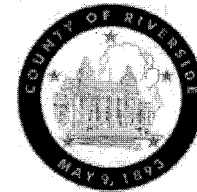


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
19.1
(ID # 8251)

MEETING DATE:

Tuesday, October 30, 2018

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON THE APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 3761 - Intent to adopt a Negative Declaration - Applicant: Saib Alrabadi - Engineer/Representative: CJC Design, Inc. - Owner: Abou Bakr Almed - Second Supervisorial District - University Zoning District - Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) (0.20-0.35 FAR) - Location: Northerly of Center Street, southerly of West Church Street, easterly of Iowa Avenue, and westerly of Pacific Avenue - .28 Gross Acres - Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: This appeal concerns the Planning Commission's approval of Conditional Use Permit No. 3761, which consists of the construction of a gasoline service station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption ("project"). The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) fuel pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store - APNs: 246-042-017 and 246-042-022. [Applicant Fees 100%.] (Continued from October 16, 2018, Agenda Item 19.1, MT 8134)

RECOMMENDED MOTION: That the Board of Supervisors:

1. **DENY THE APPEAL** of the Planning Commission's approval of Conditional Use Permit No. 3761 on August 15, 2018; and,

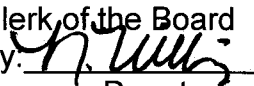
ACTION:


Charissa Leach, Assistant TLMA Director 10/24/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended to deny the appeal.

Ayes: Jeffries, Tavaglione, Perez and Ashley
Nays: Washington
Absent: None
Date: October 30, 2018
xc: Planning, Co.Co.

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:

2. **UPHOLD THE PLANNING COMMISSION'S ADOPTION OF A NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42962**, 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,
3. **UPHOLD THE PLANNING COMMISSION'S DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY**, so that a license to allow the sale of beer and wine for off-site consumption within the subject property may be issued by the California Department of Alcoholic Beverage Control, based upon the findings and conclusions incorporated in the staff report; and,
4. **UPHOLD THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 3761**, subject to the attached Advisory Notification Document and conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

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

PROJECT HISTORY:

The previous entitlement, Plot Plan No. 24412 approved on August 5, 2010, permitted a joint smog test station and auto repair facility. The project consisted of an existing 2,000 square foot shop building and car lift area. In 2010 the subject property was a recipient of funds from the Redevelopment Facade Improvement Program. In addition to the façade improvements, Plot Plan No. 24412 brought improvements to the lot including minor landscaping and striping of the parking area. This business has since gone out of business, and the site has become an attractive nuisance drawing vandalism and graffiti to the area. The proposed project will replace the shuttered business and rejuvenate this prominent corner.

PROJECT DESCRIPTION AND LOCATION:

The Conditional Use Permit proposes the construction of a gasoline service station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption ("project"). The project also includes the

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

construction of two (2) new underground fuel storage tanks, eight (8) fuel pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space.

The project is located within the Highgrove Area Plan, north of Center Street, south of West Church Street, east of Iowa Avenue, and west of Pacific Avenue.

Planning Commission

The Planning Commission considered the project during a regularly scheduled public hearing on August 15, 2018.

During the public hearing, David Saunders from the Law Offices of Clayson, Bainer, and Saunders, representing a gas station owner on the southwest corner Center Street and Iowa Avenue, spoke in opposition to the project. He brought up the following four concerns regarding the project:

1. The parking waiver.
2. Fuel tankers fueling and being in conflict with drivers.
3. Drive aisle size.
4. Already too many liquor licenses in the area.

Mr. Saunders' concerns were addressed by Staff either via response letters included in the memorandum to the Planning Commission, or via responses during the public hearing. (The letters and memorandum can be found in Attachment C of this Form 11.) The following is a summary of staff's and the applicant's responses to Mr. Saunders' concerns:

Parking Waiver

Staff has determined that the site has a total of 12 parking spaces; the 8 parking spaces at the pumps, 3 additional standard parking spaces, and 1 additional accessible parking space. It is common at gas stations for customers to leave their car at the pump and go inside a convenience store. Therefore, the pumps can be considered as additional spaces for parking.

The applicant, following Mr. Saunders' testimony, also addressed this concern during the public hearing by agreeing to add additional staff, often 3 cashiers in the rush times, to reduce the amount of time a customer may have to wait in line in the store, and thus reducing the length of time the customer remains parked at the pump.

Fuel Tankers -- fueling and being in conflict with other drivers.

During the public hearing, turning templates were placed on the exhibit showing how the tankers would be able to access the site and fuel the pumps.

The applicant, following Mr. Saunders' testimony, also addressed this concern by stating that he would have the fueling tankers only come at off hours, and they therefore would be much less likely to encounter other drivers.

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

Staff has determined that fuel tankers will be able to adequately access the site without being in conflict with other drivers.

Drive Aisle Size

The project was reviewed by both the Transportation Department and the Fire Department, and both departments found the project safe and the drive aisle adequate.

Too Many Liquor Licenses in the Area

Staff has found that a determination of public convenience and necessity is appropriate, so that customers of this business can pick up their liquor at this business instead of driving to another business in the area.

This would help create a reduction in vehicle trips and reduce congestion.

After taking public testimony and closing the public hearing, the Planning Commission approved the project with a 4-0 vote (Commissioner Taylor Berger was absent).

Appeal of Planning Commission Decision

On September 17, 2018, David R. Saunders appealed the project on behalf of "High Grove Plaza Partners."

The appeal, attached hereto as Attachment D, states:

- “1. The subject site is too small for the proposed use as a gasoline service station and convenience store. As a result, the site design creates a dangerous situation for vehicles, pedestrians, and fueling trucks.
2. There is no evidence to support staff's waiver of the code's requirement to provide for 10 parking spaces.
3. The fact that the project offers retail sales is insufficient to support a determination of public convenience and necessity for alcohol sales.”

Staff's Response to the Appeal

1. As detailed in the response letters, Planning Commission staff report, and during the Planning Commission public hearing, the Transportation and Fire departments reviewed the site design and found that the site design does not create a dangerous situation for vehicles, pedestrians, and fueling trucks. Further during the Planning Commission hearing, the applicant expressed that it is his business practice to have fueling trucks come on non-peak hours to reduce any such conflicts. The driveway is larger than normal; the minimum width is 24 feet and proposed driveway is 47 feet 9 inches. This allows more flexibility for fueling trucks when they approach the site and prevents the fueling truck from driving up on the curb, which can occur with a smaller driveway. Further, because the site is small, the path for vehicles is obvious, verses a larger site in which there could be onsite circulation conflicts

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

because vehicles have more options and drivers are uncertain as to the path of other drivers, thus causing circulation conflicts. Because of the design of the site, the site is safer for vehicles, pedestrians, and fueling trucks.

2. As detailed in the response letters, Planning Commission staff report, and during the Planning Commission public hearing, the site provides 12 parking spaces, with 8 parking spaces at the pumps, 3 additional standard parking spaces, and 1 additional accessible parking space. As provided in Section 18.12.e. of Ordinance No. 348, the Planning Director may permit modifications to the parking layout requirements where topographic or other physical conditions make it impractical to require strict compliance with the parking standards set forth in Ordinance No. 348. The Planning Director has determined that the small size of the parcel and its location make requiring strict traditional parking layouts impractical. Therefore, this exceeds the requirement in Ordinance No. 348 for 10 parking spaces for a 2,000 square foot convenience store.

3. As provided in the Planning Commission staff report: "The Project provides additional local retail services for the surrounding community in line with the General Plan. In addition, the Project will provide a convenience to local residents, jobs, and overall economic growth in the community. By providing fueling as well as retail options, the Project will reduce the number of vehicle trips in the area, and the residents would gain the resulting cumulative benefits of those reduced vehicle trips such as less traffic congestion and lower total emissions."

For these reasons, staff recommends that the appeal be denied.

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.

SUPPLEMENTAL:

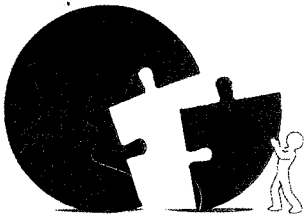
Additional Fiscal Information

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

ATTACHMENTS:

- A. **PLANNING COMMISSION MINUTES**
- B. **PLANNING COMMISSION STAFF REPORT**
- C. **MEMO TO PLANNING COMMISSION —ADDITIONAL LETTERS**
- D. **APPEAL OF THE PLANNING COMMISSIONS DECISION**


Scott Bruzner 10/24/2018



Clark's Copy

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach P.E.
Assistant TLMA Director

Memorandum

To: Board of Supervisors

Date: October 30, 2018

From: Larry Ross, Project Planner

19.1

RE: Item 19.1 - CUP03761

Additional Condition of Approval

To address the appellant's concern of safety on the proposed project site, the Applicant has agreed to accept the following condition:

"The applicant or their successor in interest shall require that all refueling of the service station to occur on off peak hours."

Outreach and signed letters of support from the neighbors

Attached to the memorandum is a key map of the homes visited by the applicant and also signatures of neighbors in support of the project.

Letters certifying safety of project

Fred Cohen – CJC Design
Ben Phan – Engineer of Record (IML Inc)

Letters of reference and support

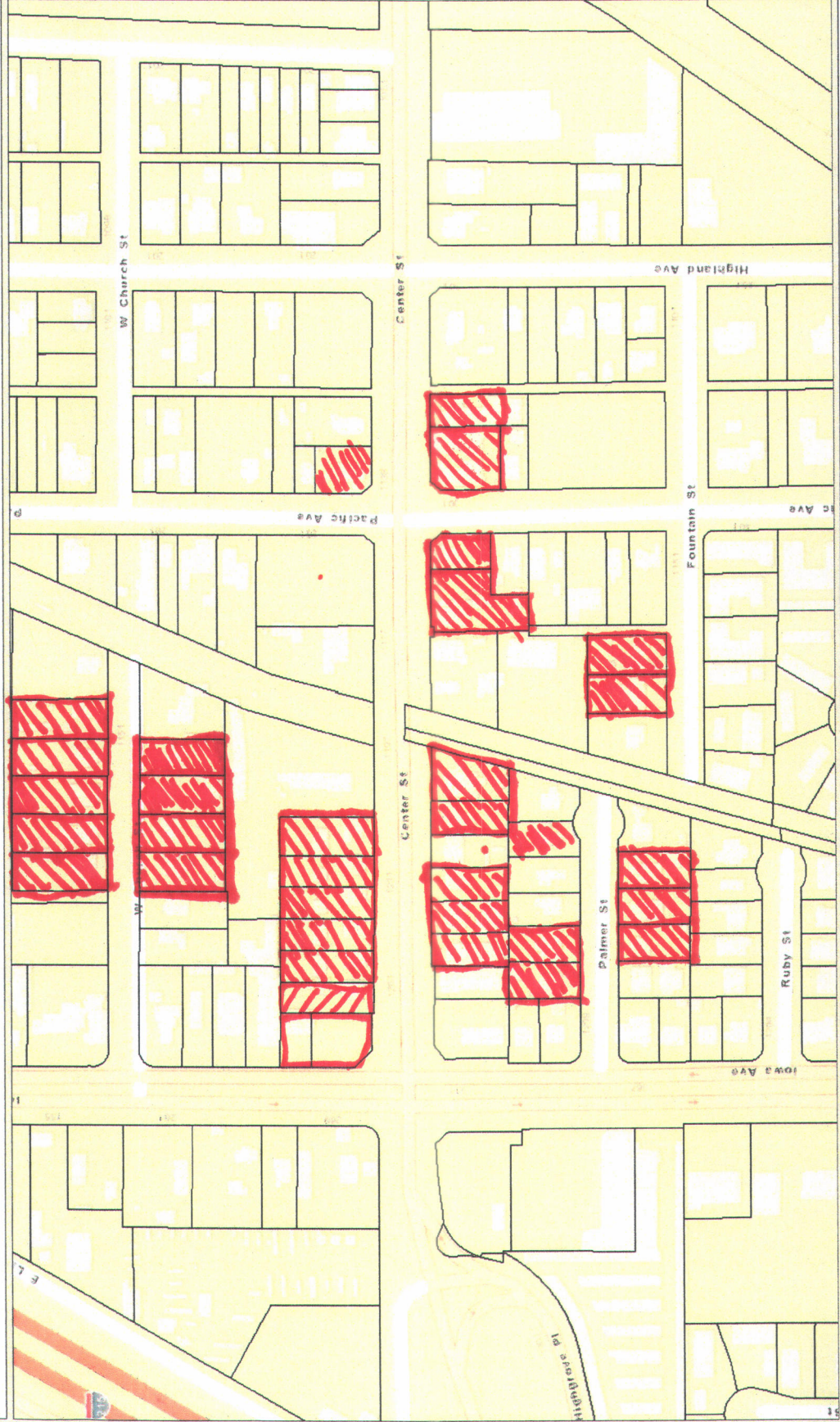
Jon Livingston – current law enforcement
Robert Lindsey – former law enforcement
Dan Peacock - former law enforcement
Kurt Adelsberger – 76 Gas
David Wishard – Andeavor Refining & Marketing
Ronald Perkins – Nation Wholesale Fuels
Reem Annabi – Anabi Oil
Reverend Fouad Sayegh – Pastor of St. Anne Melkite Greek Catholic Church
Jamal Dimashkie – Tesoro Refining & Marketing Company

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

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

10/30/18
19.1

My Map



- Legend**
- Parcels
 - Blue-line Streams
 - City Areas
 - World Street Map

NOTES

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

© Riverside County GIS



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REPORT PRINTED ON... 10/25/2018 1:55:57 PM

290 Iowa Ave

Support letter from the neighbors

Iowa Fuel
290 Iowa Ave
Riverside Ca

10/17/2018

Hi my name Saib Alrabadi please I would like to build new gas station and Convenience store in the neighborhood, I like to get all your support to get my business going so please support me.
Thank you.

Saib Alrabadi
661-478-1828

Antonio Refo...

Mr. [Signature]

Faber Samore

Chris Joffe

GANKIN Smet

caj.

YKF

Jose Hugo

Victor S L

Lawrence I

ED Montoya

AAS

Antonio Martinez

[Signature]

Wanna

Arroeta Gae

[Signature]

Ray

[Signature]

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Mansur King

Alexander King

~~Antonio King~~

~~Antonio King~~

Jacobo Anderson

Kenneth Anderson

Rigoberto Pallas

Juan Gonzalez
M. Gonzalez

Ronald H. H. H. H.
M. H. H.

Norberto Antonio

Paul B. B.

for H. H.

~~Paul B. B.~~

~~Paul B. B.~~

Oscar Ramirez

Manuel M. M.

M. M.

Jose Luis

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MARK EVANGELISTA
1/3/08

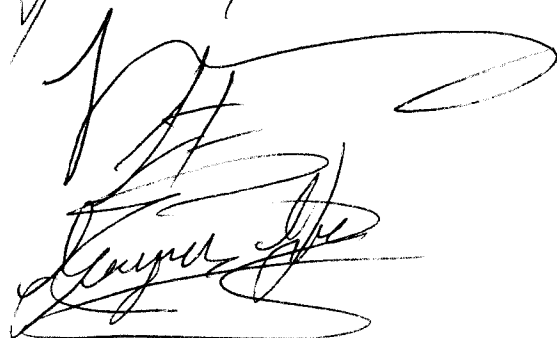
Ernesto Martinez

Douvid Hindl

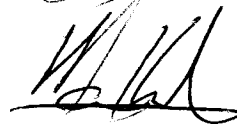
Devan Johnson



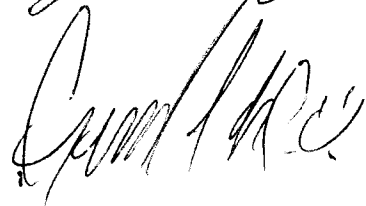
Jessie Payne



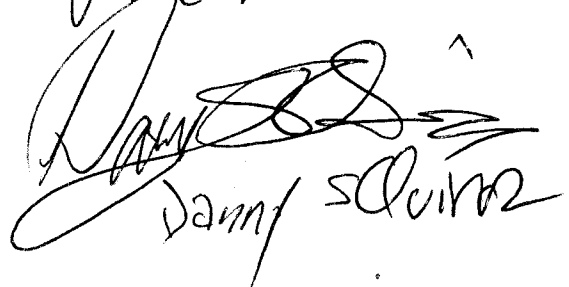
Soren Fulce



Juan Perez



Vicente R.



Danny Scliver

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661-478-1828

~~Beltrano~~
Tanya Alrabadi

Alrabadi
Fay Ca.

Osar Hijoraz
Allonso Luna

~~Seta~~

~~Alrabadi~~
Omar Luna

George
J.P.

~~Alrabadi~~

Rodolfo

Amir

Samuel

Leido
Victor

Antonio
Bar

ERNESTO
Trinidad Pedraza

Carlos

Rene Martinez

Jesse Torres

Omar
Miguel

Diego
Antonio

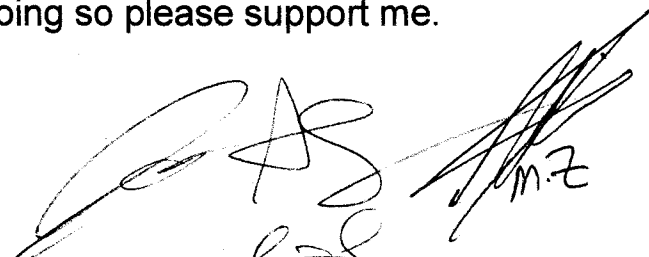
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661-478-1828



M.Z



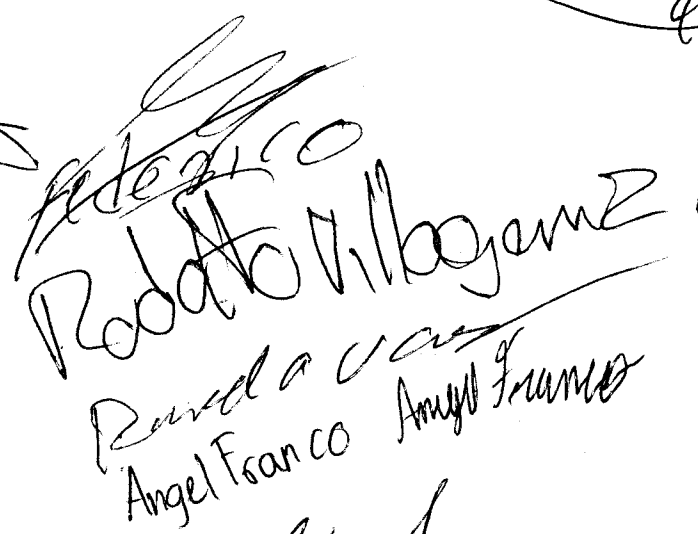
Francisco

Edo Lopez
Jose Angel Campos

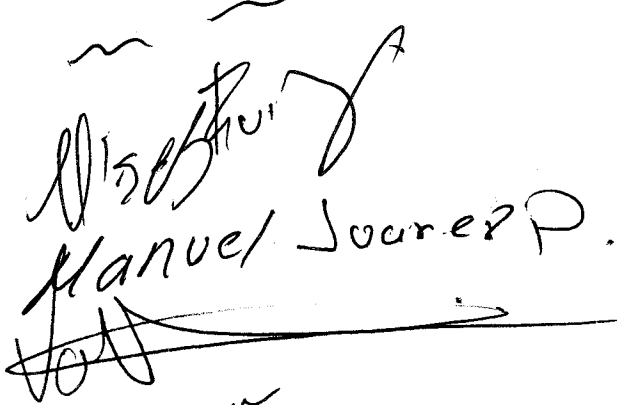
Francisco



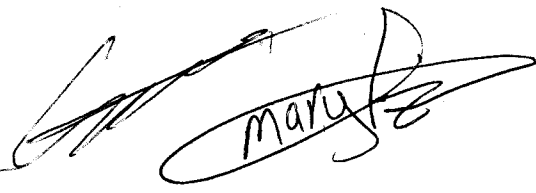
Ventura



Roberto Villegas
Daniel
Angel Franco Amyl Franco



Manuel Lopez



Mary

Support letter from the neighbors

Iowa Fuel
290 Iowa Ave
Riverside Ca

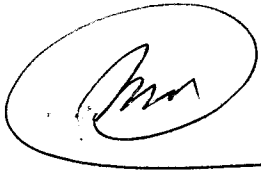
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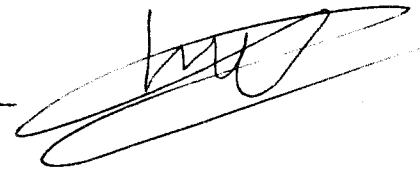
Thank you.

Saib Alrabadi
661-478-1828

JADI ALHELO







ALFONS FERNADEZ



Antonio

Aracely Smekez





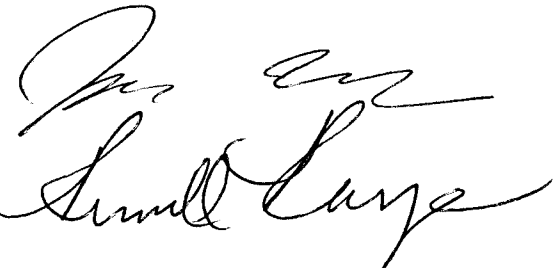




Gilberto Gomez







Jonathan R. Cross


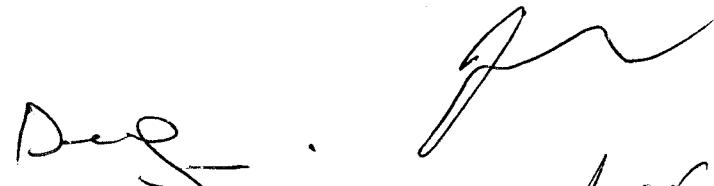
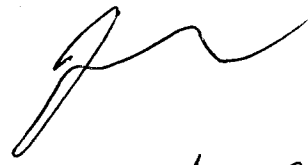

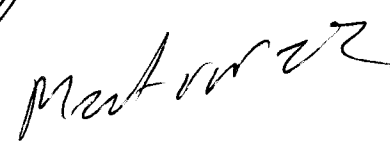





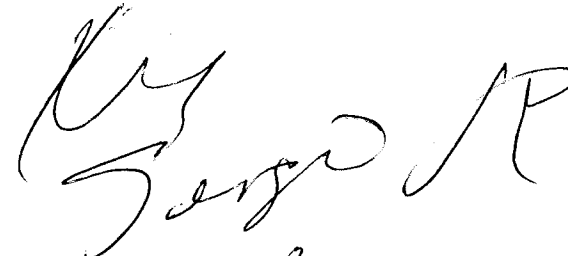
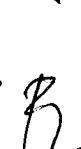
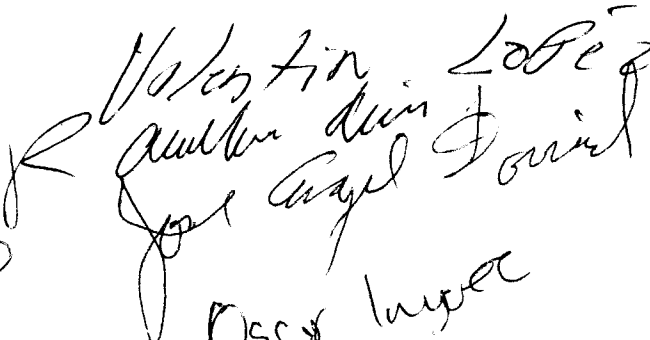


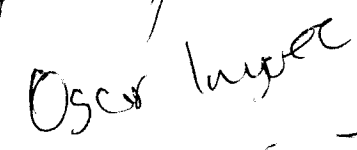





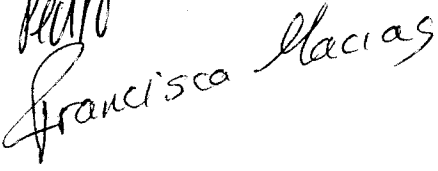
Support letter from the neighbors

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Saib Alrabadi
661-478-1828

1   
2  Taira 
3   
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Saib Alrabadi
661-478-1828

MARIO SEPULVEDA
Jose Maldonado
Marta Alrabadi



CJC Design, Inc.
Design Planning Permitting

Date: October 25th, 2018

To: Mr. Saib Alrabadi

Re: CUP 3761

Project: 290 Iowa Avenue, Riverside, CA 92501

Remarks:

Mr. Alrabadi,

Please accept this letter in response to the planning commission decision appeal application claim #1 stating the site design creating a dangerous situation for vehicles, pedestrians and fueling trucks.

The site has been designed to create smooth traffic flow throughout the facility. There are two existing ingress/egress access to the site. One located northwest corner of the facility on Iowa and another located on the southwest corner of the facility on Center Street. Both access points are designated as "Right In/Right Out" only.

The fueling canopy and dispenser islands have been placed in a forty five degree angle to provide vehicles an easy access to the fueling dispensers from either access points to the site.

The underground tanks are located such that the tanker trucks will be able to enter the site from Iowa Avenue access and exit onto Center Street by dropping fuel to the underground tank fills on the right hand side of the truck. The turning radius and path of the fueling truck has been designed by computer software "AutoTurn V10.2" for complete simulation accuracy of "Truck Trailer" type fuel truck.

The tanks will have a combined capacity of 40,000 gallons of fuel. The large underground tank volume will reduce the amount of fuel delivery to the site, as well as provide enough fuel inside the underground tanks to allow fuel delivery during the least demanding time of the day.

We have worked with County of Riverside public works/traffic (Mr. Kevin Tsang) and determined that the site will create smooth and safe circulation throughout the facility.

We believe the claim described on appeal application as the "site design creating a dangerous situation for vehicles, pedestrians and fueling trucks" to be completely false with no basis.

22485 La Palma Avenue, Suite 202
Yorba Linda, CA 92887
Tel: (714) 920-9643
Fax: (714) 917.0250
www.cjccorp.com



CJC Design, Inc.

Design Planning Permitting

Please note that CJC Design has been in business of fueling station design for over 15 years and I personally have been designing gas stations for over 28 years. We have worked with variety of oil companies such as Arco, 7-Eleven, Chevron and many others and designed hundreds of gas station from remodeling to brand new to industry.

If you need any additional information, please do not hesitate to give me a call at (714) 920-9643

A handwritten signature in black ink, appearing to read 'Fred Cohen', written over a horizontal line.

Signed by:

Fred Cohen
Principal

22485 La Palma Avenue, Suite 202
Yorba Linda, CA 92887
Tel: (714) 920-9643
Fax: (714) 917.0250
www.cjccorp.com

IMK INC

Design Build Services

11392 Park Lane, Garden Grove, CA 92840 Phone: 714-487-7173

October 26, 2018

County of Riverside Engineering Division
4080 Lemon Street, 14th Floor
Riverside, CA 92502

Subject: 290 Iowa Ave., Riverside, CA 92507

Dear:

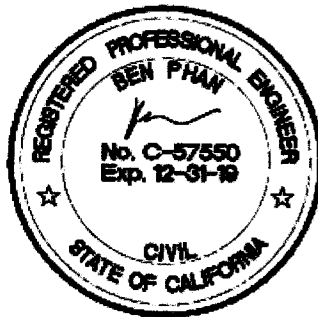
We are engineer of record, visited job site on several occasion to verify its current conditions road traffic. Based on our visit, newly construct gas facility don't anticipate any conjections at corner of Iowa avenue and Center street. We have adequate clearances for truck path coming in and going out the facility.

Please do not hesitate to contact us if you have any questions or need additional information.

Very truly yours,

Ben Phan
Project Engineer

Cc: kelvin le - Principal



From: Jon Livingston

Deputy with Los Angeles County Sheriffs/ Palmdale Station

661-272-2400

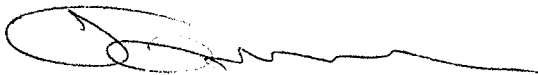
October 25th, 2018

To whom it may concern,

I have had the privilege to work in the city of Palmdale where Saib Alrabadi owns a local business. Being in my current profession, it has been humbling to know and serve the citizens of Palmdale, Mr. Alrabadi and his business. He has been a huge supporter of our station and the mission of community policing. Whether it is assisting us during investigations or offering to assist with functions or fundraiser the station hosts, he always ready and willing to be an active positive community member.

I personally feel that communities would benefit from having a business owned by Saib Alrabadi within its city limits.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jon Livingston', with a long horizontal flourish extending to the right.

Jon Livingston

To whom this may concern,

October 24, 2018

My name is Robert Lindsey. I am a retired Commander with 32 years of law enforcement service in the Los Angeles area. In addition, I have 7 years as the Director of Security for 38 Los Angeles County Superior Courts. I have City Management experience and have been integrally involved in community matters for three decades. I don't give recommendations to everyone who asks and am quite selective because my reputation is attached.

The purpose of this letter is to reinforce and verify that Saib Alrabadi is not only a caring and dedicated business owner but also that he cares about the community, the county and local organizations. I have known Mr. Alrabadi for several years and have watched him at public events and in other venues act with compassion and care and spirit. He is always attentive to any issues surrounding his business and is readily available to anyone that wants to make suggestions or who has needs in regard to his actions or impacts. He is truly one that believes in paying everything forward because it is not what he reaps but how he blesses that matters.

Mr. Alrabadi not only listens, he acts in response to contacts regarding local issues that he can assist with. He is a broad-based business man who understands his business as well as other local merchants and he understands impacts, solutions and resolutions. He is always cognizant that he can be a leader in bringing revenue and assistance to every city or county wherein he is operating. He knows the laws, regulations and how to operate efficiently and in a manner that best serves his local community. He is honest and forthright and willing to work in a cooperative manner to ensure best practices, mutually beneficial results and a safe environment.

Mr. Saib Alrabadi is not an opportunist; he is a logical and exceptional business leader who has forged a growing business from hard work and what we have long referenced as the American Dream. He never expands or opens unless he can give his finest and closest attention to a project. He will never let the County down and will always represent the County with the highest of standards and the cleanest and best looking businesses across the Southern California area. You will not be disappointed if Saib Alrabadi becomes a very giving and caring part of the community. My word has always and long been my bond. It is the same with Mr. Alrabadi.

With great respect,


Robert Lindsey

(626)622-5216

Dan Peacock

Resident, Santa Clarita, California

Date: October 25, 2018

I have had the pleasure of knowing Mr. Alrabadi and his family for several years now. I know all of them are current business owners in the City of Santa Clarita and keep their business above par as the community would expect.

I have personally seen Mr. Alrabadi assist the local law enforcement agency with any requests or investigations that he may have information on. He is always welcoming to any person entering his establishment and is often on a first name basis with many community members.

It is my firm belief Mr. Alrabadi will be a fine business owner and community member for any city he decides to call home. I believe that city will definitely benefit from his business and his ability to assure a better quality of life for all residents.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Peacock". The signature is written in black ink and is positioned below the word "Sincerely,".

Dan Peacock

Adelsberger, Kurt: <Kurt.A.Adelsberger@p66.com>

Oct 25 at 7:42 AM

To: 'saib71@yahoo.com'

October 25, 2018

To whom it may concern

I have been working with Saib Alrabadi for the past few years to expand his retail fueling and convenience store business to the 76 brand. I have visited his sites with other brands, and have been impressed with his operations. Saib hires quality employees that under his direction have a great relationship with his customer base. They also maintain clean well run facilities, and all of the major fuel brands are competing to obtain more of Saib's branded fuel business.

I look forward to branding Saib's first 76 operation in Riverside, and continuing to grow with him at future locations.

Feel free to contact me if I can be of further assistance.

Kurt Adelsberger

Business Development Rep

Mobile: 714.222.4404

4195 Chino Hills Pkwy, #238 | Chino Hills, CA 91709



**Letter of Recommendation
For Saib Alrabadi**

From: David Wishard

Franchise Business Consultant

Andeavor Refining & Marketing Company LLC

Date: 10/25/18

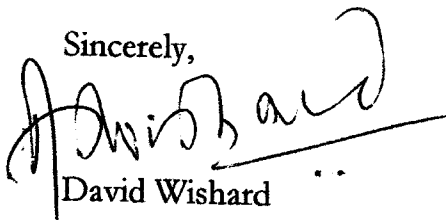
Whomsoever it may concern

This is to inform you that I have known Saib Alrabadi since 2010 as an Arco/*ampm* Franchisee in the upper Los Angeles County. He also has several other Arco locations. He is a good operator and runs a clean and safe operation. His customer service is exceptional and as far as I can remember hasn't had a customer complaint in a long time.

He is very involved with his community and is always ready to help the needy. He has trained his employees who follow his footsteps in providing great customer service.

As he ventures on growing his businesses, I would highly consider his expertise and knowledge in achieving greater heights wherever he wishes to plant his business with any organization.

Sincerely,



David Wishard

818-974-4054



NATIONAL WHOLESALE FUELS

The Energy to Succeed

October 25, 2018

Ronald Perkins

Corona, CA

Letter of Recommendation

This is to inform you that I have known Saib Alrabadi since 2016. He is an excellent operator that keep his station clean and makes safety a priority. Saib has trained his employees to provide top tier customer service making the customer's visit a positive experience. His hard work, diligence, and attention to detail are reflected in his consistently high ExxonMobil Site Experience scores. His business expertise can also be seen in the volume improvement since he has taken over the business at the Ontario Mobil station.

Saib is a pleasure to work with and is very involved with his community. Based upon our conversations and his performance thus far, I would welcome doing more business and expanding with Saib. I believe Saib would be an asset and have a positive impact wherever he decided to grow his business.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Perkins", written over the word "Sincerely,".

Ron Perkins

Business Development Manager

Circle K/National Wholesale Fuels





The Power of Anabi Oil
"Excellence at Every Level"



October 25, 2018

To Whom it may concern,

Anabi Oil has been doing business with Mr. Saib Alrabadi since 2015. Mr. Alrabadi is an exceptional owner that runs a clean, safe, and friendly operation of his gas stations. Mr. Alrabadi has always attended all the necessary training both online and in person for himself and his staff to ensure he offers the highest level of customer service. He has been the recipient of "Best Overall Operator" for Anabi 2 years in a row. We are honored to be working with Mr. Alrabadi as his Shell supplier.

Sincerely,

A handwritten signature in black ink, appearing to read 'Reem Annabi'.

Reem Annabi
Anabi Oil Corporation
Director of Wholesale



St. Anne Melkite Greek Catholic Church

October 26, 2018

To Whom It May Concern,

I, the undersigned, Rt. Rev. Fouad Sayegh, Pastor of St. Anne Melkite Greek Catholic Church, certify that **Saib Al Rabadi** and **his family** are members in our church.

They are active and dedicated members in our parish, they attend church regularly. They are all in a good standing, well known and well respected by our community and clergy.

They are very involved in the church community; especially **Saib**; he always volunteers and dedicates his time to help the church with numerous fund raisers.

St. Anne Church has an Annual Food Festival every September; **Saib** works very hard each year for a successful festival. He also helps organizing any of our special events that we do.

Whenever our Spiritual Leaders go to the downtown L.A. to distribute food and clothing to the homeless **Saib** is the first to go with them and help.

Saib is a devoted member of the church and stands as a role model in every way to all our parishioners; I also believe he is a good Citizen.

If there is any other way in which I can be of assistance, please do not hesitate to contact me.

Respectfully yours,

Rt. Rev. Fouad Sayegh
Pastor

FA/nk

S..Al Rabadi.doc

A Parish Community of the Eparchy of Newton

11211 Moorpark Street North Hollywood, CA 91602 Telephone (818) 761-2034 Fax (818) 761-2922

From: Jamal Dimashkie
Lead Franchise Business Consultant
Tesoro Refining & Marketing Company LLC.
Cell: 818-482-9031
Date: October 25, 2018

To whom it may concern,

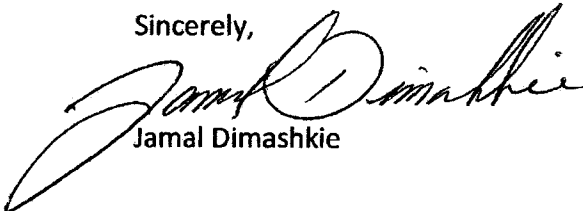
I had the pleasure of working directly with Mr. Alrabadi on few projects in 2013 through 2017. His tremendous abilities and patient never ceased to amaze me, during that time; we worked together closely, so I fully understand his capabilities and knowledge in managing multiple locations.

We faced many challenges together during the POS upgrade for all his locations, his patience and professionalism always came through. His follow through in supporting our ARCO brand helped me to use Mr. Alrabadi's sites as a testing ground for future areas during the project.

Mr. Alrabadi worked effectively with me in presenting his findings; it enabled me to escalate to management, was a tremendous help.

Mr. Alrabadi will make a positive contribution to any project and organization.

Sincerely,



Jamal Dimashkie



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

September 27, 2018

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

PH : (951) 368-9229
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: Appeal of CUP 3761

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Friday, October 19, 2018.**

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,

Karen Barton

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

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF A CONDITIONAL USE PERMIT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT

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, October 30, 2018 at 10:30 A.M.** or as soon as possible thereafter, to consider the appeal on the Planning Commission's approval of **Conditional Use Permit No. 3761**, which consists of the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption. The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store. The project is located north of Center Street, south of West Church Street, east of Iowa Avenue and west of Pacific Avenue in the Second Supervisorial District.

The Planning Commission recommended that the Board of Supervisors approve the project and adopt Negative Declaration for **Environmental Assessment No. 42962**.

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 Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT DIONNE HARRIS, PROJECT PLANNER, AT (951) 955-6836 OR EMAIL dharris@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: October 10, 2018

Kecia Harper-Ihem, Clerk of the Board
By: Karen Barton, Board Assistant

CERTIFICATE OF POSTING

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

I, Karen Barton, 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 October 10, 2018, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

Appeal of CUP 3761

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: October 30, 2018 @ 10:30 a.m.

SIGNATURE: Karen Barton DATE: October 10, 2018
Karen Barton

CERTIFICATE OF MAILING

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

I, Karen Barton, Board Assistant, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on October 10, 2018, I mailed a copy of the following document:

NOTICE OF PUBLIC HEARING

Appeal of CUP 3761

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: October 30, 2018 @ 10:30 a.m.

SIGNATURE: *Karen Barton*
Karen Barton

DATE: October 10, 2018

Barton, Karen

From: Clack, Shellie
Sent: Tuesday, October 9, 2018 12:10 PM
To: Barton, Karen
Cc: Ross, Larry; Moshref-Danesh, Leila; Leach, Charissa
Subject: RE: publication for CUP 3761

Hi Karen,

I spoke with Larry Ross and Planning's preference is to have the appeal continued to October 30th. The public hearing will need to be re-noticed for the 30th. Since members of the public may show up on the 16th, go ahead and put "Continue to October 30th" in the agenda description for the appeal item. Also, since the public hearing was not properly noticed, the Board should not open the public hearing and public testimony should not be taken on the 16th. On the 16th, the Board can only continue it to October 30th. Scheduling the hearing for the 30th complies with Section 18.26.F. of Ordinance No. 348 because it is within 60 days of when the appeal was filed, which I believe was on September 17th.

Please let me know if you have any questions,
Shellie

SHELLIE CLACK
Chief Deputy County Counsel
Office of County Counsel
Phone: (951) 955-6300
Fax: (951) 955-6363
Email: mclack@rivco.org

Notice: This communication is intended for the use of the individual or entity to which it is addressed and may contain attorney/client information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this communication and all its attachments.

From: Barton, Karen
Sent: Tuesday, October 9, 2018 9:50 AM
To: Clack, Shellie <MClack@RIVCO.ORG>; Gunzel, Synthia <SMGunzel@RIVCO.ORG>
Subject: FW: publication for CUP 3761

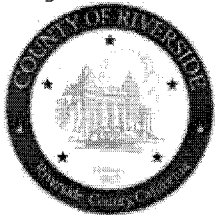
FYI...here is the email about the publication that did not happen. Please advise.

Best Wishes,

Karen Lynn Barton

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127

Riverside, CA 92501
(951)955-1047 Fax (951)955-1071
Mail Stop #1010
klbarton@rivco.org
<http://rivcocob.org/>



NOTICE: This communication is intended for the use of the individual or entity to which it is addressed and may contain **information that is privileged, confidential and exempt from disclosure** under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this communication and all its attachments.

From: Legals [<mailto:legals@pe.com>]
Sent: Monday, October 8, 2018 1:22 PM
To: Barton, Karen <KLBARTON@RIVCO.ORG>
Subject: Re: publication for CUP 3761

Good afternoon,

I was out of the office last week and I just found out this did not get scheduled to publish on 10/5 as requested. I am so sorry for any inconveniences caused by this. I was able to pull some strings to get it into tomorrow's paper if that will help you at all.

A proof for review is attached.

Nick Eller

--
Legal Advertising Phone: **951-368-9222** / Fax: **951-368-9018** / E-mail: legals@pe.com
****Employees of The Press-Enterprise are not able to give legal advice of any kind****
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 Thu, Sep 27, 2018 at 4:28 PM Legals <legals@pe.com> wrote:
Received for publication on 10/5. Proof for review to follow.

Nick Eller

--
Legal Advertising Phone: **951-368-9222** / Fax: **951-368-9018** / E-mail: legals@pe.com

****Employees of The Press-Enterprise are not able to give legal advice of any kind****
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 Thu, Sep 27, 2018 at 4:16 PM Barton, Karen <KLBARTON@rivco.org> wrote:

Hi!

Please see attached for a publication on October 5, 2018.

Thank you!

Best Wishes,

Karen Lynn Barton

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon Street, 1st Floor, Room 127

Riverside, CA 92501

(951)955-1047 Fax (951)955-1071

Mail Stop #1010

klbarton@rivco.org

<http://rivcocob.org/>

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this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this communication and all its attachments.

Confidentiality Disclaimer

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure. If you are not the author's intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.

County of Riverside California



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

September 27, 2018

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

*MT 8134
re submit
for later date*

PH : (951) 368-9229
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: Appeal of CUP 3761

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Friday, October 5, 2018.**

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,

Karen Barton

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

CERTIFICATE OF POSTING

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

I, Karen Barton, 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 September 27, 2018, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

Appeal of CUP 3761

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: October 16, 2018 @ 10:30 a.m.

SIGNATURE: *Karen Barton* DATE: September 27, 2018
Karen Barton

CERTIFICATE OF MAILING

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

I, Karen Barton, Board Assistant, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on September 27, 2018, I mailed a copy of the following document:

NOTICE OF PUBLIC HEARING

Appeal of CUP 3761

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: October 16, 2018 @ 10:30 a.m.

SIGNATURE: *Karen Barton*
Karen Barton

DATE: September 27, 2018

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF A CONDITIONAL USE PERMIT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT

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, October 16, 2018 at 10:30 A.M.** or as soon as possible thereafter, to consider the appeal on the Planning Commission's approval of **Conditional Use Permit No. 3761**, which consists of the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption. The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store. The project is located north of Center Street, south of West Church Street, east of Iowa Avenue and west of Pacific Avenue in the Second Supervisorial District.

The Planning Commission recommended that the Board of Supervisors approve the project and adopt Negative Declaration for **Environmental Assessment No. 42962**.

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 Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT DIONNE HARRIS, PROJECT PLANNER, AT (951) 955-6836 OR EMAIL dharris@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.

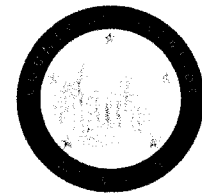
If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as 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: September 27, 2018 Kecia Harper-Ihem, Clerk of the Board
By: Karen Barton, Board Assistant

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



ITEM

(ID #)

8134

MEETING DATE:

Tuesday, October 16, 2018

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON THE APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 3761 - Intent to adopt a Negative Declaration - Applicant: Saib Alrabadi - Engineer/Representative: CJC Design Inc. - Owner: Abou Bakr Almed - Second Supervisorial District - University Zoning District - Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) (0.20-0.35 FAR) - Location: Northerly of Center Street, southerly of West Church Street, easterly of Iowa Avenue, and westerly of Pacific Avenue - .28 Gross Acres - Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: Receive and file the Planning Commission's approval of Conditional Use Permit No. 3761, which consists of the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption ("project"). The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store. - APNs: 246-042-017 and 246-042-022. Applicant Fees 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. **DENY THE APPEAL** of the Planning Commission's decision on August 15, 2018, to approve Conditional Use Permit No. 3761; and,
2. **UPHOLD THE PLANNING COMMISSION'S ADOPTION OF A NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42962**, 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,
3. **UPHOLD THE PLANNING COMMISSION'S DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY**, so that a license to allow the sale of beer and wine for off-site consumption within the subject property may be issued by California Department of Alcoholic Beverages Control, based upon the findings and conclusions incorporated in the staff report; and,
4. **UPHOLD THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 3761**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

ACTION:

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

MINUTES OF THE BOARD OF SUPERVISORS

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: [CEO use]

BACKGROUND:

Summary

PROJECT HISTORY:

The previous entitlement, Plot Plan No. 24412 approved on August 5, 2010, permitted a joint smog test station and auto repair facility. The project consisted of an existing 2,000 square foot shop building and car lift area. In 2010 the subject property was a recipient of funds from the Redevelopment Facade Improvement Program. In addition to the façade improvements, this approved project brought improvements to the lot including minor landscaping and striping of the parking area. This business has since gone out of business, and the site has become an attractive nuisance drawing vandalism and graffiti to the area. The proposed project will replace the shuttered business and rejuvenate this prominent corner.

PROJECT DESCRIPTION AND LOCATION:

The Conditional Use Permit proposes the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption ("project"). The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space.

The project is located within the Highgrove Area Plan, more specifically this project is located north of Center Street, south of West Church Street, east of Iowa Avenue, and west of Pacific Avenue.

Planning Commission Decision

The Planning Commission considered the project during a regularly scheduled public hearing on August 15, 2018.

During the public hearing, David Saunders from the Law Offices of Clayson, Bainer, and Saunders, representing a gas station owner on the south-west corner Center Street and Iowa

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STATE OF CALIFORNIA**

Avenue, spoke in opposition to the project. He brought up the following four concerns regarding the project:

1. The parking waiver.
2. Fuel tankers fueling and being in conflict with drivers.
3. Drive aisle size.
4. Already too many liquor licenses in the area.

Mr. Saunders' concerns were addressed by Staff either via response letters included in the memorandum to the Planning Commission, or via responses during the public hearing. The following is a summary of Staff's and the applicant's responses to Mr. Saunders' concerns:

Parking Waiver

Staff has determined that the site has a total of 12 parking spaces, the 8 parking spaces at the pumps, 3 additional standard parking spaces, and 1 additional accessible parking space. It is common at gas stations for customers to leave their car at the pump and go inside a convenience store. Therefore, the pumps can be considered as additional spaces for parking.

The applicant, following Mr. Saunders' testimony, also addressed this concern during the public hearing by agreeing to add additional staff, often 3 cashiers in the rush times, to reduce the amount of time a customer may have to wait in line in the store, and thus reducing the length of time the customer remains parking at the pump.

Fuel Tankers -- fueling and being in conflict with other drivers.

Turning templates were placed on the exhibit showing how the tankers would be able to access the site and fuel the pumps.

The applicant, following Mr. Saunders' testimony, addressed this concern by stating that he would have the fueling tankers only come at off hours, and they therefore would be much less likely to encounter other drivers.

Drive Aisle Size

The project was reviewed by both the Transportation Department and the Fire Department, and both departments found the project safe and the drive aisle adequate.

Too Many Liquor Licenses in the Area

Staff has found that a determination of public convenience and necessity is appropriate, so that customers of this business can pick up their liquor at this business instead of driving to another business in the area.

This would help create a reduction in vehicle trips and reduce congestion.

After taking public testimony and closing the public hearing, the Planning Commission approved the project with a 4-0 vote (Commissioner Taylor-Berger, absent).

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Appeal of Planning Commission Decision

On September 17, 2018, David R. Saunders, appealed the project on behalf of "High Grove Plaza Partners."

In summary, the owners of High Grove Plaza Partners are appealing the Planning Commission's approval of Condition Use Permit No. 3761 because they believe that "1. the subject site is too small for the proposed use as a gasoline service station and convenience store. As a result, the site design creates a dangerous situation for vehicles, pedestrians, and fueling trucks. 2. There is no evidence to support staff's waiver of the code's requirement to provide for 10 parking spaces. 3. The fact that the project offers retail sales is insufficient to support a determination of public convenience and necessity for alcohol sales."

The complete appeal application can be found in Attachment D.

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.

SUPPLEMENTAL

Additional Fiscal Information

All fees are paid by the applicant, there is not a general fund obligation.

ATTACHMENTS:

- A. **PLANNING COMMISSION MINUTES**
- B. **PLANNING COMMISSION STAFF REPORT**
- C. **MEMO TO PLANNING COMMISSION —ADDITIONAL LETTERS**
- D. **APPEAL OF THE PLANNING COMMISSIONS DECISION**

NOTICE OF PUBLIC HEARING
and
INTENT TO ADOPT A NEGATIVE DECLARATION

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

CONDITIONAL USE PERMIT NO. 3761 – Intent to Adopt a Negative Declaration – EA42962 – Intent to Find a Public Convenience and Necessity – Applicant: Saib Alrabadi – Engineer/Representative: CJC Design Inc. – Owner: Aboy Bakr Almed – Second Supervisorial District – University Zoning District – Highgrove Area Plan: Community Development: Commercial Retail (CD-CR) (0.20-0.35 FAR) – Location: Northerly of Center Street, southerly of West Church Street, easterly of Iowa Avenue, and westerly of Pacific Avenue – .28 Gross Acres – Zoning: Scenic Highway Commercial (C-P-S) – **REQUEST:** The Conditional Use Permit proposes the construction of a 76 Gas Station and 1,975 sq. ft. convenience store with the sale of beer and wine (Alcoholic Beverage Control License Type 20) for off-premises consumption (“project”). The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) pumps, a 1,632 sq. ft. canopy, three (3) standard parking spaces, and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store.

TIME OF HEARING:	9:00 a.m. or as soon as possible thereafter
DATE OF HEARING:	AUGUST 15, 2018
PLACE OF HEARING:	RIVERSIDE COUNTY ADMINISTRATIVE CENTER BOARD CHAMBERS, 1 ST FLOOR 4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project please contact Project Planner Dionne Harris at (951) 955-6836 or email at dharris@rivco.org, or go to the County Planning Department’s Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a negative declaration. The Planning Commission will consider the proposed project and the proposed negative declaration, at the public hearing. The case file for the proposed project and the proposed negative declaration may be viewed Monday through Friday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

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

If you challenge this project 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 delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

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

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on September 18, 2018,

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

APN (s) or case numbers CUP03761 for

Company or Individual's Name RCIT - GIS,

Distance buffered 1000'

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

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

TITLE: GIS Analyst

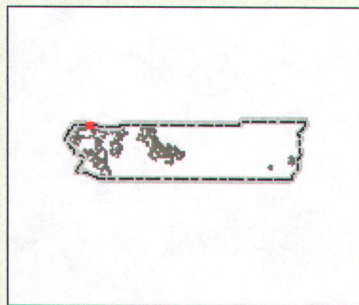
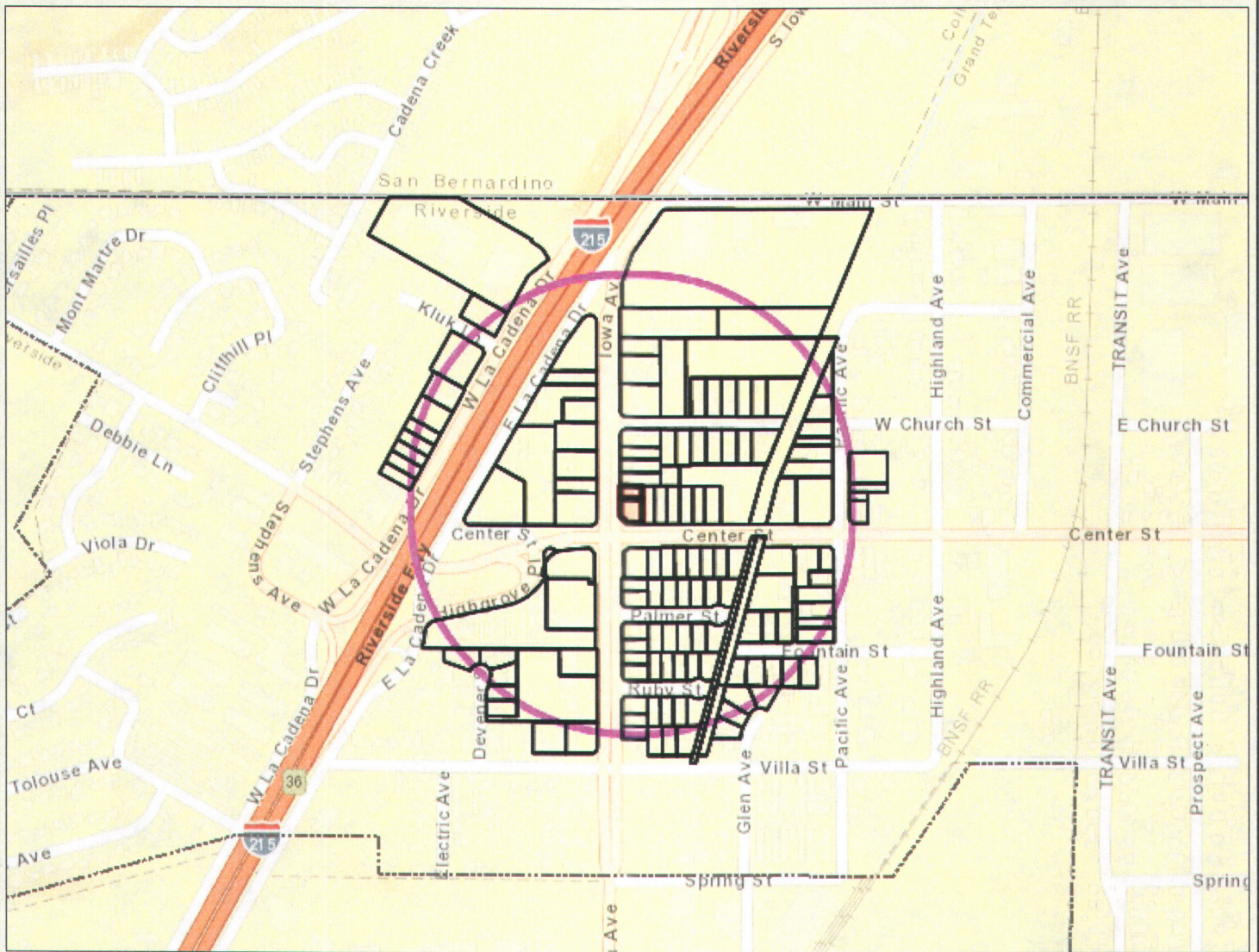
ADDRESS: 4080 Lemon Street 9TH Floor

Riverside, Ca. 92502

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

Riverside County GIS Mailing Labels

CUP03761 (1000 feet buffer)



Legend

-  County Boundary
-  Cities
-  World Street Map

Notes



0 752 1,505 Feet

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

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JANNA R BELD
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IGLESIA DE CRISTO ELIM RIVERSIDE INC
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246110025
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183 W LA CADENA DR
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246123018
MICHAEL ALLEN
ANNA ALLEN
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246123019
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246123024
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FRANCES ILENE PITRUZZELLO
6381 PERCIVAL DR
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MANAL S INDRIERI

12502 MARTHA ANN DR
LOS ALAMITOS CA 90720

247020002
FLORENCE AVENUE
JOSEPH A INDRIERI
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12502 MARTHA ANN DR
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JACKIE K H LIM
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RIVERSIDE CA 92506

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GARDEN GROVE CA 92844

247020009
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HERTA FANKHAUSER
12932 HICKORY BRANCH
SANTA ANA CA 92705

247020013
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C/O C/O DENISE TIBBETS
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ANAHEIM CA 92805

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247042018
DNRE HOLDINGS
105 PRESERVE
IRVINE CA 92618

247042019
DNRE HOLDINGS
105 PRESERVE
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247042020
4 EG SERVICES
2781 RUBIDOUX BLV
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247043001
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247091043
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247091048
INLAND VALLEY PROP MGMT
558 BIRCH ST NO 2
LAKE ELSINORE CA 92530

247091049
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HCREST
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ROWLAND HEIGHTS CA 91748

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1000 GREENWOOD DR
NOVATO CA 94901

247091062
R & D REAL ESTATE
1000 GREENWOOD DR
NOVATO CA 94901

247091063
ROBERT FRANK TORRES
BARBARA ANN TORRES
3305 VIOLA DR
RIVERSIDE CA 92501

247101001
DALE GEIGER
SUSAN L GEIGER
414 IOWA AVE
RIVERSIDE CA. 92507

247101002
YOLANDA H REMINGTON
P O BOX 7838
REDLANDS CA 92375

247101003
ALEXANDER C ADAME
MARISELA AHUMADA
432 IOWA AVE
RIVERSIDE CA. 92507

247101005
BLANCA E OROZCO MILLER
1270 RUBY ST
RIVERSIDE CA. 92507

247101006
CONNIE HOUNG
JANY HUANG
4758 EAGLE RIDGE CT
RIVERSIDE CA 92509

247101007
MARINO ESTRADA RAMOS
1250 RUBY ST
RIVERSIDE CA. 92507

247101008
JANY HUANG
4758 EAGLE RIDGE CT
RIVERSIDE CA 92509

247101009
DOMINGO RAMIREZ
1265 VILLA ST
RIVERSIDE CA. 92507

247101010
COBRA 28 LTD PARTNERSHIP
C/O C/O MIKE NIJJAR
4900 SANTA ANITA NO 2C
EL MONTE CA 91731



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ARCELIA BAUTISTA
1245 VILLA ST
RIVERSIDE CA. 92507

247101012
SOUTHERN CALIFORNIA EDISON CO
C/O C S REENDERS ASST COMPTROLLER
P O BOX 800
ROSEMEAD CA 91770

247101013
CITY OF RIVERSIDE
C/O C/O PROPERTY SERVICES
3900 MAIN ST
RIVERSIDE CA 92522

247102002
LEIF W OHRBORG
MONIKA ANITA OHRBORG
P O BOX 372
NORCO CA 92860

247102003
LEIF W OHRBORG
MONIKA ANITA OHRBORG
P O BOX 372
NORCO CA 92860

247102004
MOHAMMAD R MOJABE
ELIZABETH MOJABE
116 VIA MIMOSA
SAN CLEMENTE CA 90210

247102005
ELIZABETH MOJABE
MOHAMMAD R MOJABE
116 VIA MIMOSA
SAN CLEMENTE CA 90210



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CHRIS MAHER
1091 CENTER ST, APT. A
RIVERSIDE, CA 92507

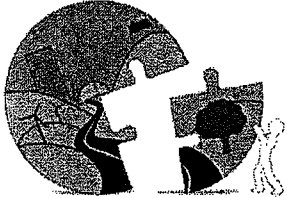
DAVID SAUNDERS
P.O. BOX 1147
CORONA CA 92878

HIGHGROVE PLAZA PARTNERS
1340 CENTER STREET,
RIVERSIDE CA 92507

ALEX IRSHAID
670 PARKRIDGE AVENUE, #101
CORONA CA 92879

ABOU AHMED
3341 CELESTE DR.
RIVERSIDE CA 92507

SAIB ALRABADI
2420 NEWHALL AVE,
NEWHALL CA 91321



Charissa Leach, P.E.
Assistant TLMA Director

Set Hearing 10/16/2018

**RIVERSIDE COUNTY
PLANNING DEPARTMENT**

RIVERSIDE COUNTY
CLERK OF THE BOARD
OF SUPERVISORS

PAID

DATE: 9-17-2018

AMOUNT: 6983.28
REC'D BY: TLMA/dsaunders

APPLICATION FOR APPEAL

Appeal of Application Case No(s): CUP 3761

Name of Advisory Agency: Planning Commission
List all concurrent applications

Date of the decision or action: August 15, 2018

Appellant's Name: High Grove Plaza Partners E-Mail: _____

Contact Person: David R. Saunders E-Mail: dsaunders@claysonlaw.com

Mailing Address: 601 South Main Street
Corona CA 92882
City State ZIP

Daytime Phone No: (951) 737-1910 Fax No: (951) 737-4384

ADVISORY AGENCY WHOSE ACTION IS BEING APPEALED	HEARING BODY TO WHICH APPEAL IS BEING MADE	APPEAL TO BE FILED WITH
Planning Director	<ul style="list-style-type: none"> • Board of Supervisors for: Temporary Outdoor Events, Substantial Conformance Determination for WECS, Variances, and Fast Track Plot Plans. • Planning Commission for: all other decisions. • County Hearing Officer for: Reasonable Accommodation Request 	<ul style="list-style-type: none"> • Clerk of The Board for: Appeals before the Board of Supervisors. • Planning Department for: Appeals before the Planning Commission and County Hearing Officer.
Planning Commission	Board of Supervisors	Clerk of the Board of Supervisors

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

Desert Office • 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

2018-9-140960

APPLICATION FOR APPEAL

TYPE OF CASES BEING APPEALED	FILING DEADLINE
<ul style="list-style-type: none"> • Change of Zone denied by the Planning Commission • Commercial WECS Permit • Conditional Use Permit • Hazardous Waste Facility Siting Permit • Public Use Permit • Variance • Specific Plan denied by the Planning Commission • Substantial Conformance Determination for WECS Permit • Surface Mining and Reclamation Permit 	<p>Within 10 days after the notice of decision appears on the Board of Supervisors Agenda.</p>
<ul style="list-style-type: none"> • Land Division (Tentative Tract Map or Tentative Parcel Map) • Revised Tentative Map • Minor Change to Tentative Map • Extension of Time for Land Division (not vesting map) 	<p>Within 10 days after the notice of decision appears on the Board of Supervisor's Agenda.</p>
<ul style="list-style-type: none"> • Extension of Time for Vesting Tentative Map 	<p>Within 15 days after the notice of decision appears on the Board of Supervisor's agenda.</p>
<ul style="list-style-type: none"> • General Plan or Specific Plan Consistency Determination • Temporary Outdoor Event 	<p>Within 10 days after date of mailing or hand delivery of decision of the Planning Director.</p>
<ul style="list-style-type: none"> • Environmental Impact Report 	<p>Within 10 days of receipt of project sponsor notification of Planning Director determination, or within 7 days after notice of decision by Planning Commission appears on the Board's agenda.</p>
<ul style="list-style-type: none"> • Plot Plan • Temporary Use Permit • Accessory WECS Permit 	<p>Within 10 calendar days after the date of mailing of the decision.</p>
<ul style="list-style-type: none"> • Letter of Substantial Conformance for Specific Plan 	<p>Within 7 days after the notice of decision appears on the Board of Supervisor's agenda.</p>
<ul style="list-style-type: none"> • Revised Permit 	<p>Same appeal deadline as for original permit.</p>
<ul style="list-style-type: none"> • Certificate of Compliance • Tree Removal Permit • Reasonable Accommodation Request 	<p>Within 10 days after the date of the decision by the Planning Director.</p>
<ul style="list-style-type: none"> • Revocation of Variances and Permits 	<p>Within 10 days following the mailing of the notice of revocation by the Director of Building and Safety, or within 10-days after the notice of decision of the Planning Commission appears on the Board of Supervisor's agenda.</p>

STATE THE REASONS FOR APPEAL.

Clearly state the basis for the appeal and include any supporting evidence if applicable. If appealing one or more specific conditions of approval, indicate the number of the specific condition(s) being protested. In addition, please include all actions on related cases, which might be affected if the appeal is granted. This will allow all changes to be advertised and modified at the same time. AN APPEAL OF ONE OR MORE CONDITIONS OF APPROVAL SHALL BE DEEMED AS AN APPEAL OF THE ACTION AS A WHOLE,

APPLICATION FOR APPEAL

AND THE APPEAL BODY MAY APPROVE OR DENY THE ENTIRE MATTER, AND CHANGE ANY OR ALL OF THE CONDITIONS OF APPROVAL.

1. The subject site is too small for the proposed use as a gasoline service station and convenience store. As a result, the site design creates a dangerous situation for vehicles, pedestrians, and fueling trucks.
2. There is no evidence to support staff's waiver of the code's requirement to provide for 10 parking spaces.
3. The fact that the project offers retail sales is insufficient to support a determination of public convenience and necessity for alcohol sales.

Use additional sheets if necessary.

High Grove Plaza Partners

PRINTED NAME OF APPELLANT

By:

SIGNATURE OF APPELLANT

Attallah Abugherir

9/5/2018
DATE

THE APPEAL FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. One completed and signed Appeal application form.
2. Public Hearing Notice Label Requirements mailing address labels for notification of the appeal hearing.¹
3. All appropriate filing fees.
(The Base fee, plus other fees specifically for the Department of Building and Safety, Fire Department, Flood Control District and/or Transportation Department conditions, if applicable).

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1013 Appeal Form.docx
Created: 07/08/2015 Revised: 07/30/2018

¹ Comply with the Public Hearing Notice Label Requirements (Form 295-1051)



COUNTY OF RIVERSIDE
 TRANSPORTATION LAND MANAGEMENT AGENCY
 PERMIT ASSISTANCE CENTER

Receipt Number: RI-R18057773 Amount: \$983.28 9/17/2018 1:37 pm
 Payment Method: Check Notations: 12520 Payment Status: Complete Init: GE

Permit No(s): CUP03761
 Parcel Number: 247042022
 Site Address: 286 IOWA AVE

	Total Fees:	\$983.28
This Payment: \$983.28	Total All Payments:	\$983.28
	Balance:	\$0.00

Permit No	Account Code	Description	Amount
CUP03761	230168-20006-3130100000	0241 - COMP TRANS PLAN APPEAL	\$28.00
CUP03761	777520-10000-1000100000	0330 - CLERK OF THE BOARD APPEAL	\$26.00
CUP03761	772210-20203-3100200000	0500 - LMS SURCHARGE APPEAL	\$19.28
CUP03761	777180-10000-3120100000	0660 - COMBINED DEPOSIT APPEAL	\$910.00

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

Additional information at www.rctlma.org

Riverside Permit Assistance Center
 4080 Lemon St. 9th Floor
 Riverside, CA 92501

Desert Permit Assistance Center
 77588 El Duna Ct Suite H
 Palm Desert, CA 92211

HIGH GROVE PLAZA PARTNERS

DBA HIGH GROVE CHEVRON
PH. 951-660-4545
1340 CENTER ST
RIVERSIDE, CA 92507

12520

DATE 9/17/2015 16-4123/1220

PAY
TO THE
ORDER OF

County of Riverside.

Nine hundred eighty three and 25/100

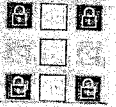
\$ 983 ²⁵/₁₀₀

DOLLARS



FOR _____

[Signature]



⑈012520⑈ ⑆122041235⑆ ⑈0006315844⑈

Drawn on back Security Features

Maxwell, Sue

From: Maxwell, Sue
Sent: Monday, September 17, 2018 2:35 PM
To: Harper-Ihem, Kecia; Rector, Kimberly; Karen Barton (KLBARTON@RIVCO.ORG); BOYDD, April; Cecilia Gil (CCGIL@RIVCO.ORG)
Subject: Planning Appeal: Cup 3761 Continued to September 25, 2018 (MT 7992)

Good afternoon,

The Clerk of the Board of Supervisors received a Planning Department Application for Appeal and fees (per Larry Ross) today from Attallah Abugherir with High Grove Plaza Partners for CUP 3761, Item 1.8 (MT 7992) for September 17, 2018, but being continued to September 25, 2018 (see below).

Original application and supporting documents will be given to Kecia.

The mail labels will be provided by Larry Ross as soon as the Date Before the Board is finalized.

Thank you kindly,

Sue Maxwell

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1069 Fax (951) 955-1071
Mail Stop #1010
smaxwell@rivco.org
<http://rivcocob.org/>
<https://www.facebook.com/RivCoCOB/>



From: Maxwell, Sue
Sent: Monday, September 17, 2018 7:50 AM
To: Ross, Larry <LROSS@RIVCO.ORG>; BOYDD, April <ABOYDD@RIVCO.ORG>
Subject: Cup 3761 Continued to September 25, 2018

Good morning, and thank you both!

With warm regards,

Sue Maxwell

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1069 Fax (951) 955-1071
Mail Stop #1010
smaxwell@rivco.org
<http://rivcocob.org/>
<https://www.facebook.com/RivCoCOB/>

Maxwell, Sue

1.8 cont to 9/25/18 MT 7992

From: Maxwell, Sue
Sent: Monday, September 17, 2018 7:50 AM
To: Ross, Larry; BOYDD, April
Subject: Cup 3761 Continued to September 25, 2018

Tracking:	Recipient	Read
	Ross, Larry	Read: 9/17/2018 7:50 AM
	BOYDD, April	

Good morning, and thank you both!

With warm regards,

Sue Maxwell
Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1069 Fax (951) 955-1071
Mail Stop #1010
smaxwell@rivco.org
<http://rivcocob.org/>
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From: Ross, Larry
Sent: Friday, September 14, 2018 4:27 PM
To: BOYDD, April <ABOYDD@RIVCO.ORG>
Cc: Lewis, Tammymae <TMLewis@RIVCO.ORG>; Perez, Juan <JCPEREZ@RIVCO.ORG>; Maxwell, Sue <smaxwell@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>
Subject: RE: Cup 3761

Thank you April!

From: BOYDD, April
Sent: Friday, September 14, 2018 4:26 PM
To: Ross, Larry <LROSS@RIVCO.ORG>
Cc: Lewis, Tammymae <TMLewis@RIVCO.ORG>; Perez, Juan <JCPEREZ@RIVCO.ORG>; Maxwell, Sue <smaxwell@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>
Subject: RE: Cup 3761

Hi Larry,

We were notified by Supervisor Tavaglione to continue this Item to September 25, 2018 because he will not be at the Board meeting.

From: Ross, Larry
Sent: Friday, September 14, 2018 10:01 AM
To: Maxwell, Sue <smaxwell@RIVCO.ORG>
Cc: Lewis, Tammymae <TMLewis@RIVCO.ORG>; BOYDD, April <ABOYDD@RIVCO.ORG>
Subject: FW: Cup 3761

Sue,

This appeal of a Planning Commission decision that will be received and filed on Tuesday item 1.8 will be coming in on Monday. I wanted to give you a heads up. Shoot me an email when he comes in and I will come down and help.

I told him he does not need labels since I have them already.

Thanks,

From: Attallah [mailto:abed_723@yahoo.com]
Sent: Thursday, September 13, 2018 4:09 PM
To: Ross, Larry <LROSS@RIVCO.ORG>
Subject: Re: Cup 3761

I can't tomorrow , I will come by Monday ,
Thank you .

Sent from my iPhone

On Sep 13, 2018, at 4:05 PM, Ross, Larry <LROSS@RIVCO.ORG> wrote:

You can come whenever you wish. It would be difficult to come by this late in the day, but tomorrow would be easy or Monday.

From: Attallah [mailto:abed_723@yahoo.com]
Sent: Thursday, September 13, 2018 4:03 PM
To: Ross, Larry <LROSS@RIVCO.ORG>
Subject: Re: Cup 3761

Mr Ross ,
Can I come now or Monday is fine .

Sent from my iPhone

On Sep 13, 2018, at 3:26 PM, Ross, Larry <LROSS@RIVCO.ORG> wrote:

Mr. Abugherir,

The case is now on the agenda, you may now turn in your appeal.

Thank you,

Item 1.8

http://riversidecountyca.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1824

From: Attallah [mailto:abed_723@yahoo.com]
Sent: Wednesday, September 05, 2018 10:19 PM
To: Ross, Larry <LROSS@RIVCO.ORG>
Subject: Re: Cup 3761

Thank you sir .

Sent from my iPhone

On Sep 5, 2018, at 4:14 PM, Ross, Larry <LROSS@RIVCO.ORG> wrote:

Mr. Abugherir,

Since they changed the website, here is the new link:

<http://riversidecountyca.iqm2.com/Citizens/Board/1000-Riverside-County-Board-of-Supervisors>

Thank you,

From: Attallah [mailto:abed_723@yahoo.com]
Sent: Monday, August 27, 2018 1:18 PM
To: Ross, Larry <LROSS@RIVCO.ORG>
Subject: Re: Cup 3761

Thank you sir , I got it

Sent from my iPhone

On Aug 27, 2018, at 8:10 AM, Ross, Larry <LROSS@RIVCO.ORG> wrote:

Mr. Abugherir,

I have attached the appeal form and the fee schedule. The cost of the appeal is \$983.28. Check made out to the County of Riverside or credit card with the cashier on the 9th floor. The form says "Public Hearing Notice Label Requirements mailing address labels for notification of the appeal hearing" but we have the labels, you don't need to provide them.

You can apply for the appeal "Within 10 days after the notice of decision appears on the Board of Supervisors Agenda.". The Board of supervisor's website is:

<https://www.rivcocob.org/2018-agendas-proceedings/>

We expect that the item will be on September 11 or 18. They post the agenda usually the Friday before the meeting, if you see it on the agenda you can come in on that day to submit the appeal.

If you have any questions be sure to contact Dionne or myself.

Thanks,

Larry Ross
Principal Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
PO Box 1409
Riverside, CA 92502
(951) 955-9294

My email is changing, my new email will be
LROSS@RIVCO.ORG

How are we doing? Click the Link and tell us

-----Original Message-----

From: Attallah [mailto:abed_723@yahoo.com]
Sent: Sunday, August 26, 2018 4:04 PM
To: Ross, Larry <LROSS@RIVCO.ORG>
Subject: Cup 3761

Hello Mr. Ross ,
It was nice to see on Friday , please keep me informed , thank
you Attallah Abugherir

Sent from my iPhone

Confidentiality Disclaimer

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure.
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County of Riverside California

<295-1013 Appeal Form.pdf>

<2018 Fee Schedule revised 12-27-17.pdf>



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EMAIL legal@pe.com

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*Planning
10/30/18 19.1*

Placed by: Karen Lynn Barton

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RIVERSIDE, CA 92502

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dba The Press-Enterprise
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Riverside, CA 92507
951-684-1200
951-368-9018 FAX

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(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF


Ad Desc.: Appeal of CUP 3761 /

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:

10/19/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: October 19, 2018
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011185727-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF A CONDITIONAL USE PERMIT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT

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, October 30, 2018 at 10:30 A.M. or as soon as possible thereafter, to consider the appeal on the Planning Commission's approval of Conditional Use Permit No. 3761, which consists of the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption. The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store. The project is located north of Center Street, south of West Church Street, east of Iowa Avenue and west of Pacific Avenue in the Second Supervisorial District.

The Planning Commission recommended that the Board of Supervisors approve the project and adopt Negative Declaration for Environmental Assessment No. 42962.

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 Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT DIONNE HARRIS, PROJECT PLANNER, AT (951) 955-6836 OR EMAIL dharris@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: October 10, 2018 Kecia Harper-Ihem, Clerk of the Board
By: Karen Barton, Board Assistant

10/19



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EMAIL legal@pe.com

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Invoice text: CUP 3761

*Planning
10/30/18 19.1*

Placed by: Karen Lynn Barton

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PROOF OF PUBLICATION OF

Ad Desc.: CUP 3761 /

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:

10/09/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: October 09, 2018
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011185104-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF A CONDITIONAL USE PERMIT IN THE HIGHGROVE AREA, SECOND SUPERVISORIAL DISTRICT

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, October 16, 2018 at 10:30 A.M. or as soon as possible thereafter, to consider the appeal on the Planning Commission's approval of Conditional Use Permit No. 3761, which consists of the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption. The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store. The project is located north of Center Street, south of West Church Street, east of Iowa Avenue and west of Pacific Avenue in the Second Supervisorial District.

The Planning Commission recommended that the Board of Supervisors approve the project and adopt Negative Declaration for Environmental Assessment No. 42962.

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 Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT DIONNE HARRIS, PROJECT PLANNER, AT (951) 955-6836 OR EMAIL dharris@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: September 27, 2018
Kecia Harper-Ihem, Clerk of the Board
By: Karen Barton, Board Assistant

10/9

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: ATTALLAH ABUGHERIR

Address: _____
(only if follow-up mail response requested)

City: Hesperia/Riverside **Zip:** 92507

Phone #: 951 660-4545

Date: 10/30/18 **Agenda #** 19.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

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**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: DAVID SAUNDERS

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 10/30/18 **Agenda #** 19.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
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I give my 3 minutes to: _____

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**Riverside County Board of Supervisors
Request to Speak**

6 mins.

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Saib ALRABADI

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 3761 19.1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
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the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

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MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



19.1

10:30 a.m. being the time set for public hearing on the recommendation from Transportation and Land Management Agency/Planning regarding Public Hearing on The Appeal of the Planning Commission's Approval of Conditional Use Permit No. 3761 - Intent to adopt a Negative Declaration - Applicant: Saib Alrabadi - Engineer/Representative: CJC Design, Inc. - Owner: Abou Bakr Almed - Second Supervisorial District - University Zoning District - Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) (0.20-0.35 FAR) - Location: Northerly of Center Street, southerly of West Church Street, easterly of Iowa Avenue, and westerly of Pacific Avenue - .28 Gross Acres - Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: This appeal concerns the Planning Commission's approval of Conditional Use Permit No. 3761, which consists of the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption ("project"). The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) fuel pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store - APNs: 246-042-017 and 246-042-022, Second District.

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, October 30, 2018 at 10:30 a.m.

Roll Call:

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on October 16, 2018 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: October 16, 2018
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: *Gerraine Miller* Deputy

AGENDA NO.
19.1

xc: Planning, COB

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



ITEM
19.1
(ID # 8134)

MEETING DATE:

Tuesday, October 16, 2018

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON THE APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 3761 - Intent to adopt a Negative Declaration - Applicant: Saib Alrabadi - Engineer/Representative: CJC Design, Inc. - Owner: Abou Bakr Almed - Second Supervisorial District - University Zoning District - Highgrove Area Plan: Community Development: Commercial Retail (CD: CR) (0.20-0.35 FAR) - Location: Northerly of Center Street, southerly of West Church Street, easterly of Iowa Avenue, and westerly of Pacific Avenue - .28 Gross Acres - Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: This appeal concerns the Planning Commission's approval of Conditional Use Permit No. 3761, which consists of the construction of a 76 Gas Station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption ("project"). The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) fuel pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space. The project site consists of a closed prior auto repair facility, which will need to be partially demolished and refurbished for the gas station and convenience store - APNs: 246-042-017 and 246-042-022. [Applicant Fees 100%.] (Continue to October 30, 2018)

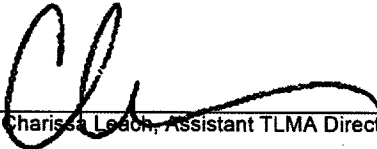
RECOMMENDED MOTION: That the Board of Supervisors:

1. **DENY THE APPEAL** of the Planning Commission's approval of Conditional Use Permit No. 3761 on August 15, 2018; and,
2. **UPHOLD THE PLANNING COMMISSION'S ADOPTION OF A NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42962**, 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,
3. **UPHOLD THE PLANNING COMMISSION'S DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY**, so that a license to allow the sale of beer and wine for off-site consumption within the subject property may be issued by the California Department of Alcoholic Beverage Control, based upon the findings and conclusions incorporated in the staff report; and,
4. **UPHOLD THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 3761**, subject to the attached Advisory Notification Document and

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

conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

ACTION:



Charissa Leach, Assistant TLMA Director 10/9/2018

MINUTES OF THE BOARD OF SUPERVISORS

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

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

PROJECT HISTORY:

The previous entitlement, Plot Plan No. 24412 approved on August 5, 2010, permitted a joint smog test station and auto repair facility. The project consisted of an existing 2,000 square foot shop building and car lift area. In 2010 the subject property was a recipient of funds from the Redevelopment Facade Improvement Program. In addition to the façade improvements, Plot Plan No. 24412 brought improvements to the lot including minor landscaping and striping of the parking area. This business has since gone out of business, and the site has become an attractive nuisance drawing vandalism and graffiti to the area. The proposed project will replace the shuttered business and rejuvenate this prominent corner.

PROJECT DESCRIPTION AND LOCATION:

The Conditional Use Permit proposes the construction of a gasoline service station and 1,975 square foot convenience store with the sale of beer and wine (Alcoholic Beverage Control (ABC) License Type 20) for off-premises consumption ("project"). The project also includes the construction of two (2) new underground fuel storage tanks, eight (8) fuel pumps, a 1,632 square foot canopy, three (3) standard parking spaces and one (1) accessible parking space.

The project is located within the Highgrove Area Plan, north of Center Street, south of West Church Street, east of Iowa Avenue, and west of Pacific Avenue.

Planning Commission

The Planning Commission considered the project during a regularly scheduled public hearing on August 15, 2018.

During the public hearing, David Saunders from the Law Offices of Clayson, Bainer, and Saunders, representing a gas station owner on the south-west corner Center Street and Iowa Avenue, spoke in opposition to the project. He brought up the following four concerns regarding the project:

1. The parking waiver.

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

2. Fuel tankers fueling and being in conflict with drivers.
3. Drive aisle size.
4. Already too many liquor licenses in the area.

Mr. Saunders' concerns were addressed by Staff either via response letters included in the memorandum to the Planning Commission, or via responses during the public hearing. (The letters and memorandum can be found in Attachment C of this Form 11.) The following is a summary of staff's and the applicant's responses to Mr. Saunders' concerns:

Parking Waiver

Staff has determined that the site has a total of 12 parking spaces; the 8 parking spaces at the pumps, 3 additional standard parking spaces, and 1 additional accessible parking space. It is common at gas stations for customers to leave their car at the pump and go inside a convenience store. Therefore, the pumps can be considered as additional spaces for parking.

The applicant, following Mr. Saunders' testimony, also addressed this concern during the public hearing by agreeing to add additional staff, often 3 cashiers in the rush times, to reduce the amount of time a customer may have to wait in line in the store, and thus reducing the length of time the customer remains parked at the pump.

Fuel Tankers -- fueling and being in conflict with other drivers.

During the public hearing, turning templates were placed on the exhibit showing how the tankers would be able to access the site and fuel the pumps.

The applicant, following Mr. Saunders' testimony, also addressed this concern by stating that he would have the fueling tankers only come at off hours, and they therefore would be much less likely to encounter other drivers.

Staff has determined that fuel tankers will be able to adequately access the site without being in conflict with other drivers.

Drive Aisle Size

The project was reviewed by both the Transportation Department and the Fire Department, and both departments found the project safe and the drive aisle adequate.

Too Many Liquor Licenses in the Area

Staff has found that a determination of public convenience and necessity is appropriate, so that customers of this business can pick up their liquor at this business instead of driving to another business in the area.

This would help create a reduction in vehicle trips and reduce congestion.

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

After taking public testimony and closing the public hearing, the Planning Commission approved the project with a 4-0 vote (Commissioner Taylor Berger was absent).

Appeal of Planning Commission Decision

On September 17, 2018, David R. Saunders appealed the project on behalf of "High Grove Plaza Partners."

The appeal, attached hereto as Attachment D, states:

- “1. The subject site is too small for the proposed use as a gasoline service station and convenience store. As a result, the site design creates a dangerous situation for vehicles, pedestrians, and fueling trucks.
2. There is no evidence to support staff's waiver of the code's requirement to provide for 10 parking spaces.
3. The fact that the project offers retail sales is insufficient to support a determination of public convenience and necessity for alcohol sales.”

Staff's Response to the Appeal

1. As detailed in the response letters, Planning Commission staff report, and during the Planning Commission public hearing, the Transportation and Fire departments reviewed the site design and found that the site design does not create a dangerous situation for vehicles, pedestrians, and fueling trucks. Further during the Planning Commission hearing, the applicant expressed that it is his business practice to have fueling trucks come on non-peak hours to reduce any such conflicts. The driveway is larger than normal; the minimum width is 24 feet and proposed driveway is 47 feet 9 inches. This allows more flexibility for fueling trucks when they approach the site and prevents the fueling truck from driving up on the curb, which can occur with a smaller driveway. Further, because the site is small, the path for vehicles is obvious, verses a larger site in which there could be onsite circulation conflicts because vehicles have more options and drivers are uncertain as to the path of other drivers, thus causing circulation conflicts. Because of the design of the site, the site is safer for vehicles, pedestrians, and fueling trucks.
- 2 As detailed in the response letters, Planning Commission staff report, and during the Planning Commission public hearing, the site provides 12 parking spaces, with 8 parking spaces at the pumps, 3 additional standard parking spaces, and 1 additional accessible parking space. As provided in Section 18.12.e. of Ordinance No. 348, the Planning Director may permit modifications to the parking layout requirements where topographic or other physical conditions make it impractical to require strict compliance with the parking standards set forth in Ordinance No. 348. The Planning Director has determined that the small size of the parcel and its location make requiring strict traditional parking layouts

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

impractical. Therefore, this exceeds the requirement in Ordinance No. 348 for 10 parking spaces for a 2,000 square foot convenience store.

3. As provided in the Planning Commission staff report: "The Project provides additional local retail services for the surrounding community in line with the General Plan. In addition, the Project will provide a convenience to local residents, jobs, and overall economic growth in the community. By providing fueling as well as retail options, the Project will reduce the number of vehicle trips in the area, and the residents would gain the resulting cumulative benefits of those reduced vehicle trips such as less traffic congestion and lower total emissions."

For these reasons, staff recommends that the appeal be denied.

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.

SUPPLEMENTAL:

Additional Fiscal Information

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

ATTACHMENTS:

- A. **PLANNING COMMISSION MINUTES**
- B. **PLANNING COMMISSION STAFF REPORT**
- C. **MEMO TO PLANNING COMMISSION —ADDITIONAL LETTERS**
- D. **APPEAL OF THE PLANNING COMMISSIONS DECISION**


Scott Bruckner 10/10/2018



Riverside County Clerk of the Board
County Administrative Center
4080 Lemon Street, 1st Floor Annex
P. O. Box 1147
Riverside, CA 92502-1147

PUBLIC HEARING NOTICE
This may affect your property

247081014
MIGUEL N MARTINEZ
422 DEVENER ST
RIVERSIDE CA. 92507

2010 OCT 15 AM 11:26

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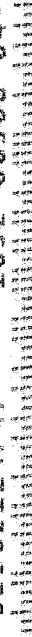
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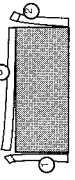
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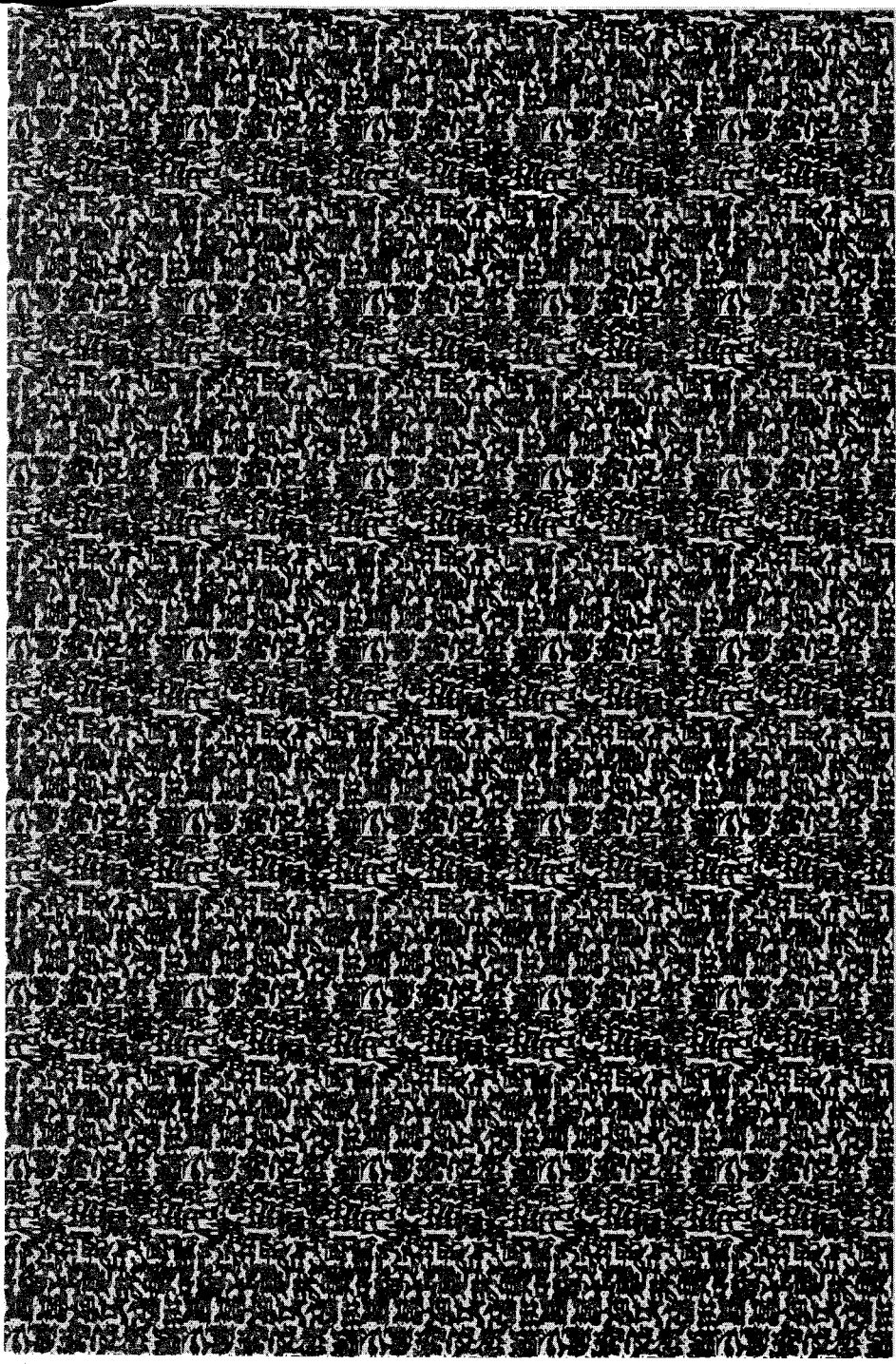


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OPENING INSTRUCTIONS

REMOVE SIDE EDGES FIRST
THEN FOLD AND TEAR THIS STUB ALONG PERFORATION



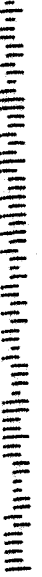
REMOVE THESE EDGES FIRST
FOLD, CREASE AND TEAR ALONG PERFORATION



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RIVERSIDE COUNTY
CALIFORNIA

2018 OCT -5 PM 12:03



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MAHMOUD ALL YASIN
183 W LA CADENA DR
RIVERSIDE CA 92501

NSN

This may affect your property

DATE 919 DE 1 0810/02/18

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

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NSN

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92502-1147

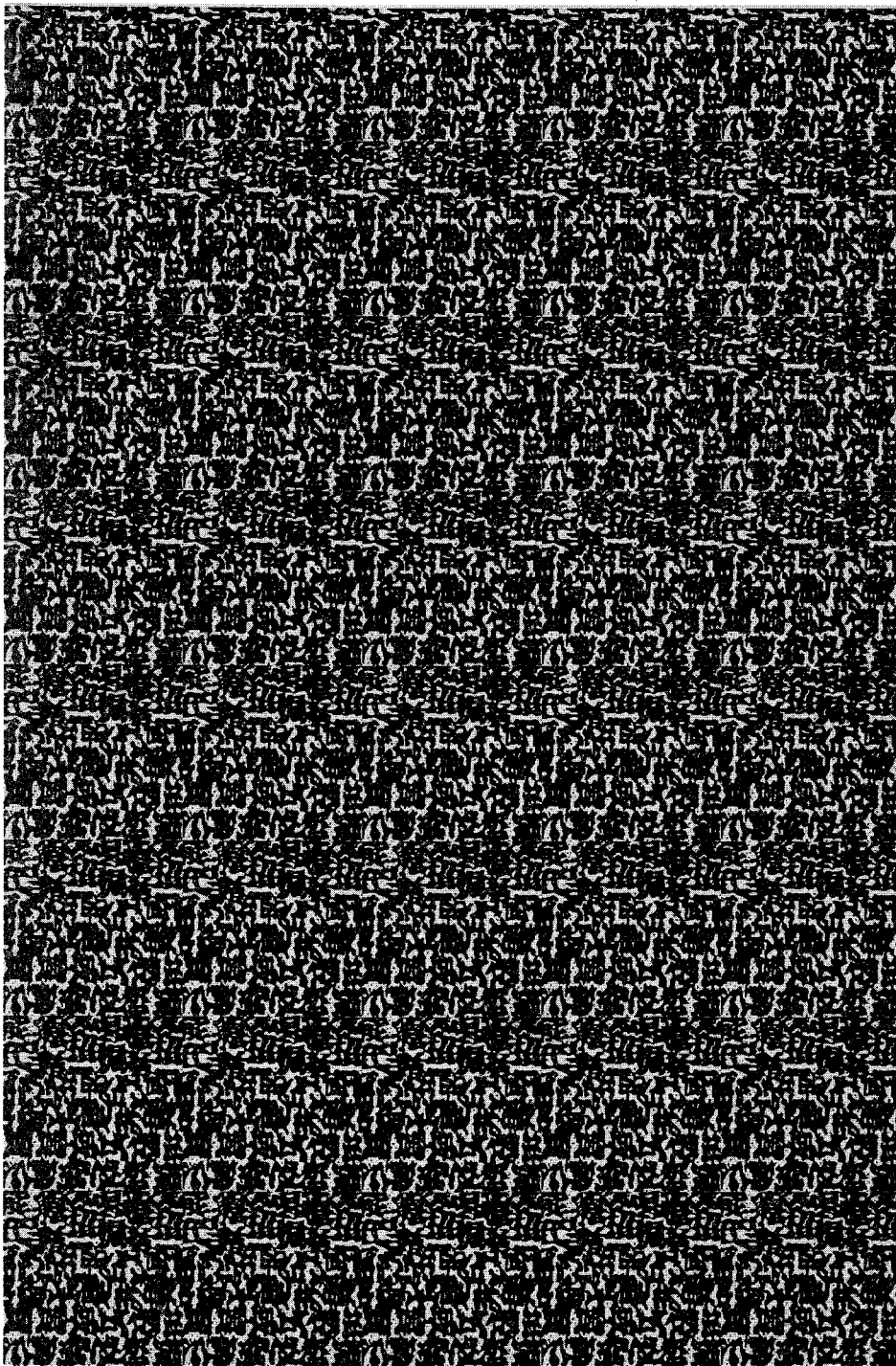
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B 3

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FOLD, CREASE AND TEAR ALONG PERFORATION

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County Administrative Center
4080 Lemon Street, 1st Floor Annex
P. O. Box 1147
Riverside, CA 92502-1147

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RECEIVED RIVERSIDE COUNTY
MAY 9 1983 10 11 21 AM

2018 OCT -9 AM 11:21

247091038
LAWRENCE KUNARSKI
1195 FOUNTAIN ST
RIVERSIDE CA. 92507

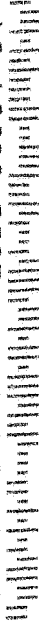
NIXIE 911 FE 1260 0010/07/18

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UTF
492502114747

BC: 92502114747

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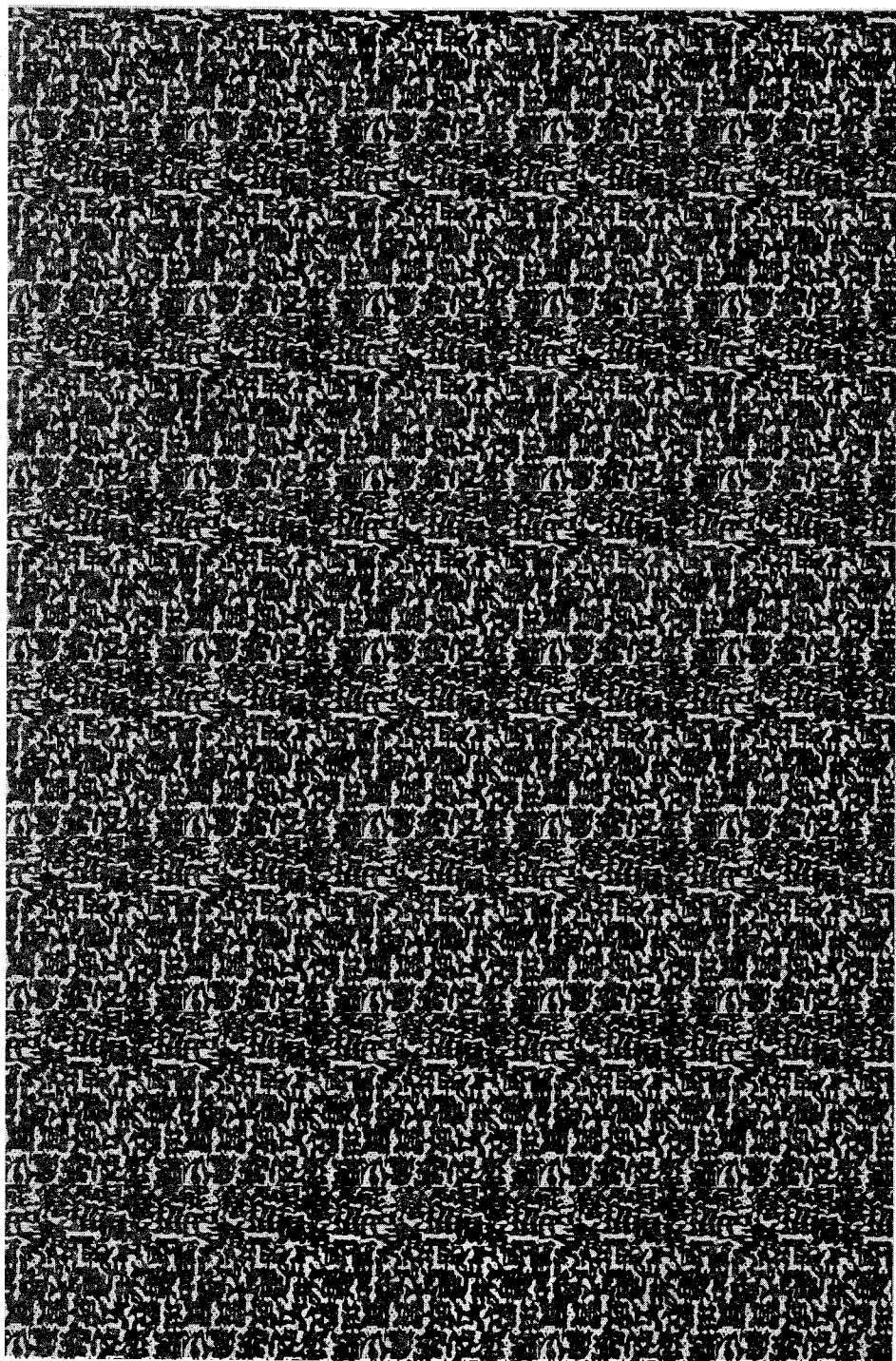
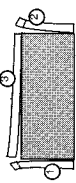


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DAVID SAUNDERS
P.O. BOX 1147
CORONA CA 92878

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COUNTY CLERK'S OFFICE

2010 OCT -9 AM 11:22

NIXIE 911 FE 1200 0010/07/10

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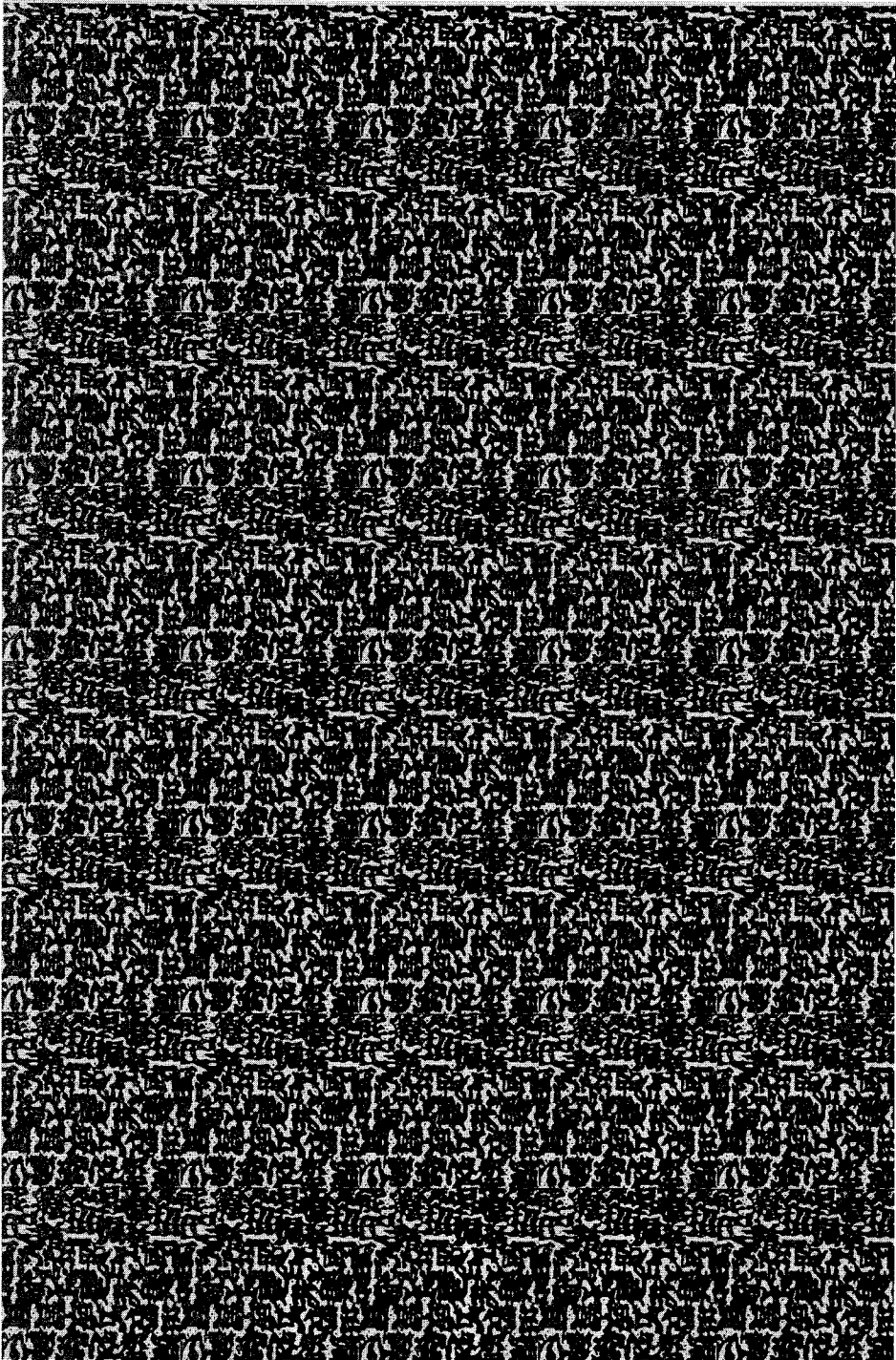
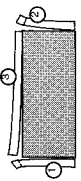
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HW1-52502-11474

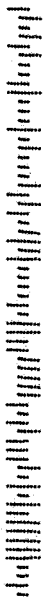
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24546 BMS-1AH

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2018 OCT 16 AM 10: 43

247091059
R & D REAL ESTATE
1000 GREENWOOD DR
NOVATO CA 94901

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NIXIE 957 DE 1 0010/09/18

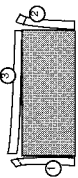
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BC: 92502114747 * 2641-02774-09-23

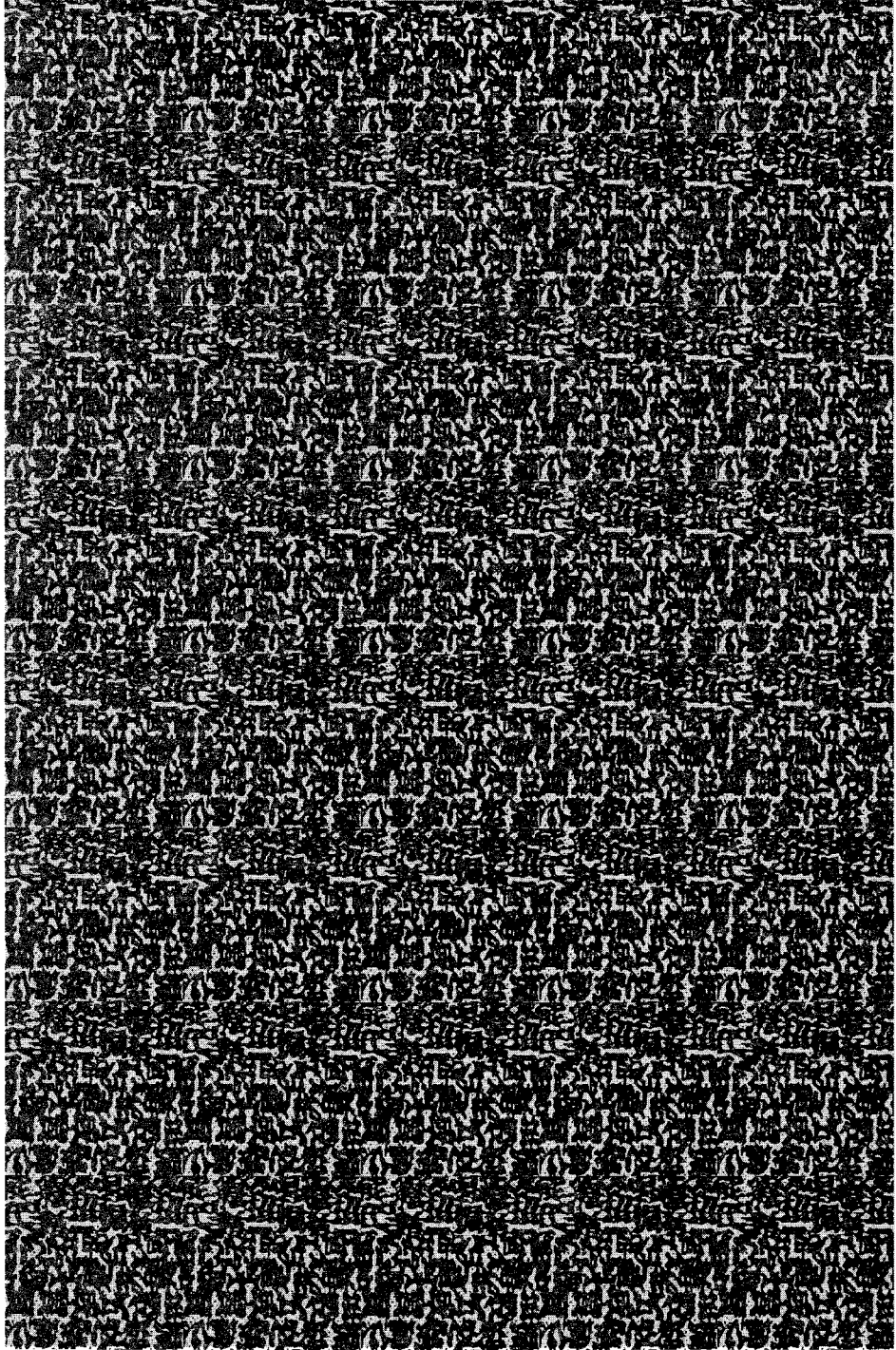
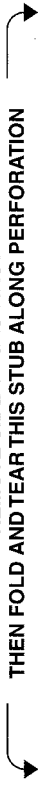
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247042014
MARIO F ROSTRO
CHONG KUK ROSTRO
111 SYCMORE ST
GEORGE TOWN TX 78633

NIXIE 787 FE 1 0010/11/18

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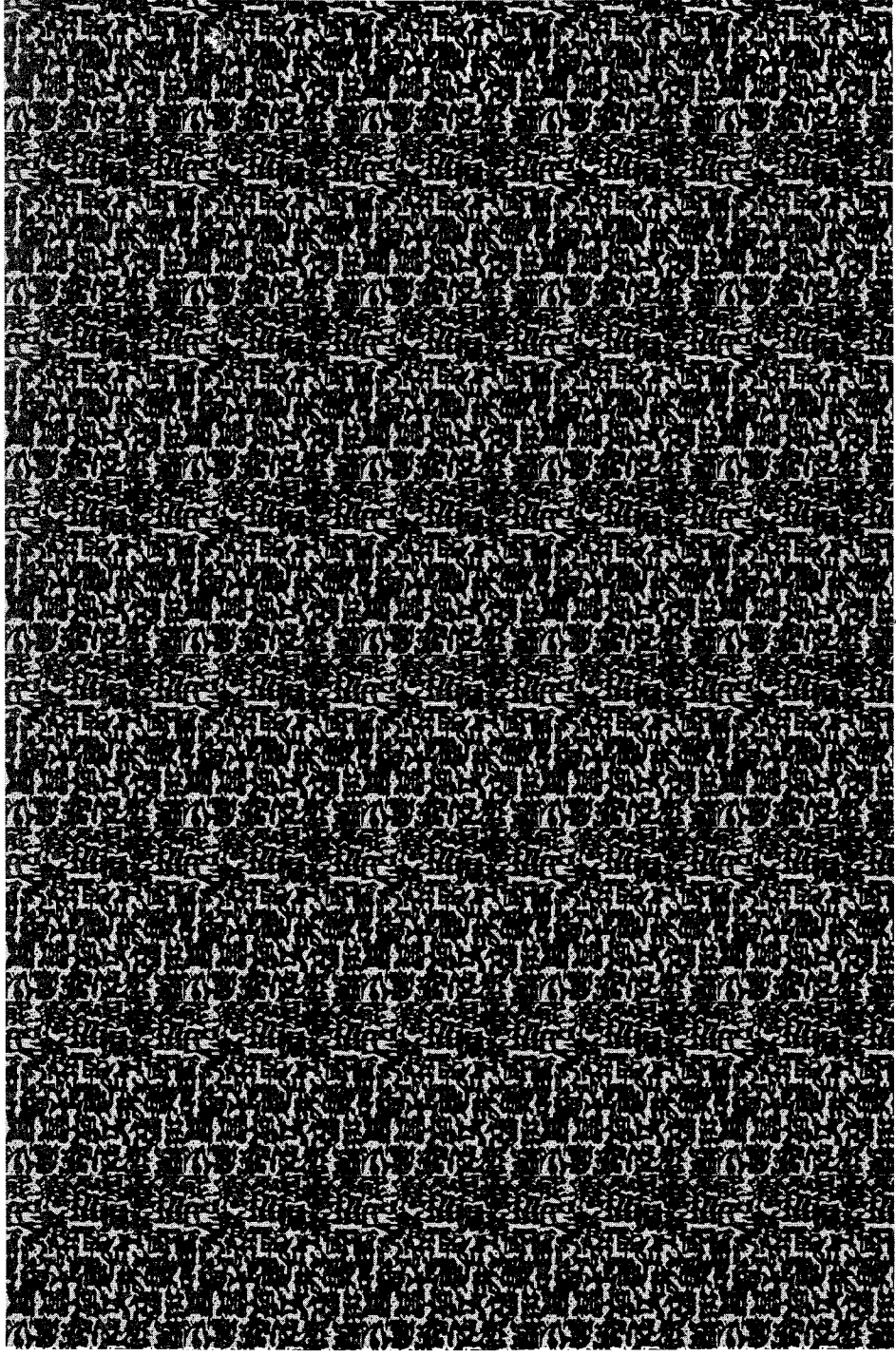
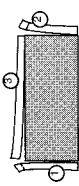
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HWD
92502331801

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2013 OCT 16 AM 10:43

HVI-SMB 94947

247091062
R & D REAL ESTATE
1000 GREENWOOD DR
NOVATO CA 94901

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NIXIE

957 DE 1250

0010/09/18

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UNCLAIMED
UNABLE TO FORWARD

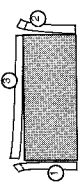
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*Z641-02775-09-23

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