2-3 full time employees ~ 1641 Ⓟ

Related cases filed in conjunction with this application:

n/a

Is there a previous application filed on the same site: Yes No

If yes, provide Case No(s). PP23148 / PP 23928 (Parcel Map, Zone Change, etc.)

E.A. No. (if known) _____ E.I.R. No. (if applicable): _____

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No

If yes, indicate the type of report(s) and provide a copy: _____

Is water service available at the project site: Yes No

If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles) _____

Will the project eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes No

Is sewer service available at the site? Yes No

If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles) _____

Will the project result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes No

How much grading is proposed for the project site?

Estimated amount of cut = cubic yards: n/a

APPLICATION FOR LAND USE PROJECT

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project and any alternatives are located on an identified site and shall specify any lists. Under the statute, no application shall be accepted as complete without this signed statement.

I (We) certify that I (we) have investigated our project and any alternatives with respect to its location on an identified hazardous waste site contained on all lists compiled pursuant to Government Code Section 65962.5 and that my (our) answers are true and correct. My (Our) investigation has shown that:

The development project and any alternatives proposed in this application are not contained on the lists compiled pursuant to Section 65962.5 of the Government Code.

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the following information is provided and incorporated herein. Attach a separate sheet setting forth the following information with respect to each list.

Name of Applicant: Roy Askar
Address: 588 Corona St, Chino, CA 91710
Phone number: 951-966-0412
Address of site (street name and number if available, and ZIP Code):
Local Agency: County of Riverside
Assessor's Book Page, and Parcel Number: 748-370-045
Specify any list pursuant to Section 65962.5 of the Government Code:
Regulatory identification number:
Date of list:

Applicant (1)



Date

3-17-15

Applicant (2)

Date

HAZARDOUS MATERIALS DISCLOSURE STATEMENT

Government Code Section 25505 requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County.

Yes No



APPLICATION FOR LAND USE PROJECT

2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions.

Yes No

I (we) certify that my (our) answers are true and correct.

Owner/Authorized Agent (1) John J. Marking Date 3/5/15
Owner/Authorized Agent (2) _____ Date _____





Carolyn Syms Luna
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

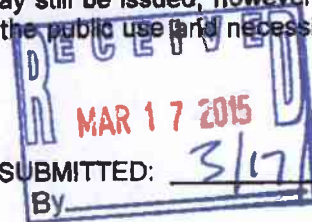
APPLICATION FOR DETERMINATION OF PUBLIC NECESSITY & CONVENIENCE

In accordance with the Business and Professions Code, Section 23958.4, the State of California Department of Alcoholic Beverage Control (ABC) has been granted the authority to deny an application for an ABC License if there is "undue concentration of licenses." An "undue concentration" exists if the site for the license is deemed to be in a census tract where the ratio of on-sale or off-sale retail ABC licenses to population exceeds the ratio of on-sale or off-sale retail ABC licenses to population in the county in which the applicant premises are located. A license may still be issued, however, if the local agency (Riverside County Board of Supervisors) determines that the public use and necessity would be served by issuance of the license.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

CASE NUMBER: CUPD3723

DATE SUBMITTED: 3/17/15
By _____



APPLICATION INFORMATION

Applicant's Name: Ray Askar

Mailing Address: 4580 Carner Street

Chico CA 92710
City State ZIP

Daytime Phone No: (951) 966 6412 Fax No: () _____

Engineer/Representative's Name: Keith Gardner E-Mail: keefergard@gmail.com

Mailing Address: 6149 Bluffwood Drive

Riverside CA 92506
City State ZIP

Daytime Phone No: (951) 533 2934 Fax No: () _____

Property Owner's Name: P.D. Group, LLC E-Mail: jesuino@aol.com

Mailing Address: 2445 Kiser

Tustin CA 92782
City State ZIP

Daytime Phone No: (714) 617 2958 Fax No: () _____

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"

APPLICATION FOR DETERMINATION OF PUBLIC NECESSITY & CONVENIENCE

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.

PROJECT INFORMATION

Proposal (Describe Project/Ordinance No. 348 Reference No.):

New liquor store

Identify the particular type of license is being sought from the ABC: 41

Related cases or underlying case: CUP 03723

PROPERTY INFORMATION

Assessor's Parcel Number(s): 748-370-045

Section: 6 S.W. Township: 5 S. Range: 7 East

Approximate Gross Acreage: .5

General location (nearby or cross streets): North of Vanner, South of Vidlet, East of Berley, West of Washington St

Thomas Brothers map; edition year, page number, and coordinates: _____

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.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

APPLICATION FOR DETERMINATION OF PUBLIC NECESSITY & CONVENIENCE

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

POX ASIA [Signature]
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. (Authorized agent must submit a letter from the owner(s) indicating authority to sign in the owner's behalf. All signatures must be original ["wet-signed"]. Photocopies of signatures are unacceptable). Use additional sheets as necessary.

