

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



606 B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 17, 2011

SUBJECT: FIRST EXTENSION OF TIME FOR PLOT PLAN NO. 19414 - Applicant: Sunbelt Properties Management - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Community Development: Commercial Office (CO) (0.25 -1.0 floor area ratio) - Location: Northerly of Van Gaale Lane, southerly of Auld Road and easterly of Leon Road - 4.2 Acres - Zoning: Light Agriculture (A-1-5) - Approved Project Description: Three story, 78,410 sq. ft. building for office and retail use with a total of 307 parking spaces. **REQUEST: FIRST EXTENSION OF TIME FOR PLOT PLAN NO. 19414.**

RECOMMENDED MOTION:

APPROVAL of the **FIRST EXTENSION OF TIME REQUEST** for **PLOT PLAN NO. 19414**, extending the expiration date to January 23, 2010, subject to all the previously approved and/or amended Conditions of Approval with the applicant's consent.

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials:
CSL:vc

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: May 17, 2011
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref. _____ District: Third Agenda Number:

3.24

REVIEWED BY EXECUTIVE OFFICE

DATE 5/19/11
Tina Grande

Departmental Concurrence

Policy

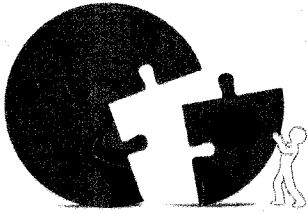
Consent

Dep't Recomm.:

Policy

Consent

Per Exec. Ofc.:



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

606B

DATE: April 28, 2011

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: FIRST EXTENSION OF TIME FOR PLOT PLAN NO. 19414
(Charge your time to these case numbers)

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

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

Designate Newspaper used by Planning Department for Notice of Hearing:
(3rd Dist) Press Enterprise and The Californian

Need Director's signature by May 4, 2011
Please schedule on the May 17, 2011 BOS Agenda

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"

Agenda Item No.
Area Plan: Southwest
Zoning Area: Rancho California
Supervisory District: Third
Project Planner: Larry Ross

PLOT PLAN NO. 19414
FIRST EXTENSION OF TIME (EOT)
Board of Supervisors: May 10, 2011
Applicant: Sunbelt Properties Management

COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

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

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

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

REQUEST:

FIRST EXTENSION OF TIME REQUEST for PLOT PLAN NO. 19414

JUSTIFICATION FOR EXTENSION REQUEST:

As per the correspondence from the Extension of Time applicant (dated April 18, 2011), construction has not occurred within the required period of time because the applicant was unable to obtain financing for the construction of the site.

BACKGROUND:

On January 23, 2007, The Board of Supervisors tentatively approved General Plan Amendment No. 758, tentatively approved Change of Zone No. 6969, and approved Plot Plan No. 19414 as recommended by the Planning Commission.

The County Planning Department, as part of the review of this extension of time request, and after transmittal to Land Development Committee Members, has determined it necessary to recommend the addition of eleven (11) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public. The Planning Department Landscaping Division is recommending the addition of seven (7) Conditions of Approval. The Planning Department Cultural Resources Division is recommending the addition of four (4) Conditions of Approval.

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

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PLOT PLAN NO. 19414
FIRST EXTENSION OF TIME REQUEST
Page 2 of 2

recommended conditions of approval, and the correspondence from the Extension of Time applicant (dated April 15, 2011) indicating the acceptance of the eleven (11) conditions.

ORIGINAL Approval Date: January 23, 2007
ORIGINAL Expiration Date: January 23, 2009

RECOMMENDATION:

APPROVAL of the **FIRST EXTENSION OF TIME REQUEST** for **PLOT PLAN NO. 19414**, extending the expiration date to January 23, 2010, subject to all the previously approved and/or amended Conditions of Approval with the applicant's consent.

FIRST EXTENSION OF TIME FOR PLOT PLAN NO. 19414 - Applicant: Sunbelt Properties Management - Third Supervisorial District – Rancho California Zoning Area - Southwest Area Plan: Community Development: Commercial Office (CO) (0.25 -1.0 floor area ratio) - Location: Northerly of Van Gaale Lane, southerly of Auld Road and easterly of Leon Road – 4.2 Acres - Zoning: Light Agriculture (A-1-5) – Approved Project Description: Three story, 78,410 sq. ft. building for office and retail use with a total of 307 parking spaces. **REQUEST: FIRST EXTENSION OF TIME FOR PLOT PLAN NO. 19414.**

Revised 6/23/10

Y:\Planning Case Files-Riverside office\PP19414\1st EOT\PP19414 1ST EOT Staff Report.doc

ARCHITECTS
LEWIS & CLARK ARCHITECTS
10700 BRIDGE CENTER PLAZA
WOODLAND HILLS, CALIFORNIA 91364
TEL (818) 897-7623
FAX (818) 897-7641

OWNER
BRIDGE CENTER PLAZA LLC
10700 BRIDGE CENTER PLAZA
WOODLAND HILLS, CALIFORNIA 91364
TEL (818) 897-7623
FAX (818) 897-7641

PROJECT DATA TABLE

ASSIGNMENT: ARCHITECTURAL DESIGN OF BRIDGE CENTER PLAZA

SITE PLAN PREPARED/APPLICANT: LEWIS & CLARK ARCHITECTS & ASSOCIATES, INC.
ADDRESS: 10700 BRIDGE CENTER PLAZA, WOODLAND HILLS, CALIFORNIA 91364
TEL: (818) 248-0000
FAX: (818) 248-0400

APPROVALS:

