

## RIVERSIDE COUNTY PLANNING DEPARTMENT

1:30 P.M. JUNE 15, 2020

## AGENDA RIVERSIDE COUNTY PLANNING DEPARTMENT DIRECTOR'S HEARING

COUNTY ADMINISTRATIVE CENTER 4080 Lemon Street, Riverside, CA 92501 https://planning.rctlma.org/

In compliance with the Americans with Disabilities Act, if you require reasonable accommodations please contact the TLMA Commission Secretary at (951) 955-7436 or email at <a href="mailto:esarabia@rivco.org">esarabia@rivco.org</a>. Requests should be made 72 hours in advance or as soon as possible prior to the scheduled meeting. Alternative formats are available upon request.

Pursuant to the Governor's Executive Order N-25-20, this meeting will be conducted by teleconference only. Members of the public may provide comments by teleconference or email. To submit your comments or request to speak please contact the Hearing Secretary at (951) 955-7436 or email at: <a href="mailto:esarabia@rivco.org">esarabia@rivco.org</a>. You will receive an email confirming your request that will provide further instructions. Your comments will be read into the record before the Hearing Officer considers the item. Additional information is available on the Planning Department website.

**1.0** CONSENT CALENDAR:

**NONE** 

- 2.0 PUBLIC HEARINGS: CONTINUED ITEMS: 1:30 p.m. or as soon as possible thereafter.
- 2.1 PLOT PLAN NO. 180020 (PPT180020) Exempt from the California Environmental Quality Act (CEQA), pursuant to the State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) CEQ180062 Applicant: Imperial Consultants Inc. c/o Ahmed Fieleh Architect/Representative: Tarek Abdelhady Owner: Imperial Consultants Inc. c/o Ahmed Fejleh Fifth Supervisorial District Cabazon District The Pass Area Plan: Community Development: Commercial Retail (CD-CR) (0.20-0.35 FAR) Location: Northerly of Interstate 10 and along the northwesterly corner of Seminole Drive and Deep Creek Road .3 Acres Zoning: Scenic Highway Commercial (C-P-S) REQUEST: Plot Plan application is a request to construct a 7,987 sq. ft. single-story retail building with a maximum height of 25 feet on .30 net acres. In addition, the project would be constructed in same location of the previously demolished Wheel Inn restaurant. Continued from June 1, 2020. Project Planner: Travis Engelking at (951) 955-1417 or email at TEngelki@rivco.org.
- **3.0** PUBLIC HEARINGS: NEW ITEMS: 1:30 p.m. or as soon as possible thereafter.

NONE

**4.0** SCOPING SESSION: 1:30 p.m. or soon as possible thereafter:

NONE

**5.0** PUBLIC COMMENTS:



## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

Agenda Item No.

2 . 1

Director's Hearing: June 15, 2020

PR	OF	OSE	PRO	DJECT
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Case Number(s): PPT180020 Applicant(s): Ahmed Fejleh
CEQA Exempt Section 15301 and Section 15303

Area Plan: The Pass Representative(s): TA Architect Inc.

Zoning Area/District: Cabazon District C/O Tarek Abdelhady

Supervisorial District: Fifth District

Project Planner: Travis Engelking

Project APN(s): APN 519-190-030

Charissa Leach, P.E. Assistant TLMA Director

#### PROJECT DESCRIPTION AND LOCATION

Plot Plan No. 180020 (PPT180020) is a request to construct a 7,987 square foot single-story retail building with a maximum height of 25 feet on 0.30 net acres. In addition, the project would be constructed in the same location of a previously existing restaurant. The previous 6,720 square foot commercial building on the site was demolished in 2016.

The description as included above constitutes the "Project" as further referenced in this staff report.

The project site is located north of the Interstate -10 Freeway and along the northwest corner of Seminole Drive and Deep Creek Road.

#### PROJECT RECOMMENDATION

#### **STAFF RECOMMENDATIONS:**

#### THAT THE PLANNING DIRECTOR TAKE THE FOLLOWING ACTIONS:

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) based on the findings and conclusions in the staff report; and,

<u>APPROVE</u> Plot Plan No. 180020, subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report.

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Land	Use	and	Zoning:	
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nd Use and Zoning:	
Specific Plan:	N/A
Existing General Plan Foundation Component:	Community Development (CD)
Existing General Plan Land Use Designation:	Commercial Retail (CR)
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	
North:	Commercial Retail (CR)
East:	Commercial Retail (CR)
South:	Commercial Retail (CR)
West:	Commercial Retail (CR)
Existing Zoning Classification:	Scenic Highway Commercial (C-P-S)
Surrounding Zoning Classifications	
North:	Scenic Highway Commercial (C-P-S)
East:	Scenic Highway Commercial (C-P-S)
South:	Scenic Highway Commercial (C-P-S)
West:	Scenic Highway Commercial (C-P-S)
Existing Use:	Vacant Land (Wheel Inn Restaurant Demolished)
Surrounding Uses	
North:	Cabazon Dinosaurs Museum
South:	I-10 Freeway
East:	Burger King Drive-Thru
West:	Shell Gas Station

**Project Details:** 

ltem	Value	Min./Max. Development Standard
Project Site (Acres):	.30 net acres	N/A
Existing Building Area (SQFT):	N/A	N/A
Proposed Building Area (SQFT):	7,987 Sq. Ft.	N/A
Building Height (FT):	25 Feet in height	50 feet in height

Parking:

Type of Use	Building Area (in SF)	Parking Ratio	Spaces Required	Spaces Provided
Retail	7,987	1 space/200 Sq. Ft. of gross floor area	39	40
TOTAL:	7,987			- 1 1 1 1 Y

#### **Located Within:**

City's Sphere of Influence:	No
Community Service Area ("CSA"):	Yes – 85 – Cabazon St. Lighting, Park Recreation
Special Flood Hazard Zone:	Yes – Whitewater
Agricultural Preserve:	No
Liquefaction Area:	Yes - Moderate
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	Yes - Coachella Valley
Stephens Kangaroo Rat ("SKR") Fee Area:	No
Airport Influence Area ("AIA"):	No
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#### PROJECT LOCATION MAP



#### PROJECT BACKGROUND AND ANALYSIS

#### **Background:**

**Previous Entitlements** 

On March 25, 1996 Plot Plan No. 14522 (PP14522) was presented at Director's Hearing to develop a commercial center with five (5) fast food restaurants, one sit down restaurant, a 60 room motel and a museum and gift shop. At the time of the entitlement process for PP14522, the project site contained an existing restaurant (Wheel Inn) and two (2) dinosaur exhibits, one with a gift shop that was to remain onsite.

On March 26, 2012, an application for Plot Plan 14522 Revised Permit No. 1 was submitted to the Riverside County Planning Department to permit an approximately 2,916 square foot gift shop, 1,060 square foot caretaker unit, and a 35,279 square foot outdoor dinosaur museum which includes outdoor education dinosaur exhibits, and landscaping on a roadside commercial attraction facility. After multiple continuances, the project was approved on February 6, 2025.

On June 25, 2018, the application for Plot Plan No. 180020 (PPT180020) was submitted to the Riverside County Planning Department. The project proposes to construct a 7,987 square foot single-story retail building on the .30 acre site. As of November 28, 2016, the previous 6,720 square foot restaurant building, (PP14522), on the site was demolished in 2016. The new retail building would be constructed within the same location of the previously demolished restaurant building.

#### **ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS**

This project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 -Categorical Exemptions, Section 15301 (Existing Facilities), which states: Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of an existing use. The existing site has already been utilized for ongoing retail and commercial uses at the site. Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyance would be required, which would not significantly expand the capability of the site or substantively increase the proposed use of the site beyond what already occurs. In this case, the proposed project would be constructed within the same location of the previously demolished restaurant building and has not proposed any significant construction or improvements for the project site. Therefore, the project as proposed, would not expand upon the previously permitted buildings, would not expand the use of the site beyond those uses that already occurred, and therefore the Project complies with the guidelines of the CEQA, In addition, the project also qualifies for the exemption under Article 19, 1501 L. subsection (3) which allows for the demolition and removal of individual small structures such as a store, motel, office, restaurant, and similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use.

Additionally, this project is exempt from California Environmental Quality Act (CEQA) review pursuant

to Article 19 - Categorical Exemptions, Section 15303 (New Construction or Conversion of Small

Structures). This section specifically exempts construction and location of new, small facilities or structures; and the conversion of existing small structures for one use or another where only minor modifications are made in the exterior of the structure. The Project includes the construction of 7,987 square foot retail building in the same location of the previous constructed 6,720 square foot restaurant. Therefore, the project as proposed, complies with the guidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15303 New Construction or Conversion of Small Structures).

None of the exceptions pursuant to State CEQA Guidelines section 15300.2 would occur. The Project would not have a significant effect on the environment due to unusual circumstances; would not result in a cumulative impact; would not impact any historic resources; and is not located on a hazardous site or location.

#### FINDINGS AND CONCLUSIONS

In order for the County to approve a proposed project, the following findings are required to be made:

#### Land Use Findings:

General Plan Consistency

The project site has a General Plan Foundation Component and Land Use Designation of Commercial Development (CD): Commercial Retail (CR). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of life styles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the Riverside County Integrated Project Vision, such as mobility, open space, and air quality goals.

The proposed project is consistent with the Community Development General Plan Foundation Component and Commercial Retail Land Use Designation as it would provide community services and job opportunities within the surrounding community.

The site has a Zoning Classification of Scenic Highway Commercial (C-P-S), which is consistent with the Riverside County General Plan because the C-P-S Zone conditionally allows specified retail uses which implements the CD: CR General Plan Land Use Designation that encourages local and regional retail and services.

The proposed use, a commercial retail building, is consistent with Ordinance 348 (Land Use) and is allowed within the C-P-S Zoning Classification, subject Plot Plan approval. Specific findings relating to the proposed uses, including findings relating to the applicable development standards, are in the following separate sections below.

File No(s). PPT180020 Directors Hearing Staff Report: June 15, 2020 Page 6 of 8

#### **Entitlement Findings:**

#### **Plot Plan**

The following findings are required to approve the Plot Plan, pursuant to the provisions of Ordinance No. 348:

- 1. The proposed use conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. The Project site is designated as Commercial Retail in the Riverside County General Plan. The Plot Plan proposes the construction of a building designed to be used for retail purposes. This general use is consistent with the Commercial Retail land use designation of the General Plan since the use is specifically listed as an anticipated use for this designation in the General Plan.
- 2. Based on the findings included in this staff report, advisory notification document and conditions of approval, the proposed project will not be detrimental to the health, safety or general welfare of the community. The processing of the Plot Plan, with the conditions of approval, will ensure that the Project will not adversely affect the public's health, safety, and general welfare. The site has been continuously used as commercial retail property and has not created any issues related to the public's health, safety, and general welfare. In the instance that the operation of the retail building does create issues affecting the public's health, safety, and general welfare, conditions of approval will allow the County to revoke this Plot Plan. Therefore, the proposed Project as designed and condition, will protect the public's health, safety, and general welfare.
- 3. That proposed project conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property, as the project site is surrounded by properties which are designated Community Development: Commercial Retail (CD: CR) which encourages suburban development and land uses that foster variety, choice and accommodate a balance of jobs, housing, and services within communities. The project is surrounded commercial properties to the north, east and west. The proposed use of a retail business, would provide community services and job opportunities within the surrounding community and is consistent with the nearby commercial businesses. Additionally, the project complies with the development standards of the C-P-S Zone. Therefore, the proposed project conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property.
- 4. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

#### **Development Standards Findings:**

The uses surrounding the property in question are predominately retail businesses such as a gas station to the west, a drive-thru restaurant to the east, and a museum and gift shop to the north. The project's proposed use is compatible with the surrounding uses because the commercial retail store is consistent with the commercial activity of the surrounding businesses.

The proposed use, a commercial retail building, is consistent with the development standards set forth Ordinance No. 348 Section 9.53. b. and is permitted within the C-P-S Zoning Classification, subject to a Plot Plan approval+.

- A. There are no yard requirements for buildings which do not exceed 35 feet in height, except as required for specific plans. Any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from the existing street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback. Each side setback shall be measured from the side lot line or from an existing adjacent street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The proposed project's building not subject to yard requirements (setbacks) since the building will be approximately 25 feet high and therefore do not exceed 35 feet in height. The project therefore is in accordance with Section 9.53.b. of Ordinance No. 348.
- B. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance. The proposed project's building heights are allowed up to 50-feet in this zone and the maximum height of the proposed retail building is up to approximately 25 feet maximum, below the height limit allowed by the C-P-S zone, as indicated in Section 9.53.c.of Ordinance No. 348.
- C. Automobile storage spaces are provided in accordance with Section 18.12 of Ordinance No. 348 in that the proposed project provides a minimum of 1 parking space per 200 square feet for proposed 7,987 square foot single-story retail restaurant building which totals 39 spaces, and the proposed project provides 40-parking spaces including two (2) parking space for the disabled.
- D. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet. The proposed project is conditioned to screen all roof mounted equipment as required in Section 9.53.e. of Ordinance No. 348 in accordance with COA 90.PLANNING.-Roof Equipment Shielding.

#### Other Findings:

- 1. The project site is not located within a Coachella Valley MSHCP Fee Area and is consistent with the MSHCP. The project is not within a Conservation Area.
- 2. The project site is not located within a City Sphere of Influence.
- 3. The project site is not located within an Airport Influence Area ("AIA") boundary and is therefore not subject to the Airport Land Use Commission ("ALUC") review.

4. The project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary, as identified by Ordinance No. 655 (Mt. Palomar). The project is required to comply with all lighting

standards specified within Ordinance No. 655, pursuant to Zone B.

5. The project site is not located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan ("SKRHCP").

#### Fire Findings:

1. The Project is not located within a CAL FIRE state responsibility area or any fire hazard severity zone.

#### **Conclusion:**

 For the reasons discussed above, the proposed project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed project would not be detrimental to the health, safety or general welfare of the community.

#### PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

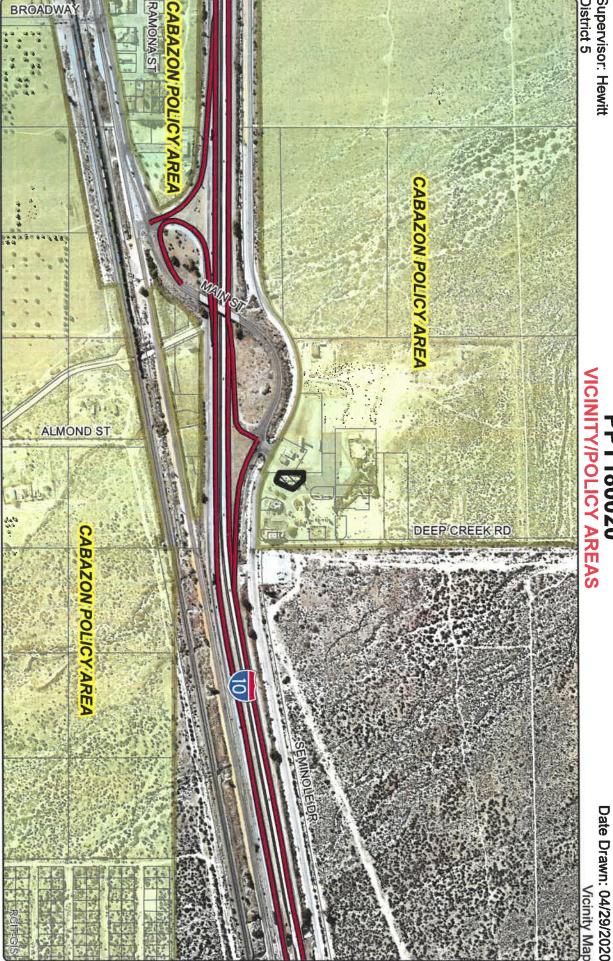
This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 600 feet of the project site. As of the writing of this report, Planning Staff has not received written communication/phone calls in support or opposition to the proposed project.

#### APPEAL INFORMATION

The Director's Hearing decision may be appealed to the Planning Commission. Such appeals shall be submitted in writing to the Clerk of the Board, with the required fee as set forth in Ordinance No. 671 (Consolidated Fees for Land Use and Related Functions), within 10 days after the mailing of the Planning Director's decision.

# RIVERSIDE COUNTY PLANNING DEPARTMENT PPT180020

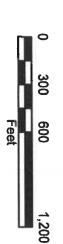
Supervisor: Hewitt District 5 **VICINITY/POLICY AREAS** 



Zoning Dist: Cabazon







Author: Vinnie Nguyen

#### RIVERSIDE COUNTY PLANNING DEPARTMENT **PPT180020**

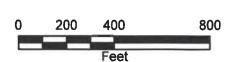
Supervisor: Hewitt Date Drawn: 04/29/2020 **LAND USE** District 5 Exhibit 1



Zoning Dist: Cabazon

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





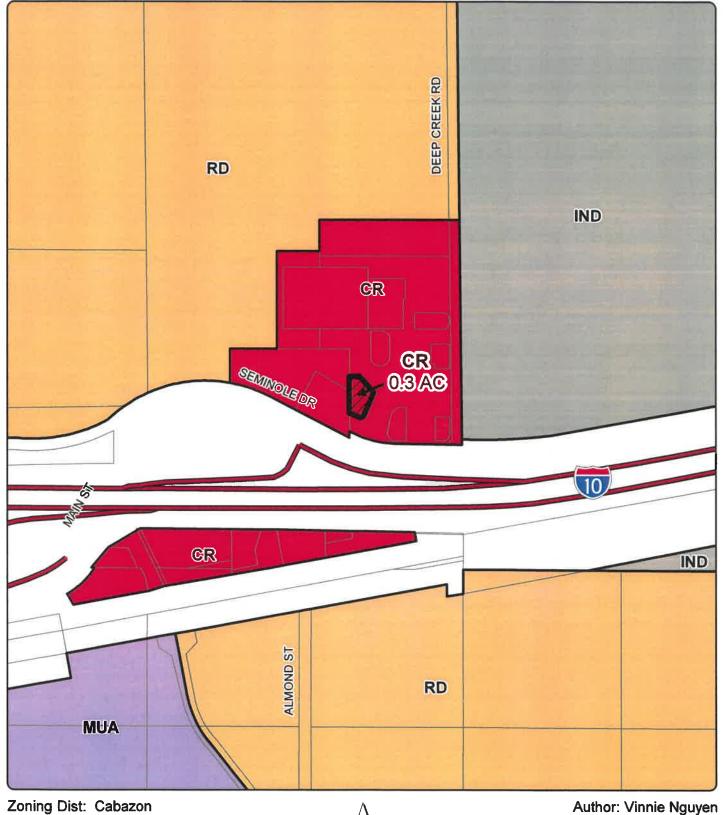
### RIVERSIDE COUNTY PLANNING DEPARTMENT PPT180020