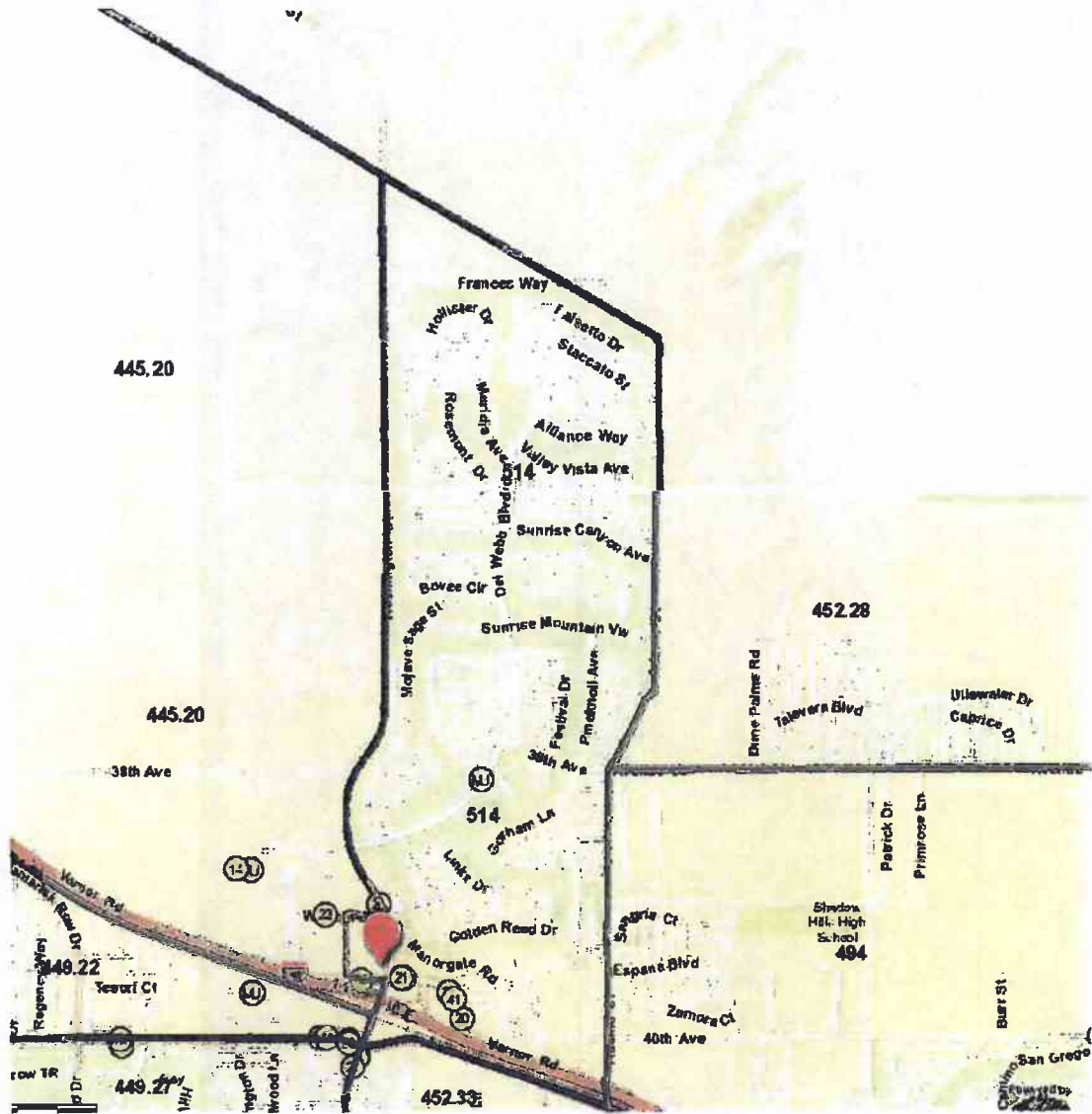
All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

Sheldon McKnight, main member [Signature]
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)
P.D. Group LLC [Signature]
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)

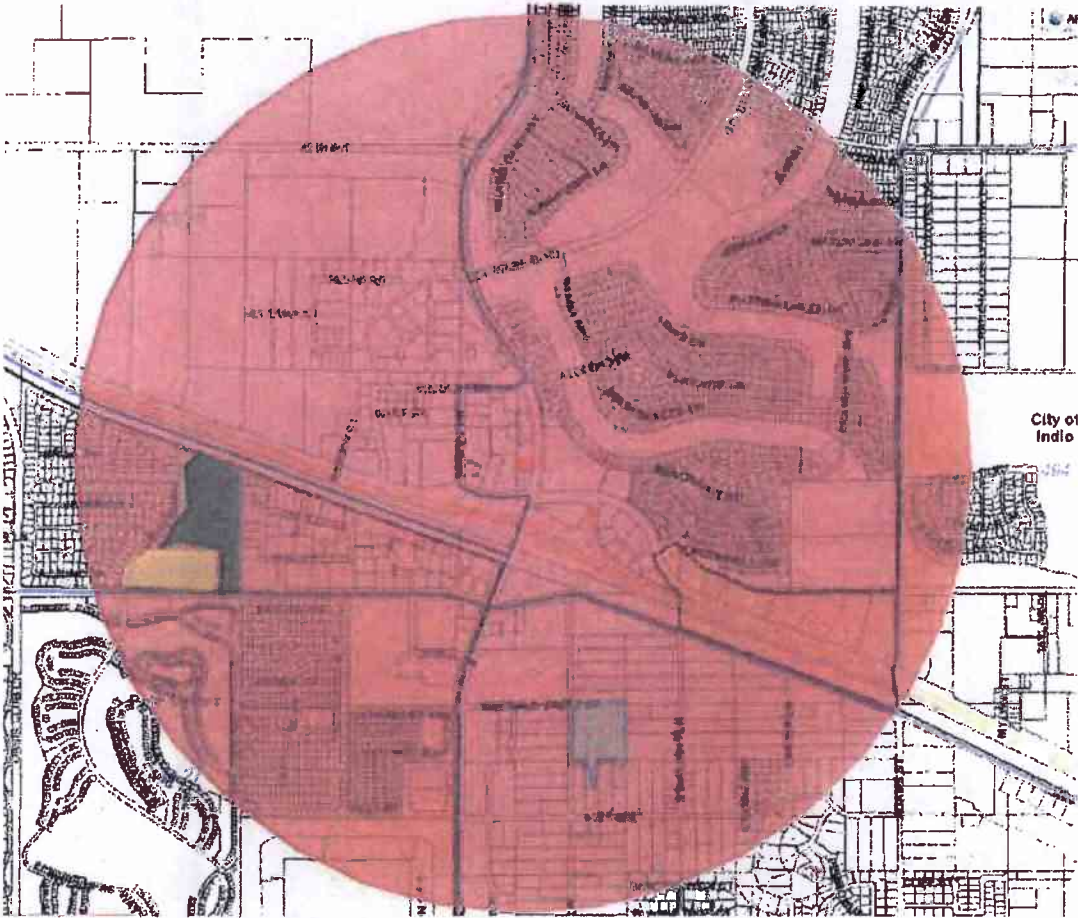
If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

- THE DETERMINATION OF PUBLIC NECESSITY & CONVENIENCE FILING PACKAGE MUST CONSIST OF THE FOLLOWING:**
1. One completed and signed application form.
 2. One copy of the current legal description for each property involved. A copy of a grant deed of each property involved will suffice.
 3. One exhibit (map) of the Census Tract the project site is located (with the project site identified, as well as the location of all other licensed facilities within said Census Tract.)
 4. One Exhibit (map) with the project site identified, as well as the location of any church, school (public, private, day care), and playground or park within a 1 mile radius of the project site. The Exhibit shall also provide a ½ mile radius circle to help determine the proximity of said facilities to the proposed project site.
 5. Applicable deposit-based fees.

Project site within Census Tract (Red bubble)

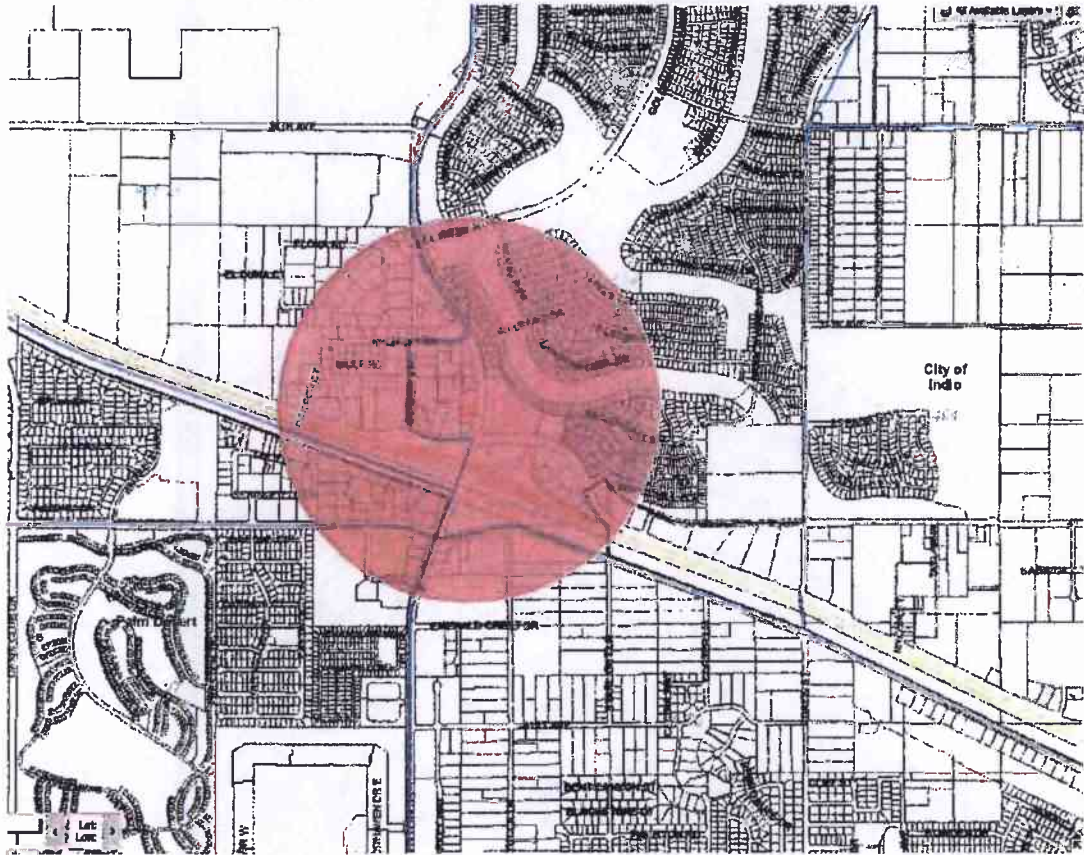


1 Mile Radius from project site (red square in middle of circle)



-  Freedom Park
-  Ronald Reagan Elementary School
-  Desert Christian Academy

½ Mile Radius around the project site



no known churches schools or parks within ½ mile of the project site

NOTICE OF PUBLIC HEARING

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the project shown below:

CONDITIONAL USE PERMIT NO. 3723 – Exempt from CEQA – Applicant: Roy Askar – Representative: Keefer Consulting – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Community Area Plan: Community Development: Commercial Retail (CD: CR) (0.20 – 0.35 FAR) – Location: Northerly of Varner Road, southerly of Market Place, and westerly of Washington Street at 39615 Washington Street, Suite A, Palm Desert – .50 Acres – **REQUEST:** The conditional use permit proposes 1,641 square foot convenience/liquor store that would include alcohol sales for off-premises consumption (Type 21 Off-Sale General ABC License) with operating hours from 8:00 a.m. to 11:00 p.m., and proposes a determination for Public Necessity & Convenience (PNC). The project site is located within an existing retail commercial center building and includes eight (8) allocated parking spaces.

TIME OF HEARING: 9:00 am or as soon as possible thereafter.
DATE OF HEARING: July 29, 2015
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project, please contact Jay Olivas, Project Planner at 951-863-7050 or e-mail jolivas@rctlma.org, or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Jay Olivas
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on June 30, 2015,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CUP03723 For

Company or Individual's Name RCIT - GIS,

Distance buffered 1000'

Pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

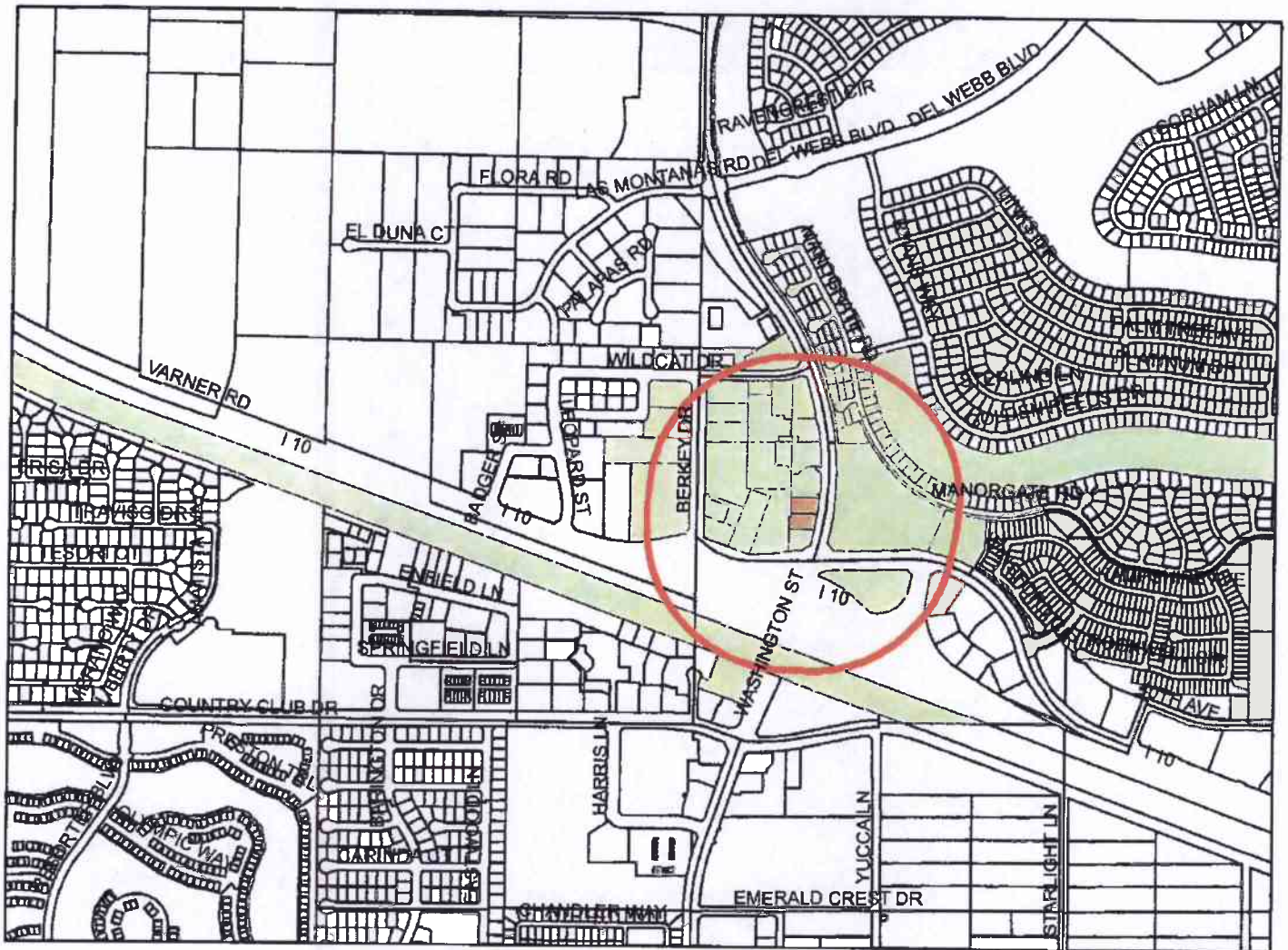
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

APN: 748-370-044, 045 (1000 feet buffer)



Selected Parcels

748-350-005	748-360-014	748-350-048	748-350-050	748-360-019	748-370-015	748-340-048	748-370-062	748-360-024	748-350-002
748-370-031	748-350-052	748-380-001	748-360-023	748-370-011	748-370-012	748-360-026	748-360-016	626-330-029	748-350-006
748-350-051	748-360-022	748-350-054	748-430-008	748-370-025	748-380-023	748-360-020	748-360-017	748-350-056	748-370-054
748-370-058	748-370-033	748-360-012	748-350-047	748-360-018	748-340-047	748-350-003	748-370-023	748-370-024	748-350-055
748-350-004	748-350-001	748-380-002	748-350-049	748-360-013	748-360-009	748-370-042	748-370-014	748-370-013	748-360-010
748-370-044	748-370-045	748-370-040	748-370-052	748-370-060	748-370-065	748-370-066	748-370-053	748-370-056	748-350-053
748-360-021	748-360-015	748-350-046	626-330-030	626-330-042	626-330-044	626-140-002	748-380-014	748-350-057	748-350-058
748-360-025	748-360-027	748-390-022	748-360-011	748-390-024	748-390-025	748-430-005	748-370-039		



1,000 500 0 1,000 Feet

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.

ASMT: 626330030, APN: 626330030
SANDDRIFT PROP
P O BOX 1208
CARPINTERIA CA 93014

ASMT: 748350003, APN: 748350003
SHIRLEY CELLI, ETAL
39567 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 626330042, APN: 626330042
SECURITY PACIFIC STORAGE BERMUDA DUNES
C/O BACO REALTY
51 FEDERAL ST STE 402
SAN FRANCISCO CA 94107

ASMT: 748350004, APN: 748350004
JUDITH JACKSON
39571 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 626330044, APN: 626330044
SECURITY PUBLIC STORAGE BERMUDA DUNES
C/O BACO REALTY
51 FEDERAL ST NO 202
SAN FRANCISCO CA 94107

ASMT: 748350005, APN: 748350005
DAKENDA MARKETING, ETAL
904 228 26TH AVENUE SW
CALGARY AB CANADA T2S3C6

ASMT: 748340047, APN: 748340047
JOHN BRIGHAM
78291 GOLDEN REED DR
PALM DESERT, CA. 92211

ASMT: 748350006, APN: 748350006
CAROLYN MOSS, ETAL
39579 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748340048, APN: 748340048
BRADLEY WILDE
NO 209
2750 SIERRA SUNRISE TER
CHICO CA 95928

ASMT: 748350046, APN: 748350046
ROBERT HART
78038 ALLEGRO CT
PALM DESERT, CA. 92211

ASMT: 748350001, APN: 748350001
JUDY GIGANTE
5924 VIENNA WY
LANSING MI 48917

ASMT: 748350047, APN: 748350047
ELIZABETH ROBERSON, ETAL
78008 ALLEGRO CT
PALM DESERT, CA. 92211

ASMT: 748350002, APN: 748350002
CATHERINE ROMMAL
P O BOX 132127
BIG BEAR LAKE CA 92315

ASMT: 748350048, APN: 748350048
BARBARA BANSMER
232 S ALMONT DR
BEVERLY HILLS CA 90211

ASMT: 748350049, APN: 748350049
MARIANNE VANDIJK, ETAL
285 MOBILE DR
ASHLAND OR 97520

ASMT: 748350056, APN: 748350056
KATHRYN WYATT, ETAL
78083 DEERBROOK CIR
PALM DESERT, CA. 92211

ASMT: 748350050, APN: 748350050
BARBARA SANTY
78071 ALLEGRO CT
PALM DESERT, CA. 92211

ASMT: 748360009, APN: 748360009
MARIANNE TEASLEY
39499 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350051, APN: 748350051
DIANA HAMMONS
554 BRODERICK ST
SAN FRANCISCO CA 94117

ASMT: 748360010, APN: 748360010
N TRUST, ETAL
PO BOX 1354
CHICAGO IL 60690

ASMT: 748350052, APN: 748350052
CAROL RIGGS, ETAL
78040 DEERBROOK CIR
PALM DESERT, CA. 92211

ASMT: 748360011, APN: 748360011
JANICE WAKEFIELD, ETAL
39507 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350053, APN: 748350053
MARY ANDERSON, ETAL
78010 DEERBROOK CIR
PALM DESERT, CA. 92211

ASMT: 748360012, APN: 748360012
SHARON CHASE, ETAL
39511 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350054, APN: 748350054
MARIAN TOCCI, ETAL
11181 ETTRICK ST
OAKLAND CA 94605

ASMT: 748360013, APN: 748360013
M GEFFEN
39515 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748350055, APN: 748350055
THERESA FEMENELLA, ETAL
21762 CHATHAM
MISSION VIEJO CA 92892

ASMT: 748360014, APN: 748360014
DIANA THAU, ETAL
78206 VARNER RD STE D150
PALM DESERT CA 92211

ASMT: 748360015, APN: 748360015
ELLEN DEWAAYER, ETAL
1812 MACDONALD ST
VANCOUVER BC CANADA V6K3X9

ASMT: 748360022, APN: 748360022
DIANE BOGER, ETAL
75 PARTRIDGE CT
ALAMO CA 94507

ASMT: 748360016, APN: 748360016
GWENDOLYN GILBERT, ETAL
39527 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748360023, APN: 748360023
DAVID NOORTHOEK
488 OAK BROOK CT
SANTA ROSA CA 95409

ASMT: 748360017, APN: 748360017
GEORGE SAHAGIAN
667 N SUNNYSLOPE AVE
PASADENA CA 91107

ASMT: 748360024, APN: 748360024
C V W D
P O BOX 1058
COACHELLA CA 92236

ASMT: 748360018, APN: 748360018
JO PERRY
39535 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748360026, APN: 748360026
DEL WEB CALIF CORP
39775 BERKEY DR
PALM DESERT CA 92211

ASMT: 748360019, APN: 748360019
SARAH GONZALES, ETAL
39539 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748360027, APN: 748360027
SUN CITY PALM DESERT COMMUNITY ASSN
38180 DEL WEBB BL
PALM DESERT CA 92211

ASMT: 748360020, APN: 748360020
GARY CLARK
39543 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748370012, APN: 748370012
DEL GUIDICE INV
42104 WASHINGTON ST NO 1B
BERMUDA DUNES CA 92203

ASMT: 748360021, APN: 748360021
ESTHER BLOCH, ETAL
39547 MANORGATE RD
PALM DESERT, CA. 92211

ASMT: 748370013, APN: 748370013
SUNNY ASCH, ETAL
PO BOX 457
LA CANADA 91012

ASMT: 748370014, APN: 748370014
MOTEL 6 OPERATING
C/O TAX DEPT
P O BOX 117508
CARROLLTON TX 75011

ASMT: 748370042, APN: 748370042
OLEANDER, ETAL
88 LENORA ST
SEATTLE WA 98121

ASMT: 748370015, APN: 748370015
BIG SKY INV HOSPITALITY INC
2545 RUDY ST
ROWLAND HEIGHTS CA 91748

ASMT: 748370045, APN: 748370045
P D GROUP
2445 KJSER
TUSTIN CA 92782

ASMT: 748370024, APN: 748370024
JOHNSON FAMILY
78005 WILDCAT DR NO 107
PALM DESERT CA 92211

ASMT: 748370056, APN: 748370056
PSTB
C/O CRAIG A LANGEL
2700 RADIO WAY
MISSOULA MT 59808

ASMT: 748370025, APN: 748370025
FORCE WILDCAT
C/O ERICKSON
P O BOX 13164
PALM DESERT CA 92255

ASMT: 748370058, APN: 748370058
SHOLEH HANSHAW, ETAL
4438 E WICKHAM AVE
ORANGE CA 92867

ASMT: 748370031, APN: 748370031
CLAIRE MCBRIDE, ETAL
P O BOX 235
ROSS CA 94957

ASMT: 748370062, APN: 748370062
BRAVO PROP INC
C/O CLAUDIO BRAVO
P O BOX 820
DSRT HOT SPG CA 92240

ASMT: 748370033, APN: 748370033
HLDG
ATTN WESLEY D OLIPHANT
77900 AVE OF THE STATES
PALM DESERT CA 92211

ASMT: 748370066, APN: 748370066
PASSCO WASHINGTON SQUARE
2050 MAIN ST STE 650
IRVINE CA 92614

ASMT: 748370039, APN: 748370039
ALLIANCE JN HOSPITALITY GROUP, ETAL
21520 YORBA LINDA BL G338
YORBA LINDA CA 92887

ASMT: 748380001, APN: 748380001
COUNTY OF RIVERSIDE
C/O REAL ESTATE DIVISION
P O BOX 1180
RIVERSIDE CA 92502

ASMT: 748380002, APN: 748380002
LASSEN MARKET INC
C/O MIDLAND OIL GROUP
3270 INLAND EMPIRE NO 430
ONTARIO CA 91764

ASMT: 748380014, APN: 748380014
SOUTHERN PACIFIC TRANSPORTATION CO
SOUTHERN PACIFIC TRANSPORTATION CO
1700 FARNAM ST 10TH FL S
OMAHA NE 68102

ASMT: 748380023, APN: 748380023
FOUNTAINHEAD INDIO
1401 QUAIL ST STE 100
NEWPORT BEACH CA 92660

ASMT: 748390022, APN: 748390022
SUN CITY PALM SPRINGS COMMUNITY ASSN
C/O THOMAS LUCAS
2231 E CAMELBACK RD
PHOENIX AZ 85016

ASMT: 748390025, APN: 748390025
THE MARKETPLACE, ETAL
C/O GEORGE CHAMI JR
1667 E LINCOLN AVE
ORANGE CA 92865

ASMT: 748430005, APN: 748430005
WILDCAT DRIVE I
C/O BEARDLAND IMPROVEMENT
530 11TH ST
MODESTO CA 95354

ASMT: 748430008, APN: 748430008
EISENOWER MEDICAL CENTER
ATTN CHIEF FINANCIAL OFFICER
39000 BOB HOPE DR
RANCHO MIRAGE CA 92270



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP
Planning Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) P.O. Box 3044 Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor P. O. Box 1409 Riverside, CA 92502-1409
 77588 El Duna Ct Palm Desert, CA 92201

Project Title/Case No.: Conditional Use Permit No. 3723

Project Location: In the unincorporated area of Riverside County, more specifically located north of Varner Road, south of Market Place Drive, west of Washington Street at 39615 Washington Street

Project Description: Conditional Use Permit proposes 1,641 square foot convenience/liquor store with alcohol sales for off-premises consumption (Type 21 Off-Sale General ABC License) from 8:00 a.m. to 11:00 p.m. daily with determination for Public Necessity & Convenience (PNC).

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Roy Askar

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268) Categorical Exemption (15303 Class 3)
 Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption (_____)
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) Other: _____

Reasons why project is exempt: Pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small structures), the Riverside County Planning Department has determined the project for a convenience/liquor store within an existing vacant 1,641 square foot commercial suite is exempt from CEQA in that: i) Section 15303 indicates projects may be exempt that entail the conversion of existing small structures from one use to another where only minor modifications are made to the exterior. The project meets this criteria in that the liquor store is proposed within an existing vacant commercial suite with no exterior changes proposed to the existing building. ii) Section 15303 indicates a store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet in floor area on sites zoned for such use in urbanized areas and where necessary public facilities area available, may be exempt from CEQA. The project meets this criteria due to the fact that it is vacant suite being converted into a small convenience/liquor store, which is allowed under the applicable zoning, it is only 1,641 square feet, and it has existing urban improvements and required public facilities. iii) Additionally, the existing commercial building was previously reviewed and approved under Plot Plan No. 20466 / Environmental Assessment No. 40161 which determined Mitigated Negative Declaration with less than significant impacts.

Jay Olivas, Project Planner
County Contact Person

760-863-8271
Phone Number

Signature Title Date

Date Received for Filing and Posting at OPR: _____

Revised: 07/16/2015: Y:\Planning Master Forms\Templates\CEQA Forms\NOE Form.docx

Please charge deposit fee case#: ZCFG No. 06167 - County Clerk Posting Fee

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * I1500571

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: ASKAR ROY \$50.00
paid by: CK 1854
CFG FOR EA42783
paid towards: CFG06167 CALIF FISH & GAME: DOC FEE
at parcel: 39615 WASHINGTON ST PDES
appl type: CFG3

By _____ Mar 17, 2015 12:09
SSALOME posting date Mar 17, 2015

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$50.00

Overpayments of less than \$5.00 will not be refunded!

INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and P.D. Group, LLC, a Limited Liability Company ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

WITNESSETH:

WHEREAS, the PROPERTY OWNER has a legal interest in the certain real property described as APN 748-370-045 ("PROPERTY"); and,

WHEREAS, on March 17, 2015, PROPERTY OWNER filed an application for Conditional Use Permit No. 3723 ("PROJECT"); and,

WHEREAS, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

WHEREAS, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

WHEREAS, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

WHEREAS, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

NOW, THEREFORE, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. ***Indemnification.*** PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the COUNTY, its agents, officers, and employees to attack, set aside, void or annul any

approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

2. ***Defense Cooperation.*** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.

3. ***Representation and Payment for Legal Services Rendered.*** COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by APPLICANT to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.

4. ***Payment for COUNTY's LITIGATION Costs.*** Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

5. ***Return of Deposit.*** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.

6. ***Notices.*** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by

certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:
Office of County Counsel
Attn: Melissa Cushman
3960 Orange Street, Suite 500
Riverside, CA 92501

PROPERTY OWNER :
P.D. Group, LLC
Attn: Jasmin Hsu
2445 Kiser
Tustin, CA 92782

7. ***Default and Termination.*** This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:

- a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
- b. Rescind any PROJECT approvals previously granted;
- c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

8. ***COUNTY Review of the PROJECT.*** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.

9. ***Complete Agreement/Governing Law.*** This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.

10. ***Successors and Assigns.*** The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.

11. ***Amendment and Waiver.*** No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.

12. **Severability.** If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. **Survival of Indemnification.** The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.

14. **Interpretation.** The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.

15. **Captions and Headings.** The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

16. **Jurisdiction and Venue.** Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.

17. **Counterparts; Facsimile & Electronic Execution.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.

18. **Joint and Several Liability.** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.

19. **Effective Date.** The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.


IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

COUNTY:
COUNTY OF RIVERSIDE,
a political subdivision of the State of California

By: _____
Steven Weiss
Planning Director


Dated: _____

PROPERTY OWNER:
P.D. Group, LLC, a California Limited Liability Company



Jasmin Hsu (Jul 29, 2015)
By: _____
Jasmin Hsu

Dated: 07/29/15



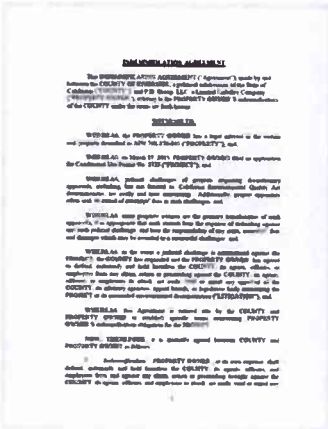
Sheldon J. Mc Knight (Jul 29, 2015)
By: _____
Sheldon J. Mc Knight

Dated: 07/29/15

Indmty Agmt

Adobe Document Cloud Document History

July 29, 2015



Created: July 29, 2015
By: Daniel ODonnell (dano@odonnellcres.com)
Status: SIGNED
Transaction ID: XQLL39UN7G3GQ5Q

“Indmty Agmt” History

- Document created by Daniel ODonnell (dano@odonnellcres.com)
July 29, 2015 - 9:05 AM PDT - IP address: 66.74.48.37
- Document emailed to Sheldon J Mcknight (goodshelly@aol.com) for signature
July 29, 2015 - 9:06 AM PDT
- Document emailed to Jasmin Hsu (jasminsm@aol.com) for signature
July 29, 2015 - 9:06 AM PDT
- Document viewed by Jasmin Hsu (jasminsm@aol.com)
July 29, 2015 - 10:54 AM PDT - IP address: 72.253.91.46
- Document e-signed by Jasmin Hsu (jasminsm@aol.com)
Signature Date: July 29, 2015 - 10:58 AM PDT - Time Source: server - IP address: 72.253.91.46
- Document viewed by Sheldon J Mcknight (goodshelly@aol.com)
July 29, 2015 - 10:59 AM PDT - IP address: 70.212.128.66
- Document e-signed by Sheldon J Mcknight (goodshelly@aol.com)
Signature Date: July 29, 2015 - 11:09 AM PDT - Time Source: server - IP address: 72.253.91.46
- Signed document emailed to Daniel ODonnell (dano@odonnellcres.com), Jasmin Hsu (jasminsm@aol.com) and Sheldon J Mcknight (goodshelly@aol.com)
July 29, 2015 - 11:09 AM PDT