APR 18/05 ARCHITECTURE BOARD
MAY 17/05 PASSED GENERAL PLAN
JUL 19/05 PASSED GENERAL PLAN
AUG 19/05 PASSED GENERAL PLAN
OCT 21/05 PASSED GENERAL PLAN
DEC 15/05 PASSED GENERAL PLAN
FEB 16/06 PASSED GENERAL PLAN
MAY 15/06 PASSED GENERAL PLAN
AUG 15/06 PASSED GENERAL PLAN
OCT 17/06 PASSED GENERAL PLAN
DEC 19/06 PASSED GENERAL PLAN
FEB 20/07 PASSED GENERAL PLAN
MAY 20/07 PASSED GENERAL PLAN
AUG 20/07 PASSED GENERAL PLAN
OCT 22/07 PASSED GENERAL PLAN
DEC 24/07 PASSED GENERAL PLAN
FEB 26/08 PASSED GENERAL PLAN
MAY 27/08 PASSED GENERAL PLAN
AUG 27/08 PASSED GENERAL PLAN
OCT 29/08 PASSED GENERAL PLAN
DEC 31/08 PASSED GENERAL PLAN
FEB 28/09 PASSED GENERAL PLAN
MAY 29/09 PASSED GENERAL PLAN
AUG 29/09 PASSED GENERAL PLAN
OCT 31/09 PASSED GENERAL PLAN
DEC 31/09 PASSED GENERAL PLAN
FEB 28/10 PASSED GENERAL PLAN
MAY 29/10 PASSED GENERAL PLAN
AUG 29/10 PASSED GENERAL PLAN
OCT 31/10 PASSED GENERAL PLAN
DEC 31/10 PASSED GENERAL PLAN
FEB 28/11 PASSED GENERAL PLAN
MAY 29/11 PASSED GENERAL PLAN
AUG 29/11 PASSED GENERAL PLAN
OCT 31/11 PASSED GENERAL PLAN
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TEL: (818) 248-0000
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DEC 31/10 PASSED GENERAL PLAN
FEB 28/11 PASSED GENERAL PLAN
MAY 29/11 PASSED GENERAL PLAN
AUG 29/11 PASSED GENERAL PLAN
OCT 31/11 PASSED GENERAL PLAN
DEC 31/11 PASSED GENERAL PLAN

EXISTING ZONING: CO-COMMERCIAL GENERAL
PROPOSED ZONING: CO-COMMERCIAL GENERAL
PROPOSED GENERAL PLAN DESIGNATION: CO-COMMERCIAL GENERAL
PROPOSED GENERAL PLAN DESIGNATION: CO-COMMERCIAL GENERAL

TOTAL GROSS AREA: 191,257 S.F.
TOTAL NET AREA: 166,327 S.F.
BUILDING HEIGHT: 52'-0"

TYPE OF CONSTRUCTION: TYPE I - 1 HOUR RALLY
OCCUPANCY CLASSIFICATION: M & B

SCHOOL DISTRICT: THERESA WALKER LIMITED SCHOOL DISTRICT
WOODLAND HILLS, CALIFORNIA

WATER & SEWER: 2770 TRANSMISSION ROAD
WOODLAND HILLS, CALIFORNIA 91364
TEL (818) 252-8300
FAX (818) 252-8377

ELECTRICITY: SOUTHERN CALIFORNIA EDISON COMPANY
2770 TRANSMISSION ROAD
WOODLAND HILLS, CALIFORNIA 91364
TEL (818) 252-8300
FAX (818) 252-8377

REPLACEMENT SCHEDULE: 4.14 ACRES ON 10/18/07 S.F.
AREA: 4.3 ACRES
TOTAL BUILDING AREA: 14,154 S.F.
TOTAL LANDSCAPED AREA: 2,026 S.F.

ESTIMATED COST: \$ 1,000,000

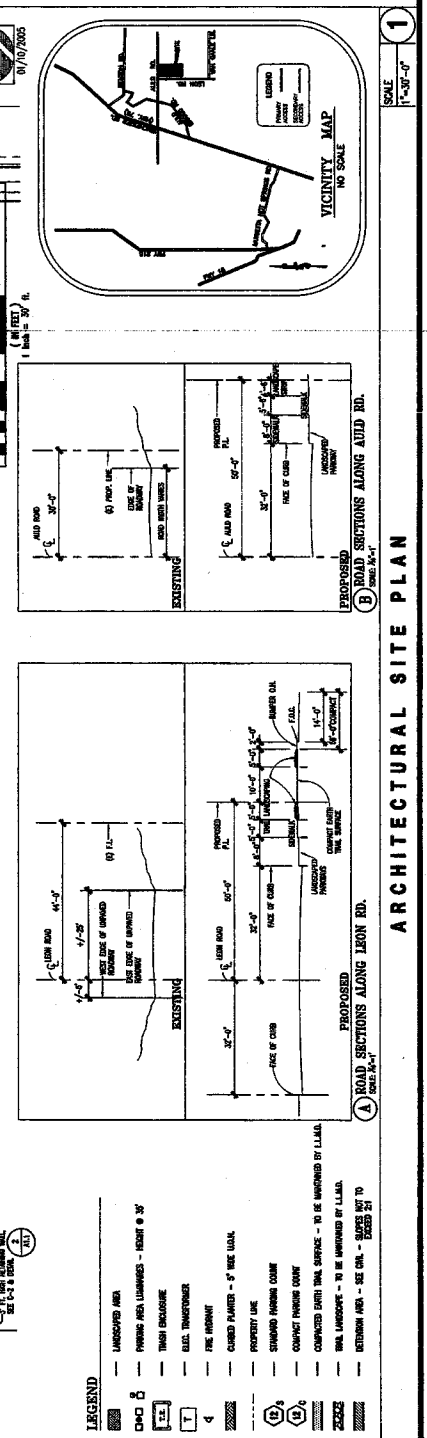
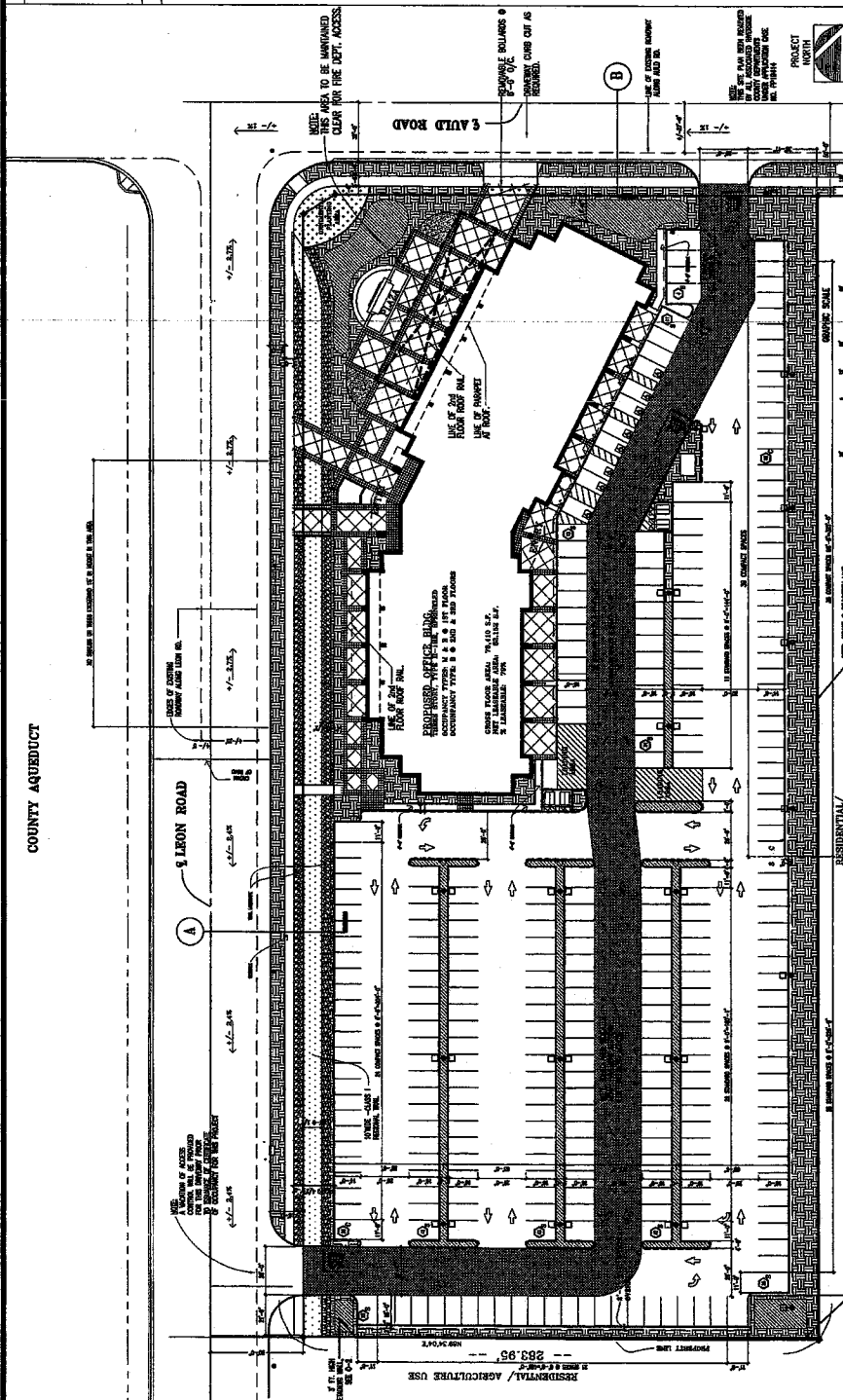
PHASES: 307 SPACES
ESTIMATED: 307 SPACES
CONTRACT ALLOWED (SPTM): 84 MAXIMUM OF REQUIREMENT (MAX)
CONTRACT PROVIDED: 84 SPACES
MAXIMUM (SPTM): 1,000

LANDSCAPE ANALYSIS:
TOTAL LANDSCAPED AREA: 2,026 S.F.
TOTAL LANDSCAPED AREA: 2,026 S.F.

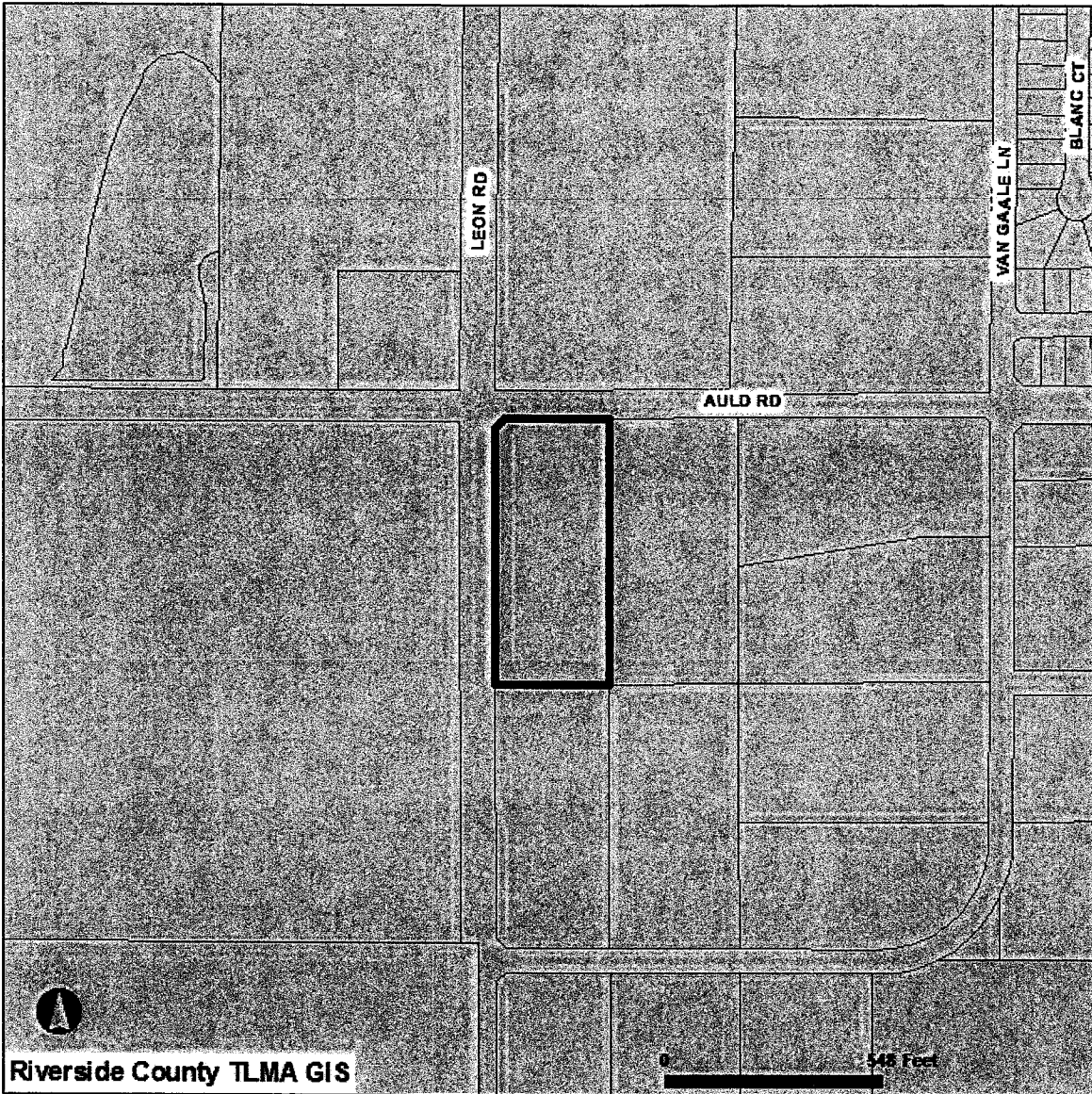
LANDSCAPE ANALYSIS:
TOTAL LANDSCAPED AREA: 2,026 S.F.
TOTAL LANDSCAPED AREA: 2,026 S.F.

LEGEND

- LANDSCAPED AREA
- PERMITS AREA (LANDSCAPED - HEIGHT OF 30')
- THIRD ENCLOSURE
- OLD TRANSECTORS
- THE MAINWAY
- COLORED PLASTER - 5" MAX. U/LAN.
- PROPERTY LINE
- STANDARD FINISH CONCRETE
- CONTRACT FINISH CONCRETE
- CONCRETE WITH FIN. SURFACE - TO BE MATCHED BY LL.A.A.
- FIN. SURFACE - TO BE MATCHED BY LL.A.A.
- RETENTION AREA - SEE CIV. - SHALL NOT TO BE EXCEED 20'



SUPERVISORIAL DISTRICT - PP19414



Selected parcel(s):
963-040-001

SUPERVISORIAL DISTRICTS

- SELECTED PARCEL
- PARCELS
- INTERSTATES
- HIGHWAYS
- DISTRICT 3
SUPERVISOR JEFF STONE
- CITY

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

REPORT PRINTED ON...Tue Apr 19 09:52:46 2011
 Version 101221

AREA PLAN - PP19414



Riverside County TLMA GIS

Selected parcel(s):
963-040-001

AREA PLAN

SELECTED PARCEL

PARCELS

SOUTHWEST AREA

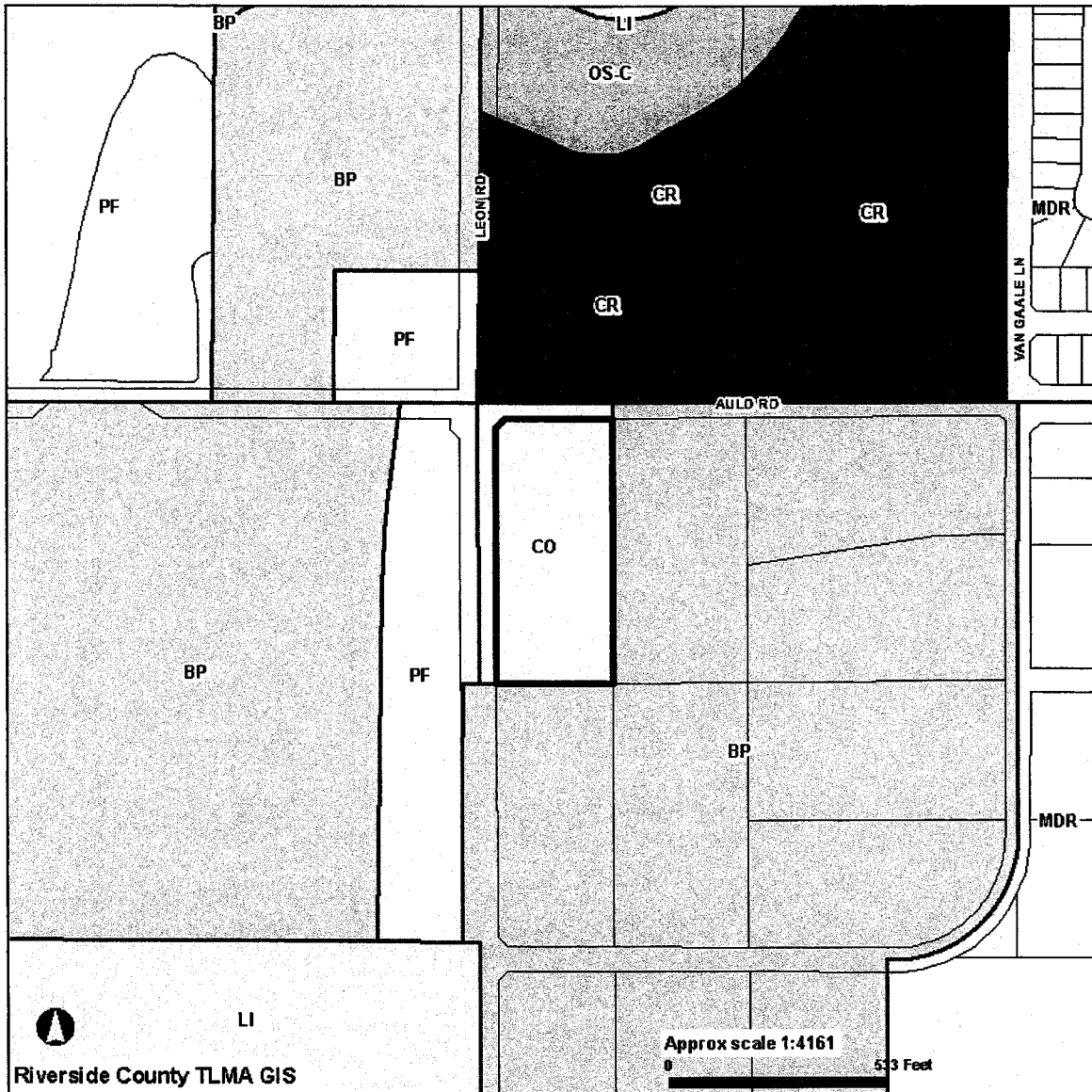
CITY BOUNDARY

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Thu Jun 04 08:52:30 2009

LAND USE - PP19414



Selected parcel(s):
963-040-001

LANDUSE

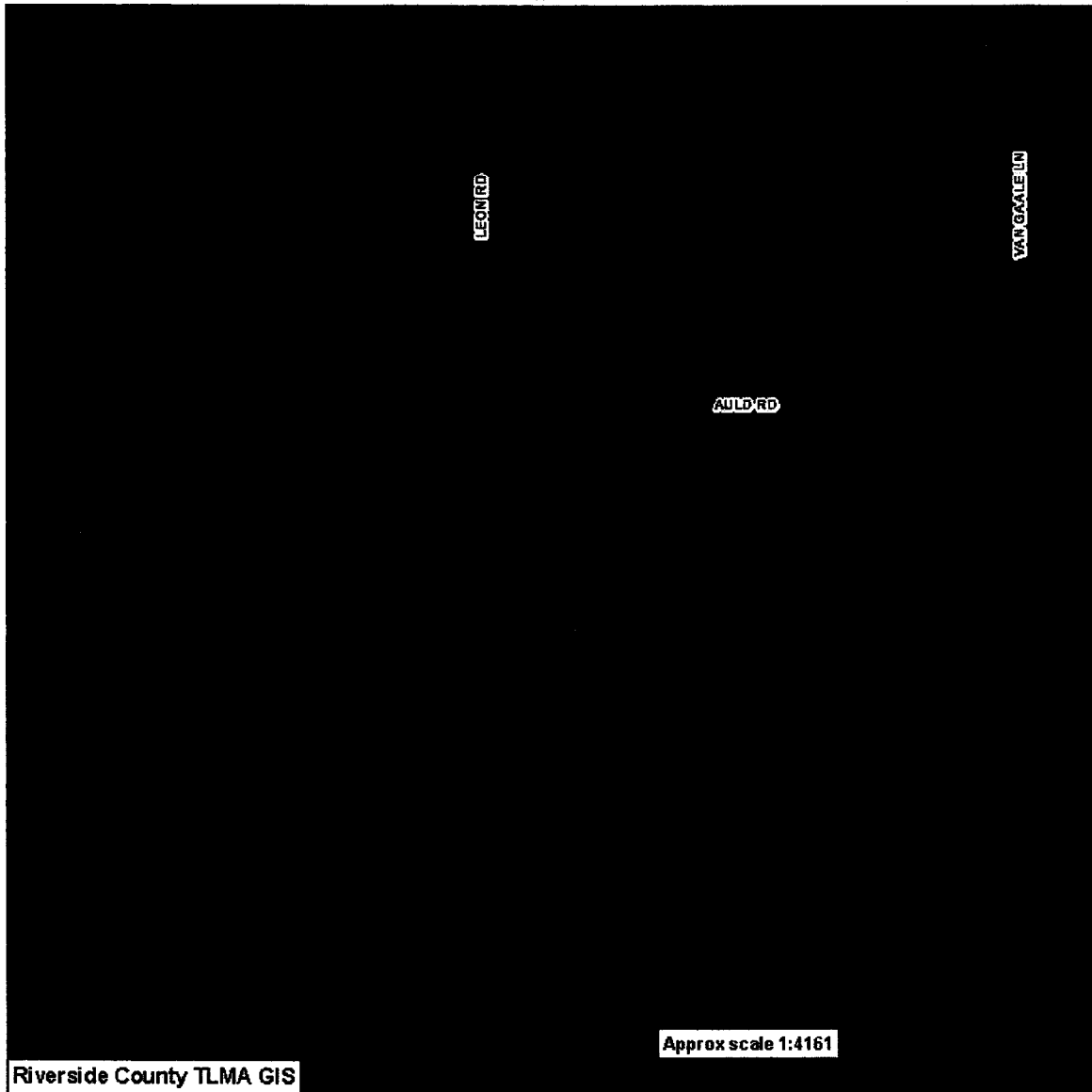
- | | | | |
|------------------------|-----------------------|----------------------------------|------------------------|
| SELECTED PARCEL | PARCELS | BP - BUSINESS PARK | CO - COMMERCIAL OFFICE |
| CR - COMMERCIAL RETAIL | LI - LIGHT INDUSTRIAL | MDR - MEDIUM DENSITY RESIDENTIAL | OS-C - CONSERVATION |
| PF - PUBLIC FACILITIES | CITY BOUNDARY | | |

IMPORTANT

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REPORT PRINTED ON...Thu Jun 04 08:53:24 2009

ZONING DISTRICTS - PP19414



Selected parcel(s):
963-040-001

ZONING DISTRICTS

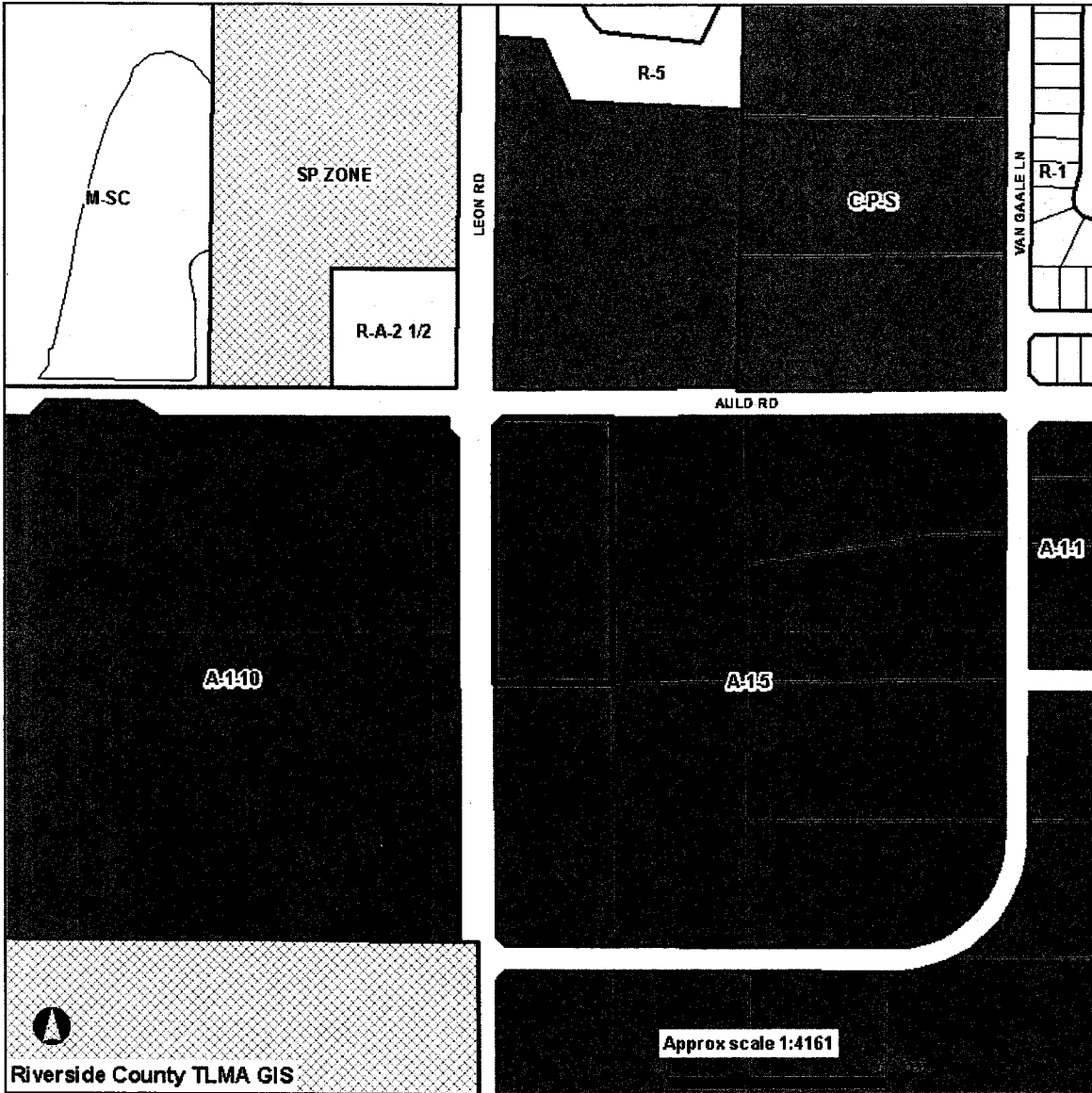
- SELECTED PARCEL
- PARCELS
- RANCHO CALIFORNIA AREA
- CITY BOUNDARY

IMPORTANT

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REPORT PRINTED ON...Thu Jun 04 08:54:06 2009

ZONING - PP19414



Selected parcel(s):
963-040-001

ZONING

- | | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> SELECTED PARCEL | <input type="checkbox"/> PARCELS | <input type="checkbox"/> ZONING BOUNDARY | <input checked="" type="checkbox"/> A-1-1, A-1-10, A-1-5 |
| <input checked="" type="checkbox"/> C-P-S | M-SC | <input type="checkbox"/> R-1 | <input type="checkbox"/> R-5 |
| R-A-2 1/2 | <input checked="" type="checkbox"/> SP ZONE | <input type="checkbox"/> CITY BOUNDARY | |

IMPORTANT

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REPORT PRINTED ON...Thu Jun 04 08:54:40 2009

Extension of Time Environmental Determination

Project Case Number: PP19414
Original E.A. Number: EA39553
Extension of Time No.: FIRST
Original Approval Date: 1/23/2007
Project Location: Northerly of Van Gaale Lane, Southerly of Auld Road and Easterly of Leon Road

Project Description: Three story, 78,410 sq. ft. building for office and retail use with a total of 307 parking spaces.

On 4/19/11, this Plot Plan and its original environmental assessment/environmental impact report was reviewed to determine: 1) whether any significant or potentially significant changes in the original proposal have occurred; 2) whether its environmental conditions or circumstances affecting the proposed development have changed. As a result of this evaluation, the following determination has been made:

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

Signature: _____

Larry Ross, Principal Planner

Date: 4/19/11

For Carolyn Syms Luna, Director

Morales, Catherine

From: Tamara Nicolao [tamara.sanpasotruckstop@gmail.com]
Sent: Friday, April 15, 2011 1:09 PM
To: Morales, Catherine
Subject: Acceptance for the Conditions and Approval for PP19414
Attachments: extension of time request for PLOT PLAn NO. 19414.docx

Catherine,
Andy Pham asked that I forward you the attached letter stating he accept all the terms and conditions for the Extension of Time for PP19414

--

Tamara Nicolao

Sunbelt Properties Mgmt., LLC
6040 S. Durango Drive, Suite #105
Las Vegas, NV 89113

April 15, 2011

To: Planning Technician II
Cathering D. Morales
Riverside County Planning Department
4080 Lemon St., 12th Floor
Riverside, CA 92502

Re: **EXTENSTION OF TIME REQUEST for PLOT PLAN NO 19414**

I Andy Pham, the Extension of Time Applicant, accept the terms and conditions for the extension of time of the following named and numbered:

10.PLANNING.41	80.PLANNING.28
10.PLANNING.42	90.PLANNING.35
10.PLANNING.43	90.PLANNING.36
60.PLANNING.20	90.PLANNING.37
80.PLANNING.26	90.PLANNING.38
80.PLANNING.27	

Sincerely,
Andy Pham
Managing Member

Sunbelt Properties Mgmt., LLC
6040 S. Durango Drive, Suite #105
Las Vegas, NV 89113

April 18, 2011

To: Carolyn Syms Luna
Planning Director
Riverside County Planning Department
4080 Lemon St., 12th Floor
Riverside, CA 92502

Dear Carolyn,

This memo is in regards to the extension request for PP19414.

PP19414 plot was not used because we were unable to obtain finances for the construction of the site. As of now one of our investors is in the process of obtaining construction financing from an Asian bank that was not affected by the collapse of the housing market in the US.

Sincerely,
Andy Pham
Managing Member

Morales, Catherine

From: Tamara Nicolao [tamara.sanpasotruckstop@gmail.com]
Sent: Monday, April 18, 2011 2:04 PM
To: Morales, Catherine
Subject: Re: Acceptance for the Conditions and Approval for PP19414
Attachments: extention of time request for PLOT PLAN NO. 19414 - memo why not used.docx

Catherine,

PP19414 plot was not used because we were unable to obtain finances for the construction of the site. As of now one of our investors is in the process of obtaining construction financing from an Asian bank that was not affected by the collapse of the housing market in the US.

Attached is a memo stating the same addressed to Carylyn Syms Luna.

On Mon, Apr 18, 2011 at 7:58 AM, Morales, Catherine <CATMORAL@rctlma.org> wrote:

Tamara,

Thank you for the letter. At this time, I will also need reason(s) as to why PP19414 was not used within the required period of time. This would enable the Planning Director to make a determination that valid reasons exist for the request for extension of time. This determination is referenced in ORD 348, Section 18.30(g).

Please provide a memo addressed to the Carolyn Syms Luna, Planning Director, that includes facts as to the reasons why the plot plan was not used within the required time period. I will also have to incorporate this in the staff report .

Thank you,

Catherine D. Morales

Planning Technician II

Riverside County Planning Department

4080 Lemon St., 12th Floor

Riverside, CA 92502

951.955.1681

Please note: Our office is closed every Friday thru fiscal year 2010/2011 per order of the Board of Supervisors 6/15/2010.

From: Tamara Nicolao [mailto:tamara.sanpasotruckstop@gmail.com]
Sent: Friday, April 15, 2011 1:09 PM
To: Morales, Catherine
Subject: Acceptance for the Conditions and Approval for PP19414

Catherine,

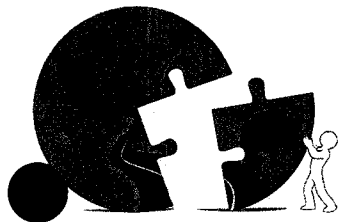
Andy Pham asked that I forward you the attached letter stating he accept all the terms and conditions for the Extension of Time for PP19414

--

Tamara Nicolao

--

Tamara Nicolao



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

Date: April 12, 2011

To: Sunbelt Properties Mgmt., LLC
Andy Pham
6040 S. Durango Dr., Suite 105
Las Vegas, NV 89113

RE: EXTENSION OF TIME REQUEST for PLOT PLAN NO. 19414

The County Planning Department has transmitted this extension of time request to the Land Development Committee (LDC) for comments on **April 15, 2010**. The LDC has determined it necessary to recommend the addition of eleven (11) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public. The Planning Department Landscaping Division is recommending the addition of seven (7) Conditions of Approval. The Planning Department Cultural Resources Division is recommending the addition of four (4) Conditions of Approval.

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

10.PLANNING.41	80.PLANNING.28
10.PLANNING.42	90.PLANNING.35
10.PLANNING.43	90.PLANNING.36
60.PLANNING.20	90.PLANNING.37
80.PLANNING.26	90.PLANNING.38
80.PLANNING.27	

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

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

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

Condition Acceptance Letter

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


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

If you have any questions, please contact me at 951-955-1681 or via email at catmoral@rctlma.org, or my supervisor Larry Ross at 951-955-3585 or via email at lross@rctlma.org.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna, Director



Catherine Morales, Planning Technician II

Attached: EOT Recommended Conditions of Approval

Revised: 6/23/10

Y:\Planning Case Files-Riverside office\PP19414\1st EOT\PP19414 1ST EOT Proposed Conditions.doc

PLOT PLAN: TRANSMITTED Case #: PP19414

Parcel: 963-040-001

10. GENERAL CONDITIONS

PLANNING DEPARTMENT

10. PLANNING. 41 USE - LC LANDSCAPE REQUIREMENTS

RECOMMND

The developer/ permit holder shall:

- 1) Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;
- 2) Ensure all landscaping is provided with California Friendly landscaping and a weather based irrigation controller(s) as defined by County Ordinance No. 859;
- 3) Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and,
- 4) Be responsible for maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the twelve (12) month inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

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

- 1) Connect to a reclaimed water supply for landscape irrigation purposes when reclaimed water is made available.
- 2) Ensure that landscaping, irrigation and maintenance systems comply with the Riverside County Guide to California Friendly Landscaping, and Ordinance No. 859.
- 3) Ensure that all landscaping is healthy, free of weeds, disease and pests.

EOT1

10. PLANNING. 42 GEN - IF HUMAN REMAINS EOT1

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law.

PLOT PLAN: TRANSMITTED Case #: PP19414

Parcel: 963-040-001

10. GENERAL CONDITIONS

10. PLANNING. 42 GEN - IF HUMAN REMAINS EOT1 (cont.) RECOMMND

Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Planning /Director.

10. PLANNING. 43 GEN - INADVERTANT ARCHAEO EOT1 RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1. All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

2. At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or

PLOT PLAN:TRANSMITTED Case #: PP19414

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10. GENERAL CONDITIONS

10.PLANNING. 43 GEN - INADVERTANT ARCHAEO EOT1 (cont.) RECOMMND
mitigation measures.

60. PRIOR TO GRADING PRMT ISSUANCE

PLANNING DEPARTMENT

60.PLANNING. 20 GEN - CULTURAL RESOURCES EOT1 RECOMMND

As a result of information contained in PD-A-4239, it has been determined that archaeological monitoring during grading and related earth-disturbing activities is required for this project.

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. This professional shall be known as the "Project Monitor." The Project Monitor shall be included in the pre-grade meetings to provide cultural/historical sensitivity training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and special interest monitors. The Project Monitor shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTE:

1)The Project Monitor is responsible for implementing mitigation using standard professional practices for cultural resources. The Professional shall consult with the County, developer/permit holder and special interest group monitor throughout the process.

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Parcel: 963-040-001

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 20 GEN - CULTURAL RESOURCES EOT1 (cont.) RECOMMND

2)This agreement shall not modify any condition of approval or mitigation measure.

80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 26 USE - LC LNDSCP COMN AREA MTNC RECOMMND

Prior to building permit issuance, the developer/permit holder shall submit Covenants, Conditions, and Restrictions (CC&R) to the Riverside County Counsel for review along with the required fees set forth by the Riverside County Fee Schedule.

For purposes of landscaping and maintenance, the following minimum elements shall be incorporated into the CC&R's:

- 1)Permanent public, quasi-public or private maintenance organization shall be established for proper management of the water efficient landscape and irrigation systems. Any agreements with the maintenance organization shall stipulate that maintenance of landscaped areas will occur in accordance with Ordinance No. 859 (as adopted and any amendments thereto) and the County of Riverside Guide to California Friendly Landscaping.
- 2)The CC&R's shall prohibit the use of water-intensive landscaping and require the use of low water use landscaping pursuant to the provisions of Ordinance No. 859 (as adopted and any amendments thereto).
- 3)The common maintenance areas shall include all those identified on the approved landscape maintenance exhibit.

The Planning Department shall clear this condition once a copy of the County Counsel approved CC&R's has been submitted to the Planning Department.

EOT1

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

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

PLOT PLAN: TRANSMITTED Case #: PP19414

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80. PRIOR TO BLDG PRMT ISSUANCE

80. PLANNING. 27 USE - LC LANDSCAPE PLOT PLAN (cont.)

RECOMMND

Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

- 1) Landscape and irrigation working drawings "stamped" by a California certified landscape architect;
- 2) Weather based controllers and necessary components to eliminate water waste;
- 3) A copy of the "stamped" approved grading plans; and,
- 4) Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

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

NOTE:

- 1) Landscaping plans for areas within the road right-of-way shall be submitted for review and approval by the Transportation Department only. The Planning Department shall not approve landscape plans within the Road Right-of-Way.
- 2) When the Landscaping Plot Plan is located within a special district such as Valley-Wide Recreation and Park District, Jurupa Community Services District, Coachella Valley Water District, a County Service Area (CSA) or other maintenance district, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Planning Department that the subject District has approved said plans.

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

PLOT PLAN: TRANSMITTED Case #: PP19414

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 27 USE - LC LANDSCAPE PLOT PLAN (cont.) (cont.) RECOMMND

Department shall clear this condition.
EOT1

80.PLANNING. 28 USE - LC LANDSCAPE SECURITIES RECOMMND

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

NOTE:

A cash security shall be required when the estimated cost is \$2,500.00 or less. It is highly encouraged to allow adequate time to ensure that securities are in place. The performance security shall be released following a successful completion of the One Year Post-Establishment Inspection, and the inspection report confirms that the planting and irrigation components are thriving and in good working order consistent with the approved landscaping plans.
EOT1

90. PRIOR TO BLDG FINAL INSPECTION

PLANNING DEPARTMENT

90.PLANNING. 35 USE - LC LNDSCP INSPCT DEPOSIT RECOMMND

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

PLOT PLAN:TRANSMITTED Case #: PP19414

Parcel: 963-040-001

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 35 USE - LC LNDSCP INSPCT DEPOSIT (cont.) RECOMMND

the Riverside County Landscape Division. The Planning Department shall clear this condition upon determination of compliance.
EOT1

90.PLANNING. 36 USE - LC LNDSCP INSPCT RQMNTS RECOMMND

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

Upon successful completion of the PRE-INSTALLATION INSPECTION, the applicant will proceed with the installation of the approved landscape and irrigation system and arrange for an INSTALLATION INSPECTION at least five 5 working days prior to the building final inspection or issuance of occupancy permit, whichever occurs first and comply with the Planning Department's Milestone 80 conditions entitled "USE-LANDSCAPING SECURITY" and the Milestone 90 condition entitled "LANDSCAPE INSPECTION DEPOSIT." Upon successful completion of the INSTALLATION INSPECTION, the County Planning Department's Landscape Inspector and the permit holder's landscape architect (or on-site representative) shall execute a Landscape Certificate of Completion that shall be submitted to the Planning Department and the Department of Building and Safety. The Planning Department shall clear this condition upon determination of compliance.
EOT1

90.PLANNING. 37 USE - LC COMPLY W/LNDSCP/IRRIG RECOMMND

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

04/12/11
14:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 8

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 37 USE - LC COMPLY W/LNDSCP/IRRIG (cont.) RECOMMND

Department's landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. Upon determination of compliance, the Planning Department shall clear this condition.
EOT1

90.PLANNING. 38 GEN - CULT RESOURCES RPT EOT1 RECOMMND

Prior to final inspection of the first building permit, the developer/permit holder shall prompt the Cultural Resources Professional to submit two (2) copies of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports. The report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Planning Department shall review the report to determine adequate mitigation compliance. Provided the report is adequate, the Planning Department shall clear this condition.

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

DATE: June 4, 2009

TO:

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

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

FIRST EXTENSION OF TIME FOR PLOT PLAN NO. 19414 - Applicant: Sunbelt Properties Management - Third Supervisorial District – Rancho California Zoning Area - Southwest Area Plan: Community Development: Commercial Office (CO) (0.25 -1.0 floor area ratio) - Location: Northerly of Van Gaale Lane, Southerly of Auld Road and Easterly of Leon Road – 4.2 Acres - Zoning: Light Agriculture (A-1-5) – Approved Project Description: Three story, 78,410 sq. ft. building for office and retail use with a total of 307 parking spaces. - **REQUEST: EXTENSION OF TIME TO January 23, 2010 - FIRST EXTENSION.**

Please review the attached information, together with your existing records for the above-described project. This extension request is being placed on the **July 16, 2009 LDC Comment Agenda** in order to establish a deadline for review and comment. All County Agencies and Departments are to have completed their review prior to the above referenced LDC Comment date. Failure to complete the review and/or provide comments within the indicated time frame will result in a presumption that the affected Agency/Department has no comment, and the extension request will be moved forward to the Planning Commission based on that presumption.

If, it is determined necessary, that in order to maintain conformance with the County General Plan, and/or ensure that the project does not adversely affect the general health, safety and welfare of the public, each LDC Agency or Department may prepare recommended conditions of approval and place them in the County's Land Management System for the affected project.

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

Each LDC Agency or Department who does so must then provide documentation to the Planning Department justifying the application of said conditions. Any such conditions, and their justification, will be presented to the Advisory Agency for their consideration as part of their action relative to the extension of time request.

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

Should you have any questions regarding this item, please do not hesitate to contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or email at cgriffin@RCTLMA.org/ **MAILSTOP# 1070.**

RECEIVED
JAN 20 2009

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department
Ron Goldman · Planning Director

COUNTY OF RIVERSIDE
PLANNING AND SAFETY

APPLICATION FOR EXTENSION OF TIME

THIS APPLICATION MUST BE ACCOMPANIED BY APPROPRIATE FILING FEES

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION

CASE NUMBER: PP19414 DATE SUBMITTED: 1/20/2009 ^{gc}

Assessor's Parcel Number(s): 963-040-001

EXTENSION REQUEST First Second Third Fourth Fifth

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

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

Date of Original Approval: 1/23/2007

Applicant's Name: JUSTICE CENTER PLAZA E-Mail: andy@sunbeltpm.com

Mailing Address: 6040 S. Durango Drive Suite 105
LAS VEGAS NV 89113
City State ZIP

Daytime Phone No: (702) 450-8866 Fax No: (702) 450-8836

Property Owner's Name: Andy Pham E-Mail: andy@sunbeltpm.com

Mailing Address: _____
Street
City State ZIP

Daytime Phone No: (____) _____ Fax No: (____) _____

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.

APPLICATION FOR EXTENSION OF TIME

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

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

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

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

ANDY PHAM

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.

ANDY PHAM

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

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

RECEIVED
JAN 20 2009

COUNTY OF RIVERSIDE
BUILDING AND SAFETY