

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



ITEM
18.2
(ID # 5842)

MEETING DATE:

Tuesday, December 5, 2017

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON GENERAL PLAN AMENDMENT NO. 1165, CHANGE OF ZONE NO. 7900, AND CONDITIONAL USE PERMIT NO. 3739 - EA42871 - Applicant: Land Development Consultants - Engineer/Rep: Land Development Consultants - Second Supervisorial District - El Cerrito Zoning District-Temescal Canyon Area Plan - Community Development: Light Industrial (CD:LI) - 7.48 Acres - Location: Northerly of Cajalco Road, easterly of Temescal Canyon Road, and westerly of Eagle Canyon Road - Zoning: Mineral Resources (M-R) and Manufacturing-Service Commercial (M-SC) - REQUEST: The General Plan Amendment proposes to amend the current land use designation from Community Development: Light Industrial (CD: LI) to Community Development: Commercial Retail (CD: CR) and Open Space-Conservation (OS-C). Change of Zone proposes to change the zoning classification of the project site from Manufacturing-Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) and Watershed and Conservation Areas (W-1). Conditional Use Permit proposes an approximately 5,881 square-foot convenience store, 1,262 square-foot car wash facility, and a 6,549 square-foot fuel canopy area that will house 10 fuel dispensers. In addition, 2.6-acres of the site will be offered for dedication in accordance with the Multi Species Habitat Conservation Plan (MSHCP). APN: 279-231-055. [Applicant fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

Continued on Page 2

ACTION:



Charissa Leach, Assistant TLMA Director

11/27/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is tentatively approved as recommended, and staff is directed to prepare the necessary documents for final action.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: December 5, 2017
xc: Planning

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42871**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,
2. **TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 1165**, to amend the current land use designation from Community Development: Light Industrial (CD: LI) to Community Development: Commercial Retail (CD: CR) and Open Space-Conservation (OS-C) based upon the findings and conclusions incorporated in the staff report, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,
3. **TENTATIVELY APPROVE CHANGE OF ZONE NO. 7900**, to change the zoning of the project site from Manufacturing-Service Commercial (M-SC) and Mineral Resources (M-R) to Scenic Highway Commercial (C-P-S) and Watercourse, Watershed and Conservation Areas (W-1), based upon the findings and conclusions incorporated in the staff report, pending final adoption of the zoning ordinance by the Board of Supervisors; and,
4. **APPROVE CONDITIONAL USE PERMIT NO. 3739**, based upon the findings and conclusions incorporated in the staff report, subject to the attached conditions of approval, and subject to the Board of Supervisors' subsequent adoption of the resolution for GPA 1165 and subsequent adoption of zoning ordinance for CZ 7900.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant fees 100%			Budget Adjustment:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The proposed project consists of applications for a General Plan Amendment No. 1165 (GPA 1165), a Change of Zone No. 7900 (CZ 7900), and a Conditional Use Permit No. 3739 (CUP 3739). A summary of the entitlements sought by the Project Applicant associated with the proposed Project is provided below:

General Plan Amendment No. 1165: General Plan Amendment No. 1165 (GPA 1165) proposes to amend the current land use designation from Community Development: Light Industrial (CD: LI) to Community Development: Commercial Retail (CD: CR) and Open Space-Conservation (OS-C).

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

Change of Zone No. 7900: Change of Zone No. 7900 (CZ 7900) proposes to change the zoning classification of the project site from Manufacturing-Service Commercial (M-SC) and Mineral Resources (M-R) to Scenic Highway Commercial (C-P-S) and Watershed and Conservation Areas (W-1).

Conditional Use Permit No. 3739: Conditional Use Permit No. 3739 (CUP 3739) proposes an approximately 5,881 square-foot 24-hour convenience store, 1,262 square-foot car wash facility, and a 6,549 square-foot fuel canopy area that will house 20 fuel pumps, which will be enough for 20 vehicles at a time. The project site will be located within 2.9 acres of the total 7.48 acres; 1.98 acres will be left for future commercial development, but will remain undisturbed until a proposed project is submitted. In addition, 2.6-acres of the site will be offered for dedication in accordance with the Multi Species Habitat Conservation Plan (MSHCP).

The proposed project is located northerly of Cajalco Road, easterly of Temescal Canyon Road, and westerly of Eagle Canyon Road.

The project was presented to the Planning Commission on November 15, 2017, and the Commission recommended approval by a vote of 4-0.

Impact on Residents and Businesses

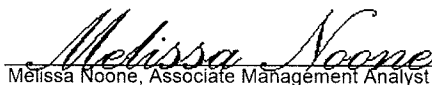
The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and the Planning Commission.

Additional Fiscal Information

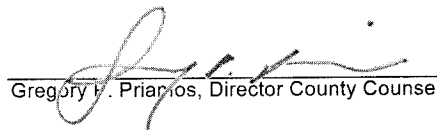
All fees are paid by the applicant. There is no General Fund obligation.

ATTACHMENTS:

- ATTACHMENT A. Planning Commission Minutes**
- ATTACHMENT B. Planning Commission Staff Report**
- ATTACHMENT C. Indemnification Agreement**
- ATTACHMENT D. Memo to Planning Commission from Transportation**


Melissa Noone, Associate Management Analyst

11/27/2017


Gregory F. Priarios, Director County Counsel

11/27/2017



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

November 17, 2017

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

PH : (951) 368-9225
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: GPA 1165, CZ 7900, CUP 3739

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Friday, November 24, 2017.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

18.2

Gil, Cecilia

From: Legals <legals@pe.com>
Sent: Friday, November 17, 2017 9:54 AM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: GPA 1165 CZ 7900 CUP 3739

Received for publication on 11/24. Proof with cost to follow.

Nick Eller

Thanksgiving Deadlines 2017

<u>Publishing Day</u>	<u>Deadline</u>
Thurs-Fri 11/23-11/24	Monday 11/20 10:30am
Sat-Mon 11/25-11/27	Tuesday 11/21 10:30am
Tues-Wed 11/28-11/29	Wednesday 11/22 10:30am

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Standard Deadlines are 10:30am, 3 business days prior to the day you would like to publish

The Press-Enterprise PE.com / La Prensa

On Fri, Nov 17, 2017 at 9:19 AM, Gil, Cecilia <CCGIL@rivco.org> wrote:

One more Notice of Public Hearing, for publication on Friday, Nov. 24, 2017. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon St., 1st Floor, Room 127

Riverside, CA 92501

(951) 955-8464 Mail Stop# 1010



CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cecilia Gil, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on November 17, 2017, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

GPA 1165, CZ 7900, CUP 3739

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide the required certification of posting.

Board Agenda Date: December 5, 2017 @ 10:30 a.m.

SIGNATURE: Cecilia Gil DATE: November 17, 2017
Cecilia Gil

Gil, Cecilia

From: Meyer, Mary Ann <MaMeyer@asrckrec.com>
Sent: Friday, November 17, 2017 10:11 AM
To: Gil, Cecilia; Buie, Tammie; Garrett, Nancy; Kennemer, Bonnie
Subject: RE: FOR POSTING: GPA 1165 CZ 7900 CUP 3739

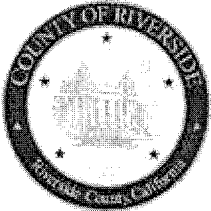
received and will be posted

From: Gil, Cecilia [mailto:CCGIL@RIVCO.ORG]
Sent: Friday, November 17, 2017 9:20 AM
To: Buie, Tammie <tbuie@asrckrec.com>; Garrett, Nancy <ngarrett@asrckrec.com>; Kennemer, Bonnie <bkenneme@asrckrec.com>; Meyer, Mary Ann <MaMeyer@asrckrec.com>
Subject: FOR POSTING: GPA 1165 CZ 7900 CUP 3739

One more Notice for POSTING. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon St., 1st Floor, Room 127
Riverside, CA 92501
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County of Riverside California

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, AND CONDITIONAL USE PERMIT IN THE EL CERRITO – TEMESCAL CANYON AREA, SECOND SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, December 5, 2017 at 10:30 A.M.** or as soon as possible thereafter, to consider the application submitted by Land Development Consultants, on **General Plan Amendment No. 1165**, which proposes to amend the land use from Community Development: Light Industrial (CD:L1) to Community Development: Commercial Retail (CD:CR) and Open Space-Conservation (OS-C); **Change of Zone No. 7900**, which proposes to change the zoning from Manufacturing-Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) and Watershed and Conservation Areas (W-1), and such other zones as the Board may find appropriate; and, **Conditional Use Permit No. 3739**, which proposes an approximately 5,881 square-foot convenience store, 1,262 square-foot car wash facility, and a 6,549 square-foot fuel canopy area that will house ten (10) fuel dispensers (“the project”). In addition, 2.6-acres of the site will be offered for dedication in accordance with the Multi Species Habitat Conservation Plan (MSHCP). The project is located northerly of Cajalco Road, easterly of Temescal Canyon Road, and westerly of Eagle Canyon Road in the Second Supervisorial District.

The Planning Commission recommended that the Board of Supervisors approve the project and adopt the Negative Declaration for **Environmental Assessment No. 42871**.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT DAVE ALVAREZ, PROJECT PLANNER, AT (951) 955-5719 OR EMAIL daalvarez@rivco.org.

Any person wishing to testify in support of or in opposition to the 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 written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: November 17, 2017 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cecilia Gil, Board Assistant, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on November 17, 2017, I mailed a copy of the following document:

NOTICE OF PUBLIC HEARING

GPA 1165, CZ 7900, CUP 3739

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

Board Agenda Date: December 5, 2017 @ 10:30 a.m.

SIGNATURE: Cecilia Gil
Cecilia Gil

DATE: November 17, 2017



ASMT: 279231002, APN: 279231002
WHAL PROP
STE 170
11249 GOLD COUNTRY BLV
GOLD RIVER CA 95670

ASMT: 279231055, APN: 279231055
CIRCLE K STORES INC
C/O REAL ESTATE DEPT
255 E RINCON ST STE 100
CORONA CA 92879

ASMT: 279231005, APN: 279231005
MANUF CO, ETAL
C/O TAX DIVISION
P O BOX 33441
ST PAUL MN 55133

ASMT: 279231071, APN: 279231071
EVMWD
P O BOX 3000
LAKE ELSINORE CA 92531

ASMT: 279231008, APN: 279231008
SITWORK DEV CO
1632 RAILROAD ST
CORONA CA 92880

ASMT: 279231075, APN: 279231075
SUKUT REAL PROP
4010 W CHANDLER AVE
SANTA ANA CA 92704

ASMT: 279231010, APN: 279231010
MANUFACTURING CO, ETAL
C/O 3M COMPANY
3M CENTER
ST PAUL MN 55144

ASMT: 279231085, APN: 279231085
TEMESCAL CANYON RV
4010 W CHANDLER
SANTA ANA CA 92704

ASMT: 279231012, APN: 279231012
COUNTY OF RIVERSIDE FIRE PROTECTION
C/O DEPT OF BUILDING SERVICES
3133 7TH ST
RIVERSIDE CA 92501

ASMT: 279231086, APN: 279231086
RIVERSIDE CORONA RESOURCE CONSERV D
4500 GLENWOOD DR
RIVERSIDE CA 92501

ASMT: 279231024, APN: 279231024
TARGET CORP
RE EXISTING PURCHASE AGREEMENT CALIF
1000 NICOLLET MALL TPN 12
MINNEAPOLIS MN 55403

ASMT: 279240001, APN: 279240001
RIVERSIDE COUNTY TRANSPORTATION COMI
P O BOX 12008
RIVERSIDE CA 92502

ASMT: 279231039, APN: 279231039
COOKE CORONA CROSSINGS, ETAL
C/O LAURA WHITAKER
10000 STOCKDALE HIGHWAY
BAKERSFIELD CA 93311

ASMT: 279460006, APN: 279460006
GIBBEL BROTHERS INC
C/O KAREN KULP - TAX DEPT
3490 PIEDMONT RD STE 1300
ATLANTA GA 30305

GPA 1165 CZ 7900

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ERIN CHAVEZ
2839 BREEZY MEADOW LN
CORONA, CA. 92883

ASMT: 279460058, APN: 279460058
DOS LAGOS OFFICE
4160 TEMESCAL CYN RD 310
CORONA CA 92883

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C/O INVITATION HOMES
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DALLAS TX 75202

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MERIDIAN DOS LAGOS
C/O MICHAEL SCHAU
17328 VENTURA BLV STE 401
ENCINO CA 91316

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KAREN MCHUGH, ETAL
2853 BREEZY MEADOW LN
CORONA, CA. 92883

ASMT: 279470022, APN: 279470022
CITY OF CORONA
P O BOX 940
CORONA CA 92878

ASMT: 279482010, APN: 279482010
CITRUS SPRINGS NEIGHBORHOOD ASSN
C/O TAYLOR WOODROW HOMES INC
15 CUSHING
IRVINE CA 92618

ASMT: 279470030, APN: 279470030
RIVERSIDE CORONA RESOURCE CONSERVAT
C/O DISTRICT MANAGER
4500 GLENWOOD DR BLD A
RIVERSIDE CA 92501

ASMT: 279482066, APN: 279482066
DONNA LINK, ETAL
2813 BREEZY MEADOW LN
CORONA, CA. 92883

ASMT: 279482001, APN: 279482001
MINERVA VALENCIA, ETAL
2827 BREEZY MEADOW LN
CORONA, CA. 92883

ASMT: 279482067, APN: 279482067
CHRISTINA WU, ETAL
2819 BREEZY MEADOW LN
CORONA, CA. 92883

ASMT: 279482002, APN: 279482002
STEPHEN DEMEO
PO BOX 78953
CORONA CA 92877

ASMT: 279482068, APN: 279482068
CITRUS SPRINGS NEIGHBORHOOD ASSN
1 SPECTRUM POINTE STE 320
LAKE FOREST CA 92630





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211 W RINCON ST NO 108
CORONA CA 92880

ASMT: 281060028, APN: 281060028
BORAL RESOURCES INC
C/O MARVIN F POER & CO
P O BOX 52427
ATLANTA GA 30355

ASMT: 281100002, APN: 281100002
JOSEPH BENDER
9070 CAJALCO RD
CORONA, CA. 92881

ASMT: 281100003, APN: 281100003
COUNTY OF RIVERSIDE
C/O REAL ESTATE DIVISION
P O BOX 1180
RIVERSIDE CA 92502

ASMT: 281100014, APN: 281100014
TEMESCAL CLIFFS 8
P O BOX 77756
CORONA CA 92877

ASMT: 281100036, APN: 281100036
DT GRAT JMT
20742 HILLSDALE RD
RIVERSIDE CA 92508

ASMT: 281100045, APN: 281100045
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26815 CRILLY RD
CORONA CA 92883





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Applicant:

c/o William Scarbrough
11811 N. Tatum Blvd, Suite 1051
Phoenix, AZ 85028

Applicant:

c/o William Scarbrough
11811 N. Tatum Blvd, Suite 1051
Phoenix, AZ 85028

Owner:

Circle K Stores, Inc
255 E. Rincon St, Suite 10
Corona, CA 92879

Owner:

Circle K Stores, Inc
255 E. Rincon St, Suite 10
Corona, CA 92879

City of Corona
400 S. Vicentia Ave
Corona, CA 92882

Western Riverside County Regional
Conservation Authority
3403 10th St., #320
Riverside, CA 92501

U.S. Army Corps of Engineers
Regulatory Division
5900 La Place Court, Suite 100
Carlsbad, CA 92008

SCAG
Attn: Intergovernmental Review
818 West 7th Street, 12th Fl
Los Angeles, CA 90017-3435

California Dept of Fish & Wildlife
Eastern Sierra, Inland Desert Region
3602 Inland Empire Blvd., C-220
Ontario, CA 91764

Santa Ana RWQCB
3737 Main Street, Suite 500
Riverside, CA 92501

South Coast AQMD
Attn: CEQA Review
21865 Copley Drive
Diamond Bar, CA 91765

Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, CA 92501

San Diego RWQCB
2375 Northside Drive, Suite 100
San Diego, CA 92108

Pechanga Band of Luiseño Mission
Indians
P.O. Box 2183
Temecula, CA 92593

Riverside Land Conservancy
4075 Mission Inn Avenue
Riverside, CA 92501

Soboba Band of Luiseño Mission
Indians
P.O. Box 487
San Jacinto, CA 92581



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Applicant:

c/o William Scarbrough
11811 N. Tatum Blvd, Suite 1051
Phoenix, AZ 85028

Owner:

Circle K Stores, Inc
255 E. Rincon St, Suite 10
Corona, CA 92879



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 15, 2017**

- I. **AGENDA ITEM 1.1**
CHANGE OF ZONE NO. 7929 – WINERY DISTRICT CONSISTENCY ZONING PROGRAM (“Program”) – Receive & File – No New Environmental Documentation is Required – Applicant: County of Riverside – Third Supervisorial District – Southwest Area Plan – Temecula Valley Wine Country Policy Area – Winery District (“Winery District”) – Rancho California Zoning Area.

- II. **PROJECT DESCRIPTION:**
Report to Planning Commission on Board of Supervisors’ Modifications to Change of Zone No. 7929, Ordinance No. 348.4870.

- III. **PLANNING COMMISSION ACTION:**
Motion by Commissioner Kroencke, 2nd by Commissioner Sanchez
A vote of 4-0 (Commissioner Taylor-Berger Absent)

RECEIVED AND FILED.



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 15, 2017**

I. AGENDA ITEM 3.1

CHANGE OF ZONE NO. 7922/CONDITIONAL USE PERMIT NO. 3758 – Intent to Adopt a Negative Declaration – EA42949 – Owner/Applicant: BLP Desert, LP/Polk Meadows, LP – Representative: Greg Beaver – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan – Community Development: Commercial Retail (CD-CR) – Location: Northerly of Avenue 42, easterly of Washington Avenue, and westerly of Yucca Lane – 5.06 Gross Acres – Zoning: C-P-S & C-1/C-P.

I. PROJECT DESCRIPTION:

Change of Zone No. 7922 proposes to modify existing zoning from General Commercial (C-1/C-P) and Scenic Highway Commercial (C-P-S) to General Commercial (C-1/C-P) on a 5.06-acre property to accommodate a proposed mini-warehouse project. Conditional Use Permit No. 3758 proposes the construction and operation of a mini-warehouse project of approximately 91,125 sq. ft. with eight (8) mini-storage buildings up to 13 feet in height. Typical mini-warehouse units are sized approximately 5 feet by 10 feet, 10 feet by 10 feet, 10 feet by 20 feet, and 10 feet by 25 feet with approximately 938 total mini-storage units. The project also includes a 634 sq. ft. office with 12 customer parking spaces and a 1,322 sq. ft. caretaker's residence with a 600 sq. ft. garage up to 24 feet in height. Total square footage of the proposed mini-warehouse project and related buildings is approximately 93,658 sq. ft. The proposed project includes a monument sign and wall signage of approximately 30 sq. ft. each. Hours of operation for the office will be from 8:00 a.m. to 6:00 p.m. with customer access into the secured storage area restricted between 9:00 p.m. and 6:00 a.m., seven days a week. Continued from October 18, 2017.

II. MEETING SUMMARY:

The following staff presented the subject proposal:

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

Spoke in favor:

Applicant

Mark Thatcher, Neighbor, 41865 Yucca Lane, Bermuda Dunes, 92203

Spoke in opposition:

Jacob Alvarez, Interested Party, 79860 Boquerón Way, Bermuda Dunes, 92203

No one spoke a neutral position

III. CONTROVERSIAL ISSUES:

None.

IV. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Sanchez, 2nd by Commissioner Shaffer

A vote of 4-0 (Commissioner Taylor-Berger Absent)

The Planning Commission Recommend the Following Actions to the Board of Supervisors:

ADOPT a Negative Declaration for Environmental Assessment No. 42949; and

TENTATIVE Approve Change of Zone No. 7922; and

APPROVE Conditional Use Permit No. 3758, subject to conditions of approval as modified at hearing



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 15, 2017**

I. AGENDA ITEM 4.1

GENERAL PLAN AMENDMENT NO. 1165, CHANGE OF ZONE NO. 7900, AND CONDITIONAL USE PERMIT NO. 3739 – Intent to Adopt a Negative Declaration – EA42871 – Applicant: Land Development Consultants – Engineer/Rep: Land Development Consultants – Second Supervisorial District – El Cerrito Zoning District – Temescal Canyon Area Plan – Community Development: Light Industrial (CD-LI) – 7.48 Acres – Location: Northerly of Cajalco Road, easterly of Temescal Canyon Road, and westerly of Eagle Canyon Road – Zoning: Mineral Resources (M-R) and Manufacturing-Service Commercial (M-SC).

II. PROJECT DESCRIPTION:

The General Plan Amendment proposes to amend the current land use designation from Community Development: Light Industrial (CD-LI) to Community Development: Commercial Retail (CD-CR) and Open Space-Conservation (OS-C). Change of Zone proposes to change the zoning classification of the project site from Manufacturing-Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) and Watershed and Conservation Areas (W-1). Conditional Use Permit proposes an approximately 5,881 sq. ft. convenience store, 1,262 sq. ft. car wash facility, and a 6,549 sq. ft. fuel canopy area that will house 10 fuel dispensers. In addition, 2.6-acres of the site will be offered for dedication in accordance with the Multi Species Habitat Conservation Plan (MSHCP).

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: David Alvarez at (951) 955-5719 or email at daalvarez@rivco.org

Spoke in favor:

William Scarbrough, Applicant, 11811 N. Tatum Boulevard Suite 1051, Phoenix, 85026

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Open

Motion by Commissioner Hake, 2nd by Commissioner Shaffer

A vote of 4-0 (Commissioner Taylor-Berger Absent)

ADOPTED Planning Commission Resolution No. 2017-13; and

The Planning Commission Recommend the Following Actions to the Board of Supervisors:

ADOPT a Negative Declaration for Environmental Assessment No. 42871; and

TENTATIVELY Approve General Plan Amendment No. 1165; and

TENTATIVELY Approve Change of Zone No. 7900; and

APPROVE Conditional Use Permit No. 3739, subject to conditions of approval as modified at hearing.



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 15, 2017**

I. AGENDA ITEM 4.2

CONDITIONAL USE PERMIT NO. 3745 – Intent to Adopt a Negative Declaration – EA42877 –
Owner/Applicant: Robert Mehring – Representative: Robert Mehring – Fourth Supervisorial District – Thousand Palms Zoning District – Western Coachella Valley Area Plan: Community Development: Light Industrial (CD-LI) (0.25 – 0.60 Floor Area Ratio) – Location: Northerly of Vista Chino Road, westerly of Sierra Del Road, and easterly of Rio Del Sol Road – 25 Acres – Zoning: Manufacturing-Service Commercial (M-SC).

II. PROJECT DESCRIPTION:

Conditional Use Permit No. 3745 (CUP 3745) proposes to allow the continuation of an existing recycling processing facility for the outdoor stockpiling and processing of construction wastes on approximately 25 acres. CUP 3745 replaces previous CUP 3145R2 which expired on July 1, 2016. The existing facility collects demolition and mixed construction wastes, such as concrete and asphalt rubble including wire mesh, rebar, gunite, marble, clay, ceramic tile, drywall, construction lumber, sod/dirt, fill dirt, street sweepings, drywell pumping, vitreous china, and natural rocks. No green waste or composting is proposed or currently processed. The existing project site is designed to receive 1,500 tons per day or 38,000 tons per month of construction related wastes. The maximum capacity of the site is 450,000 cubic yards of materials. The site includes a 10-foot by 32-foot office trailer, outdoor storage of trucks and equipment, with approximately 20 on-site parking spaces. Additionally, the CUP 3745 proposes to allow a contractors equipment and materials storage yard on an approximate two (2) acre portion of the 25 acre site at the westerly portion of the property. CUP 3745 proposes up to a 40-year permit life to July 1, 2057. The operation hours to the public are between 7:00 a.m. and 4:00 p.m., Monday through Friday, 7:00 a.m. to 2:00 p.m. on Saturday, and is closed on Sunday. Outgoing shipping of materials may start as early as 5:00 a.m. with maintenance activities occurring as late as 9:00 p.m. No new building construction is proposed.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

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

Spoke in favor:

Robert Mehring, Applicant, Indian Wells, 92210

Anastasia Studer, Interested Party, Department of Environmental Health, Indio, 92201

Mark Abbott, Interested Party, Department of Environmental Health, Indio, 92201

No one spoke in opposition or in a neutral opposition.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Sanchez, 2nd by Commissioner Kroencke

A vote of 4-0 (Commissioner Taylor-Berger Absent)

ADOPTED a Negative Declaration for Environmental Assessment No. 42877; and

APPROVED Conditional Use Permit No. 3745, subject to conditions of approval as modified at hearing.

INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Circle K Stores, Inc., a Texas Corporation ("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 279-231-055 ("PROPERTY"); and,

WHEREAS, on February 16, 2016, PROPERTY OWNER filed an application for Conditional Use Permit No. 3739, General Plan Amendment No. 1165 and Change of Zone No. 7900 ("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 PROPERTY OWNER 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:
Circle K Stores, Inc.
255 E. Rincon Street, Suite 1008
Corona, CA 92879

With a copy to:
Land Development Consultants
Attn: William Scarbrough
11811 N. Tatum Blvd., Suite 1051
Phoenix, AZ 85028

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~~ *CHAMPANA LENOVA*
Riverside County Planning Director

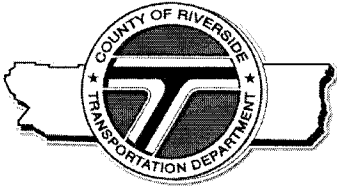
Dated: 10/16/17

PROPERTY OWNER:
Circle K Stores, Inc., a Texas Corporation

By: 
Pia Bach Henriksen
Vice President

Dated: 2-13-17

FORM APPROVED COUNTY COUNSEL
BY: 
TIFFANY NORTH DATE: 10/12/17



Patricia Romo, P.E.
Director of Transportation

COUNTY OF RIVERSIDE
TRANSPORTATION AND
LAND MANAGEMENT AGENCY

Transportation Department

Mojahed Salama, P.E.
Deputy for Transportation/Capital Projects
Richard Lantis, P.L.S.
Deputy for Transportation/Planning and
Development

November 14, 2017

TO: Planning Commission Members

FROM: Kevin Tsang, Senior Civil Engineer
Transportation Department

RE: CUP3739 Transportation Department Conditions of Approval Modification

Dear Commissioners,

The following Transportation Department conditions of approval have been modified:

80.TRANS.6, USE – ANNEX L&LMD/OTHER DIST

80.TRANS.7, USE – LIGHTING PLAN

80.TRANS.11, USE – TS/GEOMETRICS

90.TRANS.6, USE – STREETLIGHTS INSTALL

90.TRANS.8, USE – ANNEX L&LMD/OTHER DIST

90.TRANS.14, USE – EXISTING MAINTAINED

The modifications were necessary to indicate that project may be allowed to pay cash-in-lieu of constructing improvements to minimize throw-away improvements in anticipation of the Transportation Department's Cajalco Road Widening Project.

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10. GENERAL CONDITIONS

TRANS DEPARTMENT

10.TRANS. 1 USE - STD INTRO (ORD 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 Riverside County Road Improvement 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. This ordinance 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 - COUNTY WEBSITE

RECOMMND

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Website:
<http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

10.TRANS. 3 USE - LC LANDSCAPE REQUIREMENT

RECOMMND

The developer/ permit holder shall:

- 1) Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;
- 2) Ensure all landscaping is provided with California Friendly landscaping and a weather based irrigation controller(s) as defined by County Ordinance No. 859;
- 3) Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and,
- 4) Be responsible for maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the twelve (12) month

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10. GENERAL CONDITIONS

10.TRANS. 3 USE - LC LANDSCAPE REQUIREMENT (cont.) RECOMMND

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.

10.TRANS. 5 USE-CREDIT/REIMBURSEMENT 4 IMP RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link:
<http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works-Bidding-Requirements>.

10.TRANS. 6 USE - TUMF CREDIT AGREEMENT RECOMMND

If the applicant/developer is constructing a "TUMF" facility as a condition of approval for this project and will be seeking "TUMF" credits and/or reimbursements for the "TUMF" improvements built with this project, the applicant shall enter into a "TUMF Improvement and Credit Agreement" with the Transportation Department prior to the

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10. GENERAL CONDITIONS

10.TRANS. 6 USE - TUMF CREDIT AGREEMENT (cont.) RECOMMND

first building permit issuance as directed by the Director of Transportation Please contact (951) 955-6800 for additional information.

10.TRANS. 7 USE - TS/CONDITIONS RECOMMND

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Temescal Canyon Road (NS) at:
Cajalco Road (EW)
Project Access (EW)

Project Access West (NS) at:
Cajalco Road (EW)

Project Access East (NS) at:
Cajalco Road (EW)

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

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60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1 USE-CREDIT/REIMBURSEMENT 4 IMP RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link:
<http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works-Bidding-Requirements>.

60.TRANS. 2 USE - PRIOR TO ROAD CONSTRUCT RECOMMND

Prior to road construction, survey monuments including centerline monuments, tie points, property corners and benchmarks shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.

60.TRANS. 3 USE - FILE L&LMD APPLICATION RECOMMND

File an application with the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, for required annexation per condition of approval 80.TRANS.6 and 90.TRANS.8.

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

60.TRANS. 4 USE - SUBMIT GRADING PLAN RECOMMND

When you submit a grading plan to the Department of Building and Safety, two sets of the grading plan (24" X 36") shall be submitted to the Transportation Department

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60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 4 USE - SUBMIT GRADING PLAN (cont.)

RECOMMND

for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit.

Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee.

Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA

Standard plan check turnaround time is 10 working days.

80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 1 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 Transportation Department for review and approval along with the current fee. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

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

When applicable, plans shall include the following components:

- 1) Identification of all common/open space areas;
- 2) Natural open space areas and those regulated/conserved by the prevailing MSHCP;

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80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 1 USE - LC LANDSCAPE PLOT PLAN (cont.)

RECOMMND

- 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.
- 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 Transportation 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 Transportation 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 Transportation Department shall clear this condition.

80.TRANS. 2 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 Transportation Department, Landscape Division. Once the Transportation 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

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CONDITIONAL USE PERMIT Case #: CUP03739

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80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 2 USE - LC LANDSCAPE SECURITIES (cont.) RECOMMND

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.

80.TRANS. 4 USE - R-O-W DEDICATION 1 RECOMMND

Sufficient public street right-of-way along Temescal Canyon Road shall be conveyed for public use to provide for a 64 foot half-width right-of-way per County Standard No. 92, Ordinance 461.

Sufficient public street right-of-way along Cajalco Road shall be conveyed for public use to provide for a 76' - 89 foot half-width right-of-way per County Standard No. 91 (pages 1 of 2 and 2 of 2), Ordinance 461.

80.TRANS. 5 USE - CORNER CUT-BACK I RECOMMND

All corner cutbacks shall be applied per Standard 805, Ordinance 461.

80.TRANS. 6 USE - ANNEX L&LMD/OTHER DIST RECOMMND

Prior to the issuance of a building permit, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance 461. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated by contacting the Transportation Department at (951)955-6767, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division. Said

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CONDITIONAL USE PERMIT Case #: CUP03739

Parcel: 279-231-055

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 6 USE - ANNEX L&LMD/OTHER DIST (cont.)

RECOMMND

annexation should include the following:

- (1) Landscaping along Cajalco Road and Temescal Canyon Road.
- (2) Streetlights on Cajalco Road and Temescal Canyon Road.
- (3) Street sweeping.

For street lighting, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- (1) Completed Transportation Department application.
- (2) Appropriate fees for annexation.
- (3) A conceptual street lighting plan for annexation purposes.
- (4) "Streetlight Authorization" form from SCE or other electric provider.

80.TRANS. 7 USE - LIGHTING PLAN

RECOMMND

A separate streetlight plan is required for this project. Street lighting shall be designed in accordance with County Ordinance 460 and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No. 1000 or No. 1001.

NOTE: Due to the County's Cajalco Road widening project, cash-in-lieu of preparing streetlight plans and construction may be allowed.

80.TRANS. 8 USE - LANDSCAPING

RECOMMND

Landscaping within public road right-of-way shall comply with Transportation Department standards, Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859 and shall require approval by the Transportation Department.

Landscaping plans shall be designed within Cajalco Road and Temescal Canyon Road and submitted to the Transportation

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80.TRANS. 8 USE - LANDSCAPING (cont.) RECOMMND

Department. Landscaping plans shall be submitted on standard County plan sheet format (24" x 36"). Landscaping plans shall be submitted with the street improvement plans.

80.TRANS. 9 USE - TUMF CREDIT AGREEMENT RECOMMND

If the applicant/developer is constructing a "TUMF" facility as a condition of approval for this project and will be seeking "TUMF" credits and/or reimbursements for the "TUMF" improvements built with this project, the applicant shall enter into a "TUMF Improvement and Credit Agreement" with the Transportation Department prior to the first building permit issuance as directed by the Director of Transportation. Please contact (951) 955-6800 for additional information.

80.TRANS. 10 USE - UTILITY PLAN RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

80.TRANS. 11 USE - TS/GEOMETRICS RECOMMND

The intersection of Temescal Canyon Road (NS) at Project Access (EW) shall be improved to provide the following geometrics:

Northbound: one through lane, one shared through/right-turn lane

Southbound: two through lanes

Eastbound: N/A

Westbound: one right-turn lane

NOTE: At the time Temescal Canyon Road is ultimately

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80.TRANS. 11

USE - TS/GEOMETRICS (cont.)

RECOMMND

widened, the project access shall be restricted to right-in/right-out access.

The intersection of Project Access West (NS) at Cajalco Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: one right-turn lane

Eastbound: one through lane

Westbound: two through lanes, one shared through/right-turn lane

NOTE: The project access shall be restricted to right-in/right-out access. The project shall provide appropriate channelization to enforce this turn restriction.

The intersection of Project Access East (NS) at Cajalco Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: one right-turn lane

Eastbound: one through lane

Westbound: two through lanes, one shared through/right-turn lane

NOTE: In the event Cajalco Road is widened by the County to the east, the left-turns may be prohibited.

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

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90. PRIOR TO BLDG FINAL INSPECTION

TRANS DEPARTMENT

90.TRANS. 1 USE - LC LNDSCP INSPECT DEPOST

RECOMMND

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

90.TRANS. 2 USE - LNDSCP INSPECTION RQRMNTS

RECOMMND

The permit holder's (or on-site representative) landscape architect is responsible for preparing the landscaping and irrigation plans and shall arrange for an installation inspection with the Transportation Department at least five (5) working days prior to the installation of any landscape or irrigation components.

Upon successful completion of the installation inspection, the applicant will arrange for a 6th-month installation inspection at least five (5) working days prior to the final building inspection or issuance of the occupancy permit, whichever occurs first, and comply with the Transportation Department's (80.TRANS) condition entitled "USE-LANDSCAPING SECURITY" and (90.TRANS) condition entitled "LANDSCAPE INSPECTION DEPOSIT." Upon successful completion of the installation inspection, the County Transportation 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 Transportation Department and the Department of Building and Safety. The Transportation Department shall clear this condition upon determination of compliance.

90.TRANS. 3 USE - LC COMPLY W/ LNDSCP/ IRR

RECOMMND

The developer/permit holder shall coordinate with their designated landscape representative and the Riverside County Transportation Department's landscape inspector to ensure all landscape planting and irrigation systems have

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90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 3 USE - LC COMPLY W/ LNDSCP/ IRR (cont.) RECOMMND

been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Transportation 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 Transportation Department's landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. Upon determination of compliance, the Transportation Department shall clear this condition.

90.TRANS. 4 USE - WRCOG TUMF RECOMMND

Prior to the issuance of an occupancy 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. 824.

90.TRANS. 5 USE-STREETLIGHT AUTHORIZATION RECOMMND

Prior to OCCUPANCY, the project proponent shall submit to Transportation Department Permits the following:

1. "Streetlight Authorization" form approved by L&LMD No. 89-1-C Administrator.
2. Letter establishing interim energy account from SCE or other electric provider.

90.TRANS. 6 USE - STREETLIGHTS INSTALL RECOMMND

As indicated in 80.TRANS.7, USE - LIGHTING PLAN, cash-in-lieu of construction of streetlights may be allowed.

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinances 460 and 461.

Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed.

It shall be the responsibility of the developer to ensure

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90.TRANS. 6 USE - STREETLIGHTS INSTALL (cont.) RECOMMND

that streetlights are energized along the streets associated with this development where the developer is seeking Building Final Inspection (Occupancy).

90.TRANS. 7 USE - UTILITY INSTALL RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site.

A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

90.TRANS. 8 USE - ANNEX L&LMD/OTHER DIST RECOMMND

Prior to issuance of an occupancy permit, the project proponent shall complete annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division for continuous maintenance within public road rights-of-way, in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859. Said annexation should include the following:

- (1) Landscaping along Cajalco Road and Temescal Canyon Road.
- (2) Streetlights on Caljalco Road and Temescal Canyon Road.
- (3) Street sweeping.

90.TRANS. 9 USE - IMP PLANS RECOMMND

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County

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90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 9 USE - IMP PLANS (cont.) RECOMMND

Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

NOTE: Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: <http://rctlma.org/trans/General-Information/Pamphlets-Brochures>

90.TRANS. 10 USE - LANDSCAPING RECOMMND

Landscaping within public road right-of-way shall comply with Transportation Department standards and Ordinance 461 and shall require approval by the Transportation Department. Landscaping shall be improved within Cajalco Road and Temescal Canyon Road.

Assurance of continuous maintenance is required by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division; or if desired the developer may file an application for annexation into Landscaping and Lighting Maintenance District No. 89-1-Consolidated by contacting the Transportation Department at (951) 955-6767.

90.TRANS. 11 USE- CONSTRUCT RAMP RECOMMND

Ramps shall be constructed at 4-way intersections per Standard No. 403, sheets 1 through 7 of Ordinance 461.

90.TRANS. 12 USE - LANDSCAPING RECOMMND

The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, (or within easements adjacent to the public rights-of-way), in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859.

Landscaping will be improved within Cajalco Road and Temescal Canyon Road.

90.TRANS. 13 USE - SIGNING & STRIPING RECOMMND

A signing and striping plan is required for this project. The project proponent shall be responsible for any additional paving and/or striping removal caused by the

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90.TRANS. 13 USE - SIGNING & STRIPING (cont.) RECOMMND

striping plan or as approved by the Director of
Transportation.

90.TRANS. 14 USE - EXISTING MAINTAINED RECOMMND

Cajalco Road along project boundary is a paved County maintained road designated Expressway with Urban Arterial Highway design and shall be improved with 8" concrete curb and gutter located 55' to 68 feet from centerline to curb line, 8" curbed landscape median, sidewalk, and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by the Transportation Department within the 76' to 89' half-width dedicated right-of-way in accordance with County Standard No. 91, page (1 of 2) and (2 of 2), Ordinance 461.

NOTES: 1. A 5' meandering sidewalk shall be constructed within the 21' parkway per Standard No. 404, Ordinance 461.

Driveways on Cajalco Road and Temescal Canyon Road shall be constructed in accordance with County Standard No. 207A, Ordinance 461.

2. Construct transition AC pavement lanes to the east project boundary per the design speed limit of 60 mph.

3. Due to the County's Cajalco Road widening project, cash-in-lieu of construction may be allowed. The driveways on Cajalco Road and Temescal Canyon Road, however, shall be constructed in accordance with County Standard No. 207A, Ordinance 461.

or as approved by the Director of Transportation.



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I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A GENERAL PLAN AMENDMENT, CHANGE OF ZONE, AND CONDITIONAL USE PERMIT IN THE EL CERRITO - TEMESCAL CANYON AREA, SECOND SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, December 5, 2017 at 10:30 A.M.** or as soon as possible thereafter, to consider the application submitted by Land Development Consultants, on **General Plan Amendment No. 1165**, which proposes to amend the land use from Community Development; Light Industrial (CD:LI) to Community Development; Commercial Retail (CD:CR) and Open Space-Conservation (OS:C); **Change of Zone No. 7900**, which proposes to change the zoning from Manufacturing-Service Commercial (M:SC) to Scenic Highway Commercial (C:P-S) and Watershed and Conservation Areas (W-1), and such other zones as the Board may find appropriate; and **Conditional Use Permit No. 3739**, which proposes an approximately 5,881 square-foot convenience store, 1,262 square-foot car wash facility, and a 6,549 square-foot fuel canopy area that will house ten (10) fuel dispensers ("the project"). In addition, 2.6-acres of the site will be offered for dedication in accordance with the Multi Species Habitat Conservation Plan (MSHCP). The project is located northerly of Calico Road, easterly of Temescal Canyon Road, and westerly of Eagle Canyon Road in the Second Supervisorial District.

The Planning Commission recommended that the Board of Supervisors approve the project and adopt the Negative Declaration for **Environmental Assessment No. 42871**.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT DAVE ALVAREZ, PROJECT PLANNER, AT (951) 955-5719 OR EMAIL daalvarez@rivco.org.

Any person wishing to testify in support of or in opposition to the 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 written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to hearings.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502 1147

Dated: November 17, 2017 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

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