Supervisor: Hewitt
District 5

EXISTING GENERAL PLAN

Date Drawn: 04/29/2020

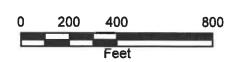
Exhibit 5

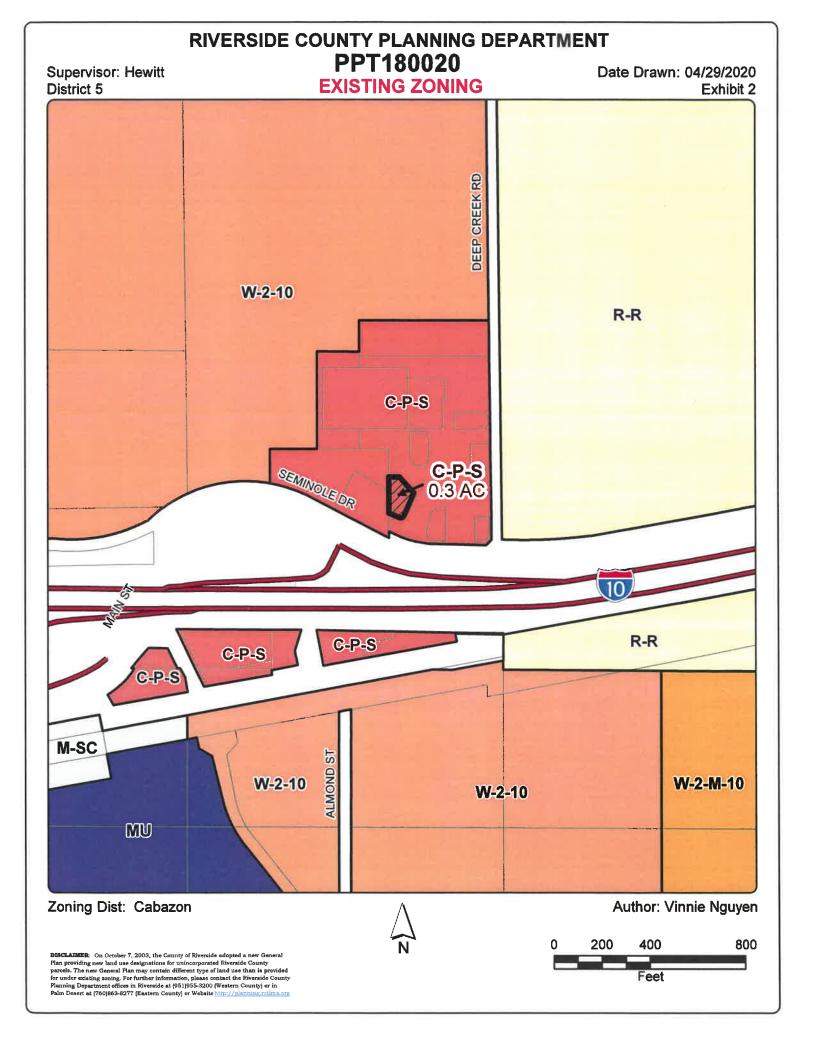


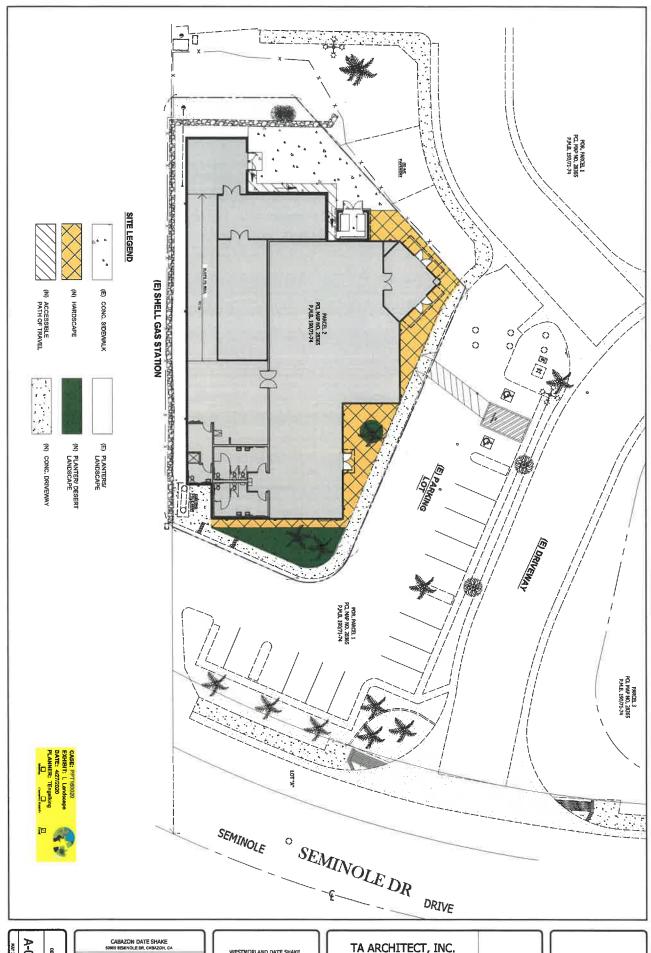
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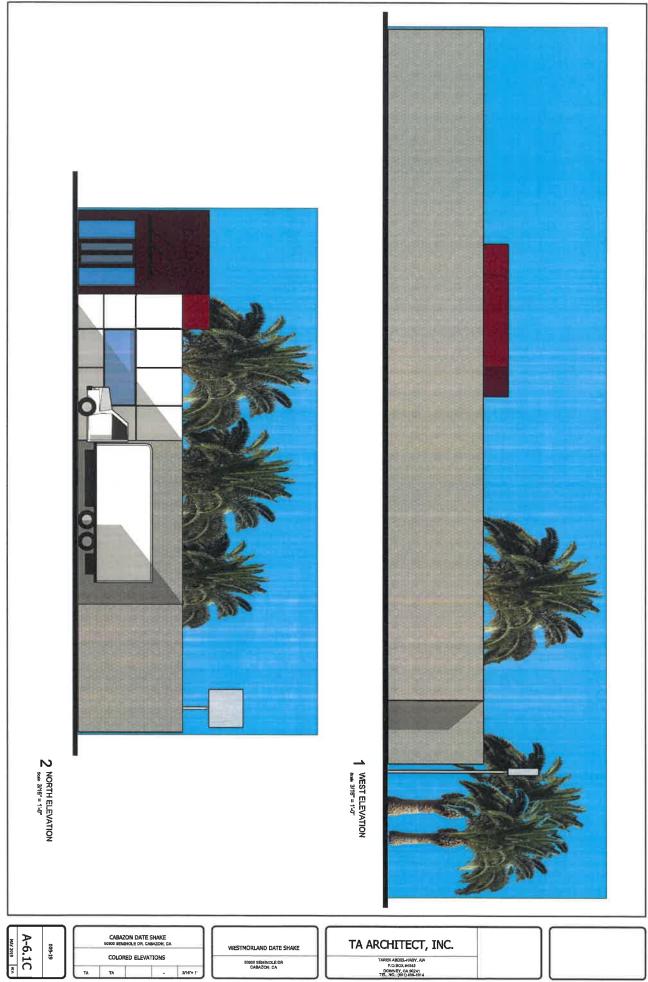
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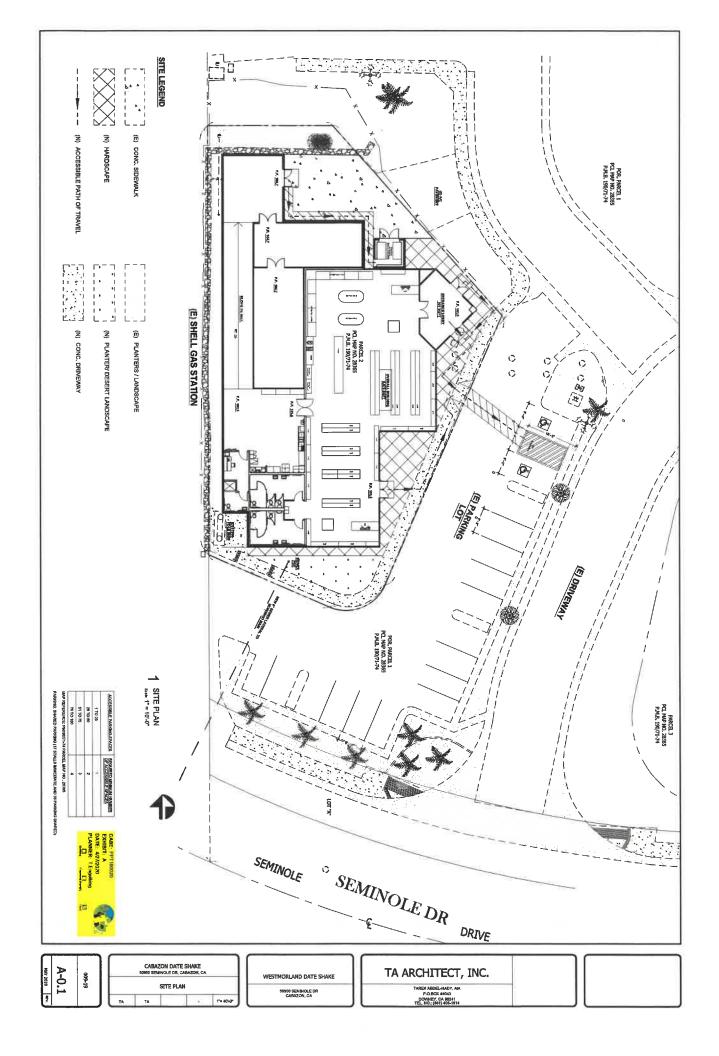
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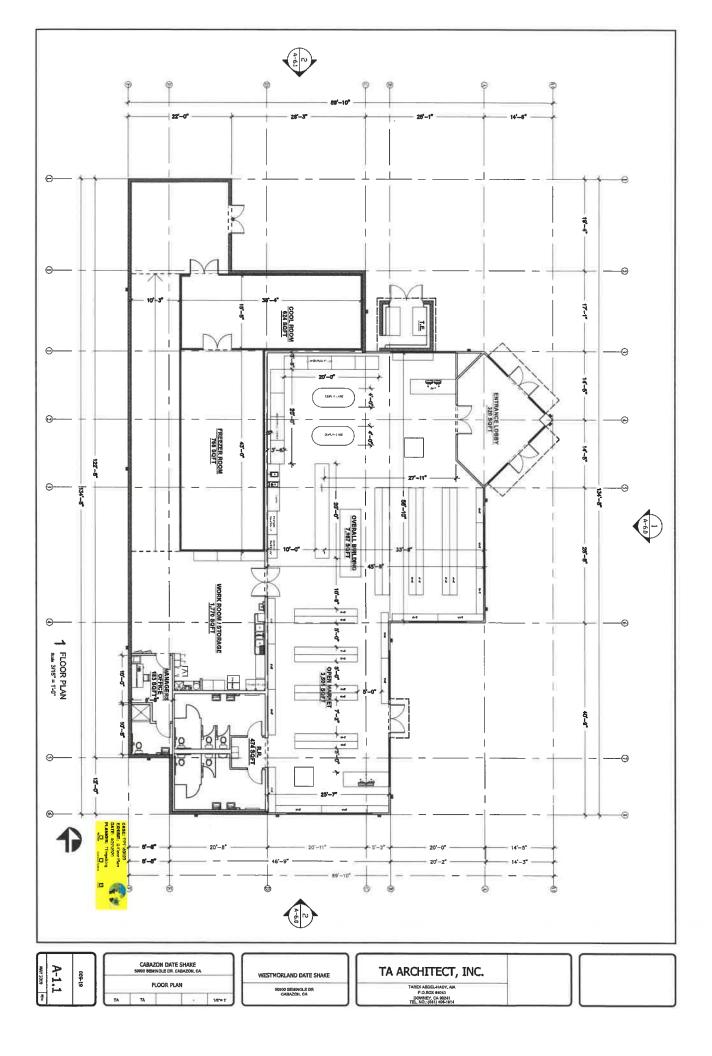


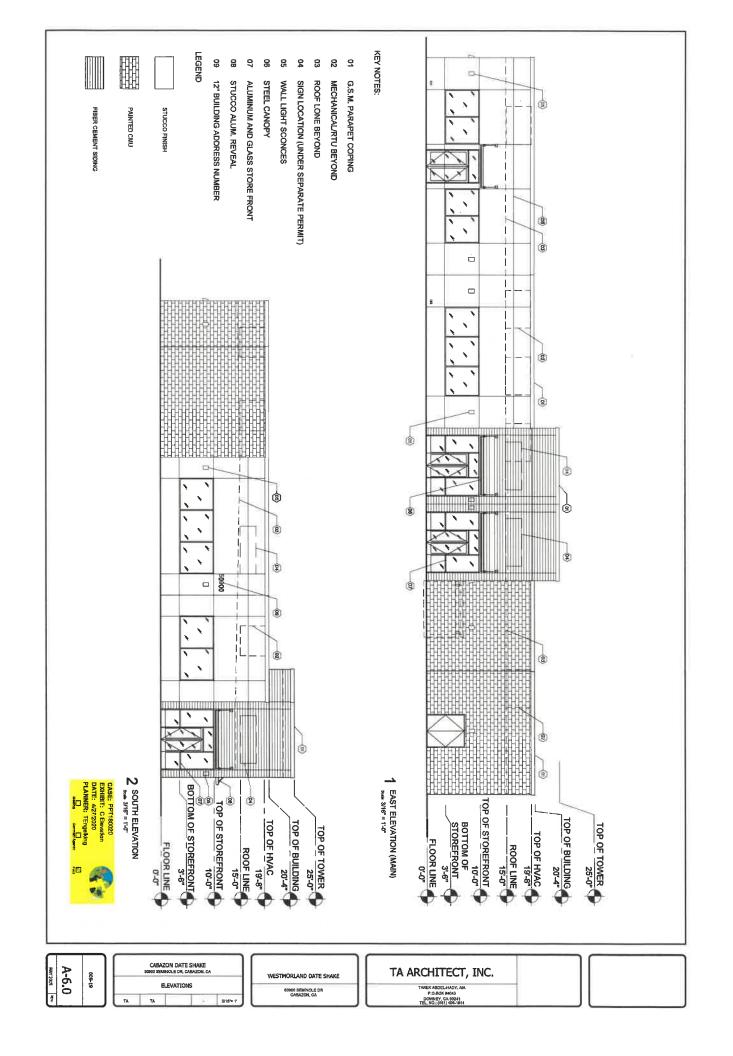
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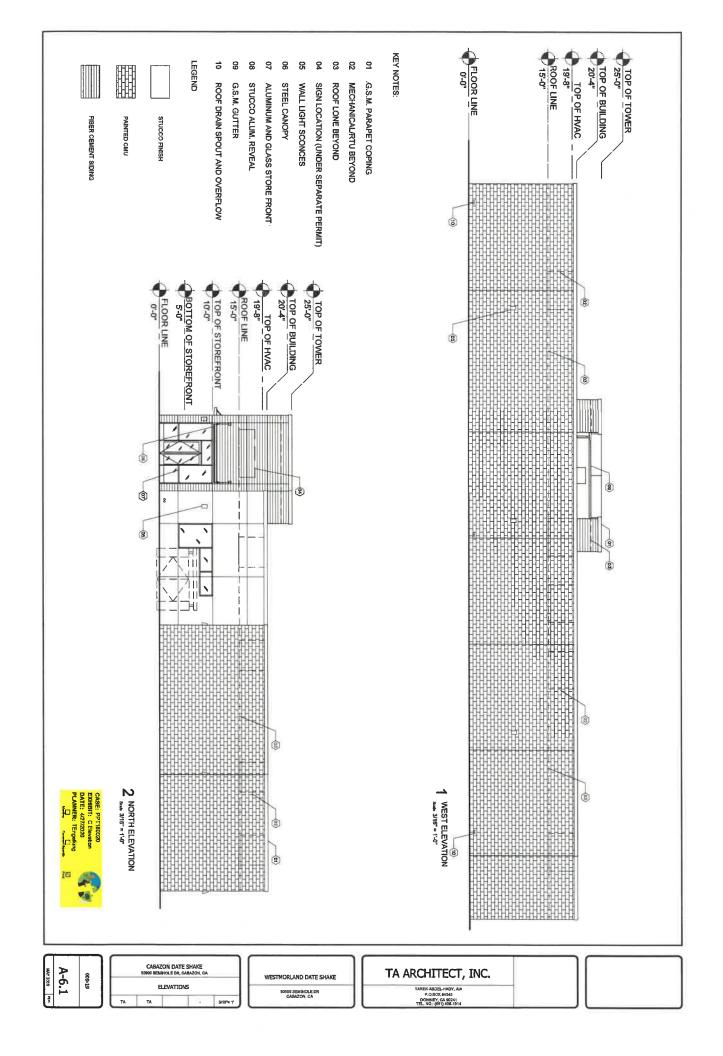
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# 50900 Seminole Dr., Cabazone, CA 92230 Precise Grading Plan



# COUNTY OF RIVERSIDE BUILDING AND SAFETY DEPARTMENT

# GRADING NOTES

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Electricity
Southern California Edison
(800) 685-4255
www.soe.com
Telephone & Cable
Vertron
(800) 922-0204
www.vertronwireless.com

Water
Cabazon Water District
(951) 849-4442
www.cabazonwalat.org

Jilly Purviyors:



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1700 CY 1460 CY	1460 CY	1460 CY	DCY	OCY	245 CY	

No sasement with subject parcel

OWNER: AHMAD FIAUH Impestial Consultante lac 875 Sagebrush St Impestial, CA 92251 909-559-7074

MANAGEMENT: AHMAD FALLH Imperial Consultants for 675 Segebrash St Imperial, CA 92251 909-559-7074

ANCHITECT:
TAREK M ADDELHADY ARCHITECT
TAREK M ADDELHADY ARCHITECT
P.O. BOX 4043
DOWNEY, CA 90241
(#81) 406-1914
tabdehady@gmafi.com

ELECTRICAL
YX ENGINEERING PRO
2199 WILDFLOWER COURT
CORDON CA 92879
951-769-7999
WWW.ykspcs.com

asements of record:

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	245 CY	
	OCY	
	DCY	
xcavation Cut	1460 CY	_
xcavation Fill	1460 CY	-
5.	1700 CY	
	1480 CY	

APN: 519-190-030-8	Percel 2 of percel map no, 253%, in the country of riverside, state of colifornia, as per map recorded in 190, pages 71 through 74 inclusive, of percel maps, critics of the country recorder of Sald County.	Legal Censulpuist. The land referred to herein bellow is estimated in the or of Riverside, state of Celifornia, and is described as follows:	Daniel Daniel Bon.

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		Virus		
C-03 Section	Co2 Gradin	C-01 Title S	Sheet Index	

C-06 Topographis S	C-05 Erosion Contro	C-04 Sewer Lateral	C-03 Sections	C-02 Grading Plan	C-01 Title Sheet	Citation.

**Cover Sheet** 

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BLECTRICAL	RECHANGALAND PLANSM VX ENGINEERING PRO 2100 WLDFLOWER COURT CORONA CA 22579 851-798-7999 WWK/Pubpea.com	

New Retail Store Project Address: 50900 Seminole Dr., Cabazon, CA 92230

Owner.
Ahmad Fejleh
Imperial Consultants
Inc
875 Seqebrush St,
Imperial, CA 92251

CYTLSTRUCTURAL ENGINEEN
Harbarn A. Hifeoz, P.E.
Hardate (Inc.
Hardate (Inc.
PE Liverse No. 5359
(657) 209-223
Integ hardestain.com

Exiting Elevation 13181819 Proposed Eleva

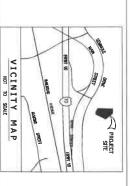
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handssainc.com 421 N Brookurst St, Suite 222 Anaheim, CA 92301 Project Engineer: Haltham A. Harlesz, P.E. Tel (857) 250 - 9228 Fax (714) 917 - 2977 info@handssainc.com Abdeflates 01159 metadon gapt son

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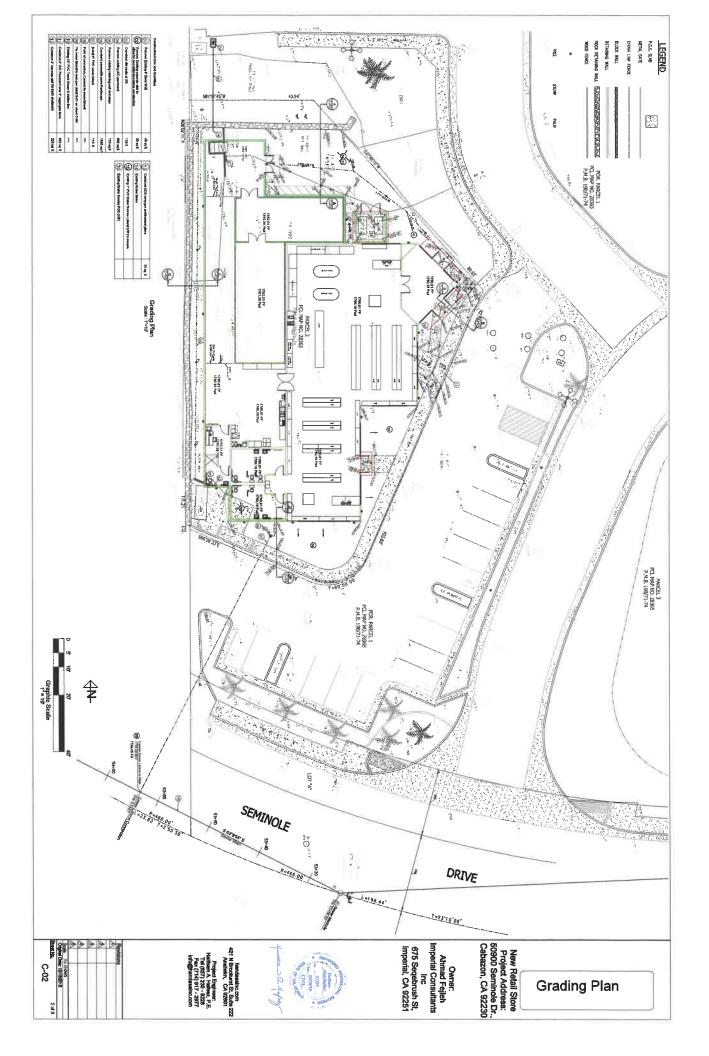
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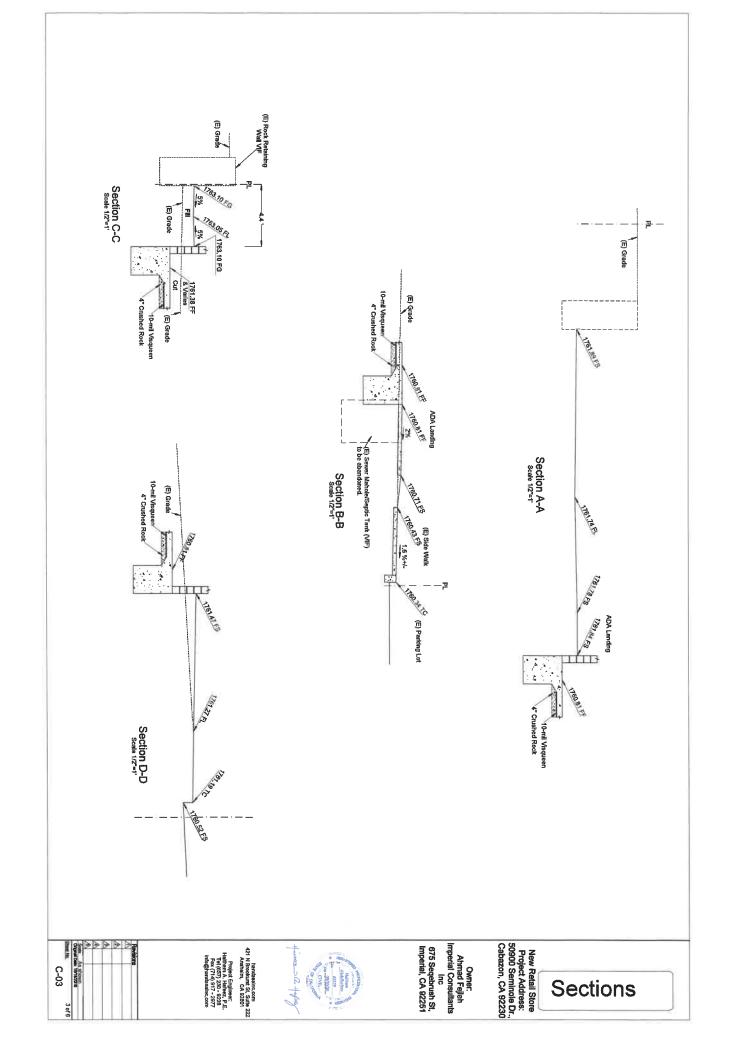
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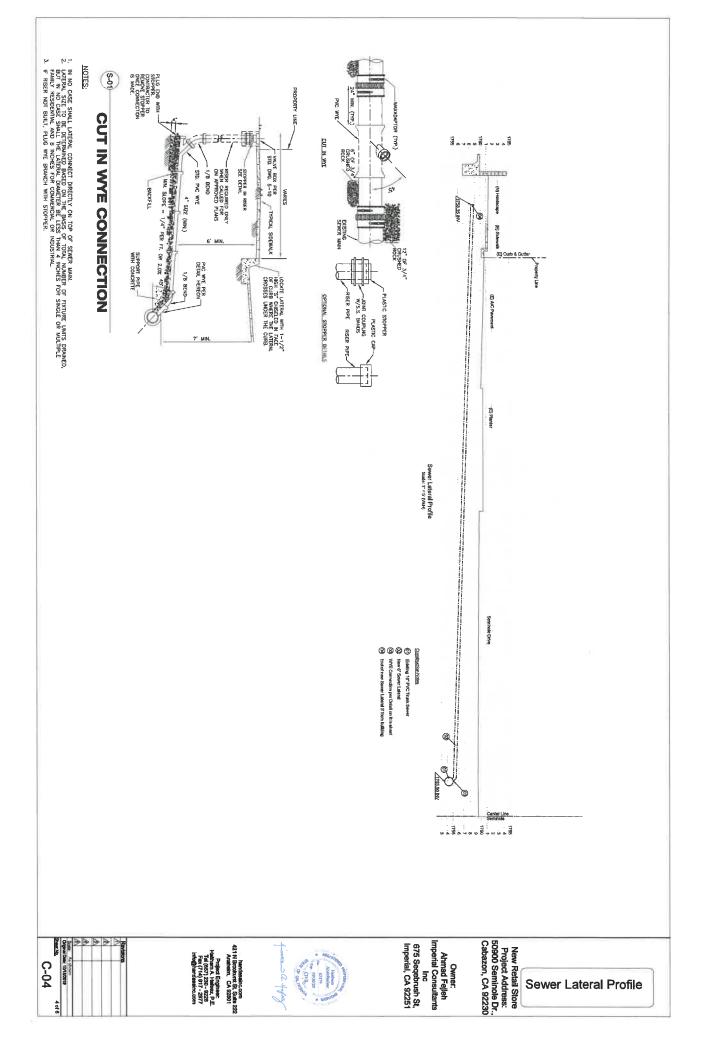
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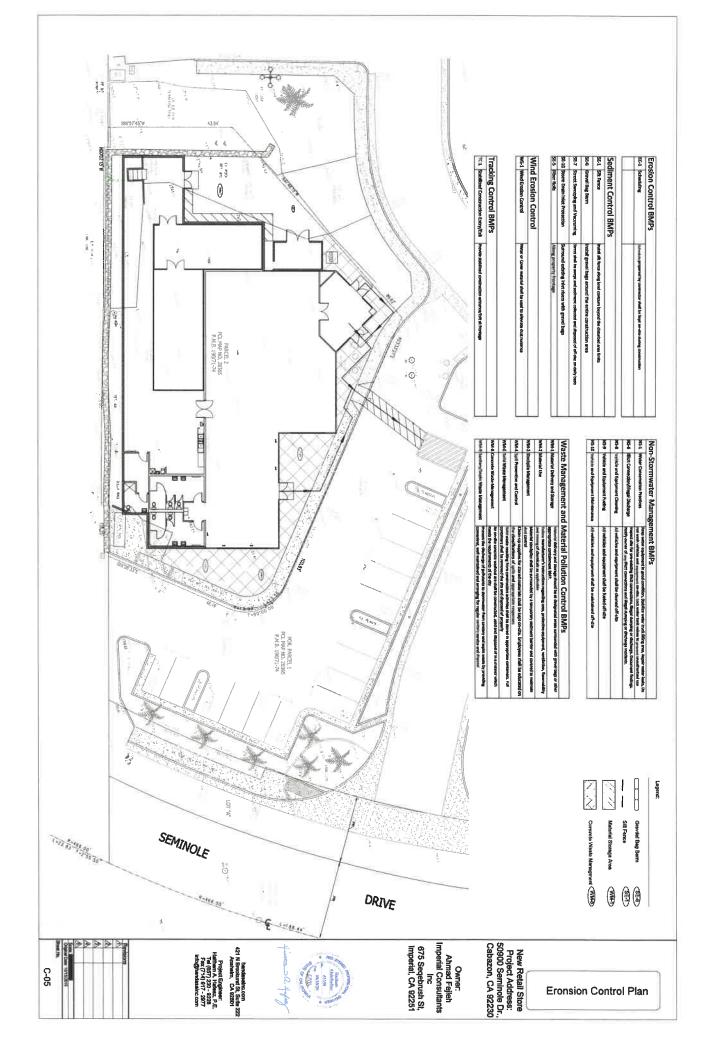
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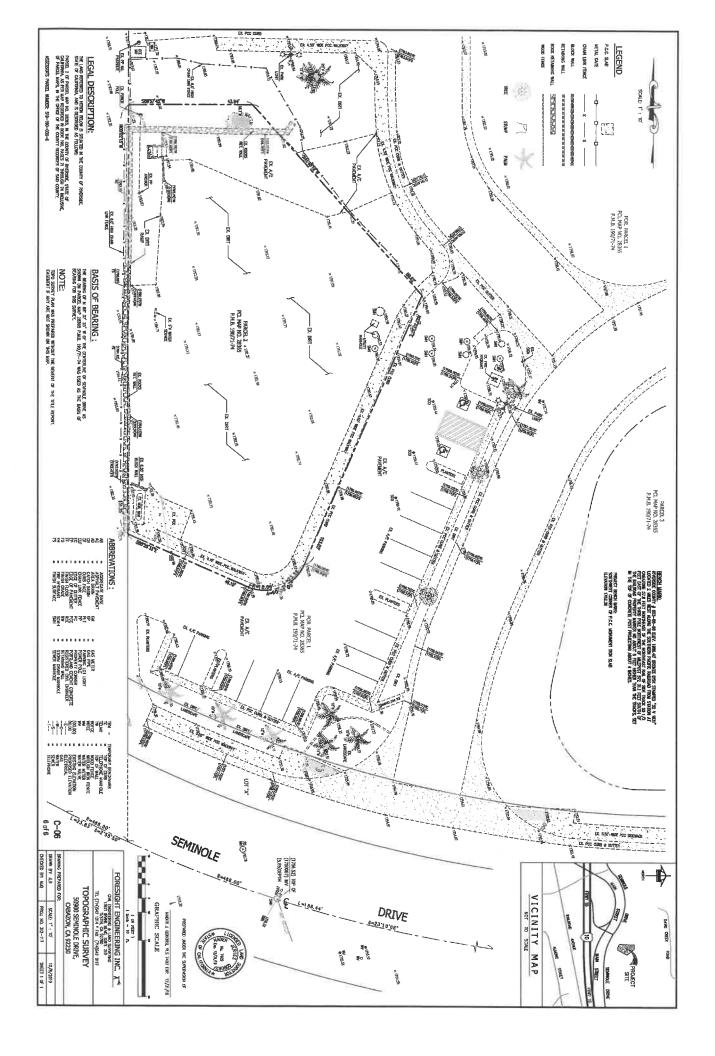
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#### RIVERSIDE COUNTY

#### PLANNING DEPARTMENT

Charissa Leach, P.E. Assistant Director of TLMA

#### NOTICE OF EXEMPTION

TO:		Office of Planning and P.O. Box 3044 Sacramento, CA 958' County of Riverside County	12-3044	FROM:	$\boxtimes$	erside County Planning Department 4080 Lemon Street, 12th Floor P.O. Box 1409 Riverside, CA 92502-1409		38686 El Cerrito Road Palm Desert, CA 92201	
Proje	ct Tit	tle/Case No.:	Plot Plan No. PPT1	80020					
Proje	ct Lo	ocation:	50900 Seminole Di	. Cabazon	, CA	92230 (See attached map)			
maximum heig			maximum height	of 25 feet	on .	st to construct a 7,987 square foot sin 30 net acres. In addition, the project v shed Wheel Inn restaurant.			
Name	of P	ublic Agency Approv	ing Project: R	iverside C	ount	/ Planning Department		2	
Project Sponsor:			A	Ahmed Fejleh (Applicant)					
	/linist Decla	tatus: (Check one) terial (Sec. 21080(b)(1) red Emergency (Sec. 2 gency Project (Sec. 210	21080(b)(3); 15269(a	a))		Categorical Exemption (15301, 15303) Statutory Exemption () Other			

Reasons why project is exempt:

This project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15301 (Existing Facilities), which states: Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of an existing use. The existing site has already been utilized for ongoing retail and commercial uses at the site. Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyance would be required, which would not significantly expand the capability of the site or substantively increase the proposed use of the site beyond what already occurs. In this case, the proposed project would be constructed within the same location of the previously demolished restaurant building and has not proposed any significant construction or improvements for the project site. Therefore, the project as proposed, would not expand upon the previously permitted buildings, would not expand the use of the site beyond those uses that already occurred, and therefore the Project complies with the guidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15301 Class 1, Existing Facilities) and (Article 19, Section 15301 I. (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption. (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished. (3) A store, motel, office, restaurant, and similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use. (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

Additionally, this project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15303 (New Construction or Conversion of Small Structures). This section specifically exempts construction and location of new, small facilities or structures; and the conversion of existing small structures for one use or another where only minor modifications are made in the exterior of the structure. The Project includes the construction of 7,987 square foot retail building in the same location of the previous constructed 6,720 square foot restaurant. Therefore, the project as proposed, complies with the quidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15303 New Construction or Conversion of Small Structures).

None of the exceptions pursuant to State CEQA Guidelines section 15300.2 would occur. The Project would not have a significant effect on the environment due to unusual circumstances; would not result in a cumulative impact; would not impact any historic resources; and is not located on a hazardous site or location.

Travis Engelking	(951) 955-0417	
County Contact Person	Phone Nu	mber
Signature	<u>Urban Regional Planner II</u> Title	Date
Date Received for Filing and Posting at OPR:		
Please charge deposit fee case # Please charge depos	it fee case#:	
FOR COUNT	TY CLERK'S USE ONLY	



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

Juan C. Perez Agency Director

PPT180020

#### ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for PPT180020. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

#### **Advisory Notification**

#### Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this Plan (PPT180020) and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

#### Advisory Notification. 2 AND - Project Description & Operational Limits

Plot Plan No.180020 (PPT180020) is a request to construct a 7,987 square foot single-story retail building with a maximum height of 25 feet on .30 net acres. In addition, the project would be constructed in same location of the previous existing restaurant. The previous 6,720 square foot commercial building on the site was demolished in 2016.

#### Advisory Notification. 3 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED PLOT PLAN and EXHIBIT(S) Exhibit A - Site Plan - dated 04/27/2020

Exhibit B - Floor Plans - dated 04/27/2020

Exhibit C - Elevations - dated 04/27/2020

Exhibit G - Grading Plan - dated 04/27/2020

Exhibit L - Conceptual Landscaping and Irrigation Plans - 04/27/2020

Exhibit M - (Colors and Materials), dated 04/27/20

#### Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance

- 1. Compliance with applicable Federal Regulations, including, but not limited to:
  - National Pollutant Discharge Elimination System (NPDES)
  - Clean Water Act
  - Migratory Bird Treaty Act (MBTA)
- 2. Compliance with applicable State Regulations, including, but not limited to:
  - The current Water Quality Management Plan (WQMP) Permit issued by the Regional Water Quality Control Board (RWQCB.)

applicable

#### **Advisory Notification**

#### Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance (cont.)

- Government Code Section 66020 (90 Days to Protest)
- Government Code Section 66499.37 (Hold Harmless)
- State Subdivision Map Act
- Native American Cultural Resources, and Human Remains (Inadvertent Find)
- School District Impact Compliance
- 3. Compliance with applicable County Regulations, including, but not limited to:
- Ord. No. 348 (Land Use Planning and Zoning Regulations)
- Ord. No. 413 (Regulating Vehicle Parking)
- Ord. No. 421 (Excavation Covering & Swimming Pool Safety)
- Ord. No. 457 (Building Requirements)
- Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
- Ord. No. 484 (Control of Blowing Sand)
- Ord. No. 655 (Regulating Light Pollution)
- Ord. No. 671 (Consolidated Fees)
- Ord. No. 742 (Fugitive Dust/PM10 Emissions in Coachella Valley)
- Ord. No. 787 (Fire Code)
- Ord. No. 847 (Regulating Noise)
- Ord. No. 857 (Business Licensing)
- Ord. No. 859 (Water Efficient Landscape Requirements)
- Ord. No. 915 (Regulating Outdoor Lighting)

#### 4. Mitigation Fee Ordinances

- Ord. No. 659 Development Impact Fees (DIF)
- Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)
- Ord. No. 875 Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP)

#### **Fire**

#### Fire. 1 Fire

ACCESS Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

WATER Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

FIRE CONSTRUCTION PERMITS REQUIRED Submittal to the Office of the Fire Marshal for development, construction, installation and operational use

Fire

Fire. 1

Fire (cont.)

permitting will be required.

Flood

Flood, 1

**Flood Hazard Report** 

Plot Plan (PP) 180020 is a proposal for 7,987 square foot retail store and Cabazon Date Shake store on a 0.3-acre site in the Cabazon area. The previous commercial building, Wheel Inn Restaurant (PP14522), on the site was demolished. The site is located on the north side of Seminole Drive and west of Deep Creek Road on APN 519-190-030. The project site is not located within an Area Drainage Plan or Master Drainage Plan area.

The entire site is located within a FEMA Zone A floodplain delineated on Panel No. 06065C-0845G of the Flood Insurance Rate Maps (FIRM) issued in conjunction with the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA). The site is also within the floodplain based on the San Gorgonio River Special Study regulated by County Ordinance No. 458 Section 5. This floodplain is from flows coming out of Millard Canyon.

Per the Corp of Engineers report San Gorgonio River and Tributaries dated October 1974, the Millard Canyon creek upstream of the 10 Freeway at the canyon mouth has a tributary watershed of approximately 15.5 square miles with a 100-year discharge of 11,000 cfs. Per the AFFED mapping, the proposed building is within the depth-velocity factor of 1-3 feet\*ft/sec. There is an earthen berm upstream of the project site that diverts flows around the site to the east. The berm is not certified by FEMA nor publically maintained. The proposed retail store is on an elevated pad, the finished floor is 1.75 feet higher than the adjacent curb elevation.

Per Whitewater River WQMP guidance document, commercial and industrial developments of 100,000 square feet or more require a WQMP. The proposed retail store is less than the threshold and therefore does not require a WQMP. There is no significant change in discharge between the existing and proposed condition.

Any questions pertaining to this project can be directed to Deborah de Chambeau at 951.955.1214 or dldecham@rivco.org.

**Planning** 

Planning. 1

0010-Planning-PPA - MINIMUM PARKING FOR USE

A minimum of 40 parking spaces shall be provided in accordance with Section 18.12 of Riverside County Ordinance No. 348.

Planning. 2

0010-Planning-USE - PERMIT SIGNS SEPARATELY

No signs are approved pursuant to this project approval.

#### **Planning**

#### Planning. 2 0010-Planning-USE - PERMIT SIGNS SEPARATELY (cont.)

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

#### Planning. 3 015 - Planning - Business Licensing

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

#### Planning - Causes for Revocation

In the event the use hereby permitted under this permit is found:

- (a) to be in violation of the terms and conditions of this permit; and/or,
- (b) to have been obtained by fraud or perjured testimony; and/or,
- (c) to be detrimental to the public health, safety or general welfare, or is a public nuisance, then this permit shall be subject to revocation procedures.

#### Planning. 5 015 - Planning - Ceased Operations

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

#### Planning. 6 015 - Planning - Mt. Palomar Lighting Area

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

#### Planning. 7 015 - Planning - No Outdoor Advertising

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

#### Planning. 8 015 - Planning - No Resident Occupancy

No permanent occupancy shall be permitted within the property approved under this Plot Plan as a principal place of residence. No person, shall use the premises as a permanent mailing address nor be entitled to vote using an address within the premises as a place of residence.

#### Planning-PAL

#### Planning-PAL. 1 LOW PALEO POTENTIAL

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

- 1. All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
- 2. The owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.
- 3. The applicant shall retain a qualified paleontologist approved by the County of Riverside.
- 4. The paleontologist shall determine the significance of the encountered fossil remains.
- 5. Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.
- 6. If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
- 7. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. \* Per the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet.
- 8. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been

Planning-PAL

Planning-PAL. 1

**LOW PALEO POTENTIAL (cont.)** 

paid to the institution.

#### **Transportation**

#### Transportation. 1 TRANS. GENERAL CONDITIONS

- 1. With respect to the conditions of approval for the referenced tentative exhibit, it is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. This ordinance and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.
- 2. Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: http://rctlma.org/trans/. If you have questions, please call the Plan Check Section at (951) 955 6527.

#### **Waste Resources**

#### Waste Resources. 1 Waste General

-Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division. -AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler.
- Provide recycling service to their tenants (if commercial or multi-family complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14. For more information,

www.rivcowm.org/opencms/recycling/recycling\_and\_compost\_business.html#mandatory -Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project. -AB 1826 (effective April 1, 2016) requires businesses that generate 8 cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

#### **Waste Resources**

#### Waste Resources. 1 Waste General (cont.)

-Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility. -Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

Plan: PPT180020 Parcel: 519190030

#### 60. Prior To Grading Permit Issuance

E Health

060 - E Health. 1 Septic Abandonment

Not Satisfied

Properly abandon existing septic system under permit with Environmental Health prior to grading.

**Planning** 

060 - Planning. 1

060-Planning-USE - FEE STATUS

Not Satisfied

Prior to the issuance of grading permits for Plot Plan No. 180020, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

Transportation

060 - Transportation. 1

SUBMIT GRADING PLANS

Not Satisfied

The project proponent shall submit two sets of grading plans (24" x 36") to the Transportation Department for review and approval. If road right-of-way improvements are required, the project proponent shall submit street improvement plans for review and approval, open an IP account, and pay for all associated fees in order to clear this condition. The Standard plan check turnaround time is 10 working days. Approval is required prior to issuance of a grading permit.

#### 80. Prior To Building Permit Issuance

E Health

080 - E Health. 1 Food Plans

Not Satisfied

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with applicable California Health and Safety Code.

080 - E Health. 2 Sewer Will Serve

Not Satisfied

A "Will Serve" letter is required from the sewer agency serving the project.

080 - E Health. 3

Water Will Serve

Not Satisfied

A "Will-Serve" letter is required from the appropriate water agency.

Planning

080 - Planning. 1

080 - Planning - Conform to Elevations and Square Footage

Not Satisfied

Elevations and square footage of the structure submitted for building plan check approval shall be in substantial conformance with the elevations and square footage of the structure as shown on APPROVED EXHIBITS.

080 - Planning. 2

080 - Planning - Lighting Plans

Not Satisfied

All parking lot lights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Riverside County Ordinance No. 655 and the Riverside County Comprehensive General Plan.

080 - Planning. 3

080 - Planning - Roof Equipment Shielding

Not Satisfied

# Riverside County PLUS CONDITIONS OF APPROVAL

Plan: PPT180020 Parcel: 519190030

80. Prior To Building Permit Issuance

**Planning** 

080 - Planning. 3

080 - Planning - Roof Equipment Shielding (cont.)

Not Satisfied

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

080 - Planning. 4

080 - Planning - School Impact Fees

Not Satisfied

Impacts to the Banning Unified School District be addressed in accordance with California State law.

080 - Planning. 5

080- Planning - Colors and Materials

Not Satisfied

Prior to building permit issuance, the colors and materials selected for final construction of the building shall coordinate with the colors and materials as shown on APPROVED EXHIBIT

080 - Planning. 6

080- Planning - Fee Status

Not Satisfied

Prior to issuance of building permits for Plot Plan No. 180020, the Planning Department shall determine the status of the deposit based fees for project. If the case fees are in a negative state, the permit holder shall pay the outstanding balance.

Waste Resources

080 - Waste Resources. 1 Waste - Recyclables Collection and Loading Area

Not Satisfied

Prior to issuance of a building permit, the applicant shall submit one electronic (1) copy of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval to WastePlanning@rivco.org. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources, and shall show the location of and access to the collection area for recyclable materials, shall demonstrate space allocation for trash and recyclable materials and have the adequate signage indicating the location of each bin in the trash enclosure.

The project applicant is advised that clearance of the Recyclables Collection and Loading Area plot plan only satisfies the Waste Resources' conditions for Recyclables Collection and Loading Areas space allocation and other Recyclables Collection and Loading Area Guideline items. Detailed drawings of the Trash Enclosure and its particular construction details, e.g., building materials, location, construction methods etc., should be included as part of the Project plan submittal to the Riverside County Department of Building and Safety.

# 080 - Waste Resources. 2 Waste Recycling Plan

Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

Page 3

Plan: PPT180020 Parcel: 519190030

90. Prior to Building Final Inspection

E Health

090 - E Health. 1 E Health Clearance

Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health.

090 - E Health. 2 Hazmat Clearance

Not Satisfied

Obtain clearance from the Hazardous Materials Management Division.

**Planning** 

090 - Planning. 1

0090-Planning-MAP - TRASH ENCLOSURES

Not Satisfied

The land divider/permit holder shall construct one (1) trash enclosure which is adequate to enclose a minimum of two (2) waste bin[s] for the project. Additional enclosed area for the collection of recyclable materials shall be located within, near, or adjacent to each trash enclosure. This recycling collection area shall be a minimum of 50% of the area provided for the trash enclosure(s), or as approved by the County of Riverside Waste Resources Management District. All enclosures, recyclable collections areas, and incidental storage areas should be located away from residential uses and visually screened from surrounding areas with block walls and landscaping. All recycling bins shall be labeled with the universal recycling symbol, and with signage indicating to the users the type of material to be deposited in each bin. All enclosures shall be constructed as shown on Exhibit A prior to the issuance of occupancy permits.

090 - Planning. 2

0090-Planning-PPA - ACCESSIBLE PARKING

Not Satisfied

A minimum of two (2) handicapped parking space shall be provided as shown on Exhibit. Each parking space reserved for the handicapped shall be identified by a permanently affixed reflectorized sign constructed or porcelain or steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, ground or sidewalk. A sign shall also be posted in a conspicuous place at each entrance to the off-street parking facility, not less than 17 inches by 22 inches clearly and conspicuously stating the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically

# Riverside County PLUS CONDITIONS OF APPROVAL

Plan: PPT180020 Parcel: 519190030

90. Prior to Building Final Inspection

**Planning** 

090 - Planning. 2 0090-Planning-PPA - ACCESSIBLE PARKING (cont.) Not Satisfied handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at \_\_\_\_\_ or by telephoning \_\_\_\_\_."

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

090 - Planning. 3

0090-Planning-PPA - COMPLY W/ LANDSCAPING

**Not Satisfied** 

All required landscape planting and irrigation shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, the Riverside County Guide to California Landscaping, and Ordinance No. 859 (as adopted and any amendments thereto). All landscape and irrigation components shall be in a condition acceptable to the Planning Department through the implementation of the Department's Milestone 90 condition entitled "PPA - LNDSCP/IRRIG INSTALL INS." The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and determined to be in good working order.

090 - Planning. 4

0090-Planning-USE - CURBS ALONG PLANTERS

Not Satisfied

A six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

090 - Planning. 5

0090-Planning-USE - ORD 810 O S FEE (2)

Not Satisfied

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected. The Project Area for Plot Plan No. 180020 has been calculated to be .30 gross acres.

Plan: PPT180020 Parcel: 519190030

90. Prior to Building Final Inspection

090 - Planning. 6

0090-Planning-USE - ORD NO. 659 (DIF)

Not Satisfied

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for Plot Plan No. 180020 has been calculated to be .30 gross acres.

In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

090 - Planning. 7

0090-Planning-USE - PARKING PAVING MATERIAL

Not Satisfied

A minimum of 40 parking spaces shall be provided as shown on the APPROVED EXHIBIT, unless otherwise approved by the Planning Department. The parking area shall be surfaced with asphaltic concrete to current standards as approved by the Department of Building and Safety.

090 - Planning. 8

0090-Planning-USE - UTILITIES UNDERGROUND

Not Satisfied

All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

Page 6

Plan: PPT180020 Parcel: 519190030

90. Prior to Building Final Inspection

**Planning** 

090 - Planning. 8

0090-Planning-USE - UTILITIES UNDERGROUND (cont.)

Not Satisfied

**Transportation** 

090 - Transportation. 1 PAYMENT OF TRANSPORTATION FEES

Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay fees in accordance with the fee schedule in effect at the time of payment:

• Transportation Uniform Mitigation Fees (TUMF) in accordance with Ordinance No. 824.

#### Waste Resources

090 - Waste Resources. 1 Waste - Mandatory Commercial and Organics Recycling Compl Not Satisfied

Prior to final inspection, the applicant shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation. Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste Resources for approval. To obtain Form D, please contact the Recycling Section at 951-486-3200, or email to: Waste-CompostingRecycling@rivco.org.

090 - Waste Resources. 2 Waste - Recyclables Collection and Loading Area Inspection Not Satisfied Prior to final building inspection, the applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plot plan, as approved and verified through inspection by the Riverside County Department of Waste Resources.

090 - Waste Resources. 3 Waste Reporting Form and Receipts

Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.



# PLANNING DEPARTMENT

Charissa Leach P.E. Assistant TLMA Director

August 10, 2018

TO:

Imperial Consultant's Inc. C/O - Ahmed Fejleh

151 W. Tyler Place Brawley, CA 92227

CC:

Mustafa Bdaiwl

1431 Warner Avenue Tustin, CA 92780

FROM:

Jason Killebrew, Project Planner

Riverside County Planning Department

RE: Plot Plan No. 180020 (PPT180006), APN: 519-190-030, BBID: 145-091-939

**Project Description:** Plot Plan review for the construction of a 12,254 square foot building (includes a 4,267 square foot mezzanine) with a maximum height of 26 feet. The proposed building would include a retail market area, "Date Shake", and ancillary uses (office, conference room, storage, etc.). The proposed building would occupy a site that was previously occupied by a commercial building with a similar footprint. Records indicate that the existing building has already been demolished.

Project Location: North of 10 Interstate 10, East of Main Street

# Dear Applicant:

PPT180020 was scheduled for the comment only agenda from the Development Advisory Committee (DAC) on July 26, 2018. Enclosed are the resulting comments from the Riverside County Planning Department and all other available comments and some preliminary, recommended conditions of approval (Planning Case Progress Report). If desired, the applicant shall contact the project planner to request a full DAC meeting on future date.

NOTE: All comments are in addition to, and intended to compliment Ordinance No.'s 348 and 460 for the plot plan as well as all other applicable County Ordinances, Guidelines, and Policies which establish minimum requirements. At minimum, all requirements shall be satisfied even if they are not explicitly noted or identified in this comment letter.

# California Environmental Quality Act (CEQ180062):

The project is subject to the California Environmental Quality Act (CEQA). The purpose of CEQA is to inform government decision makers and the public about any potential significant environmental effects of the proposed project. As part of the project analysis, Riverside County as the lead agency, will conduct an Environmental Assessment (Initial Study) to determine if any significant environment impacts will occur as

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a result of the project. At this time, it is unclear if the project will result in an Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report.

#### **Exhibit Comments:**

Additional comments have been provided on Bluebeam. If you do not have Bluebeam access, please download using the following link: http://www.bluebeam.com/us/products/free-viewer/

Once you have downloaded, the following link will take you directly to the Bluebeam session. (Your Bluebeam session number is 145-091-939)

https://studio.bluebeam.com/join.html?ID=145-091-939

## **Agency Letters:**

All letters received from outside agencies have been provided in this package. The following agencies have provided comments:

# **Development Advisory Committee:**

# **CLEARED**

ARCHAEOLOGIST (CULTURAL) – Heather Thompson (951) 955-2873

BUILDING & SAFETY PLANCHECK – Craig Lobnow (951) 955-8578

ENVIRONMENTAL PROGRAMS DEPARTMENT (BIOLOGY) – Matthew Poonamallee (951) 955-2706

FIRE – Luke Milick (951) 955-4830

FLOOD CONTROL – Deborah de Chambeau (951) 955-1214

PALEONTOLOGY – Dan Walsh – (951) 955-6187

# CORRECTIONS

BUILDING & SAFETY GRADING – Sam Gonzalez (951) 955-1866
CURRENT PLANNING – Jason Killebrew (951) 955-3014
DEVELOPMENT REVIEW (TRANSPORTATION) – Tesfu Tadesse (951) 955-3789
ENVIRONMENTAL HEALTH – Mark Abbott (760) 863-7144
GEOLOGY – Dan Walsh – (951) 955-6187
LANDSCAPE- Mark Hughes – (951) 955-6767
TRANSPORTATION – Kevin Tsang (951) 955-6527
WASTE RESOURCES – Kinika Hesterly (951) 486-3283

# **Request for Additional Fees:**

As a reminder, The Riverside County Board of Supervisors has adopted ordinances to collect "Deposit-Based Fee" for the cost of reviewing this application. Cases with negative balances are locked and delayed from moving forward until all fees are paid. I will notify you when the account balance has been assessed for an additional deposit. This additional deposit will ensure a positive account balance and the continuous processing of your case.

# NOTE:

- 1. Deposit based fee cases are subject to additional charges.
- 2. Within 45 days of the final closure of any deposit based fee case, a full refund will be processed for those cases with a balance greater than \$5.00.
- Mitigation fee payment will be required prior to grading permit, building permit, or building permit final inspection as required per the Ordinances described in the General Site information of this document. Reference the identified ordinances and/or districts for fee information.

- 4. In accordance with the policy adopted by the Board of Supervisors on October 5, 1993, if there is no activity by an applicant on an application for more than one and less than two years, the application is abandoned, and any deposit fees remaining may be refunded.
- 5. Payments may be made to the County of Riverside Cashier.

## **Exhibits:**

Once all comments and/or clearances have been received from these departments, please submit **one** physical (1) set of amended maps/site plans, and **one** (1) set of elevations, floor, and landscaping plans, along with include electronic copies reflecting any requests, comments, and requirements, folded to dimensions of no greater than 8.5" x 14" along with a response letter addressing each comment. Colored digital images must also be provided for all landscape and elevation plans.

#### **Final Comments:**

Substantial revisions to the proposal after issuance of this letter, which do not conform to the comments of the letter, will invalidate the letter and a complete review will be required. Furthermore, failure to submit all required corrections, documentation, and special studies as described in the contents of this letter will slow down the review process. After site plans are amended, the project representative will make an appointment to resubmit a complete application package to the Project Planner, including all special studies, and fees.

Please address any Planning Department questions or concerns to Jason Killebrew at <a href="killebr@rctlma.org">killebr@rctlma.org</a> or call (951) 955-0314. Questions concerning other departments should be addressed to the individuals listed on the phone list provided. To schedule your project for a public hearing, all property tax assessments associated with this project must be paid.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT Charissa Leach P.E. Assistant TLMA Director

Jason Killebrew, Project Planner



# Charissa Leach, P.E. TLMA Assistant Director Community Development

# PLANNING DEPARTMENT

# **Planning Case Progress Report**

As of: August 09, 2018 4:56 pm

\*Please note this is a project status report current only at the time it was printed, and it is subject to change.

Project / Case Information: Current Status: LDC Review
Case Number: PPT180020 Planner: Jason Killebrew

Description: 12,254SF Retail Building including a Food Prep Area for Date Shakes

Situs Address: 50900 SEMINOLE DR

Project APN(s): 519190030

# **LDC Project Review Status:**

Cleared - Recommend Biology / Planning Matthew Poonamallee 07/06/2018
Approval

Corrections Waste Resources / Waste Resources Kinika Hesterly 07/06/2018

Transmittal received 7.02.18. KHesterly. Pending receipt of transmittal as of 6.28.18. KHesterly.

### Corrections:

General Correction General Used for general corrections

Corrective Action: Is a recycling/trash enclosure proposed? If not, how will recycling and trash be managed?

Corrections	Traffic Study / Transportation	Kevin Tsang	07/06/2018
Cleared - Recommend Approval	Assistant Fire Marshal / Office of the Fire Marshal	Luke Milick	07/06/2018
Cleared - Recommend Approval	Paleontology / Planning	Dan Walsh	07/06/2018

#### LOW PALEO POTENTIAL

Corrections Environmental Health / Environmental Mark Abbott 07/06/2018
Health

# Corrections:

General Correction General

**Environmental Health Corrections:** 

Submit a sewer "will serve" letter and submit revised exhibits which indicates sanitary sewer to be provided by Morongo Band of Mission Indians.

Corrective Action: N/A

Cleared - Recommend B&S Plancheck / Building & Safety Craig Lobnow 07/06/2018

Approval

Corrections Development Review / Transportation Kevin Tsang 07/06/2018

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Cleared - Recommend Approval	Cultural / Planning	Heather Thomson	07/06/2018
Assignment Pending	LSPC A Package / Transportation	Mark Hughes	07/06/2018
Corrections	Current / Planning	Jason Killebrew	07/06/2018

#### Corrections:

General Correction General

California Environmental Quality Act (CEQA)

Corrective Action: The project is subject to the California Environmental Quality Act (CEQA). The purpose of CEQA is to inform government decision makers and the public about any potential significant environmental effects of the proposed project. As part of the project analysis, Riverside County as the lead agency, will conduct an Environmental Assessment (Initial Study) to determine if any significant environmental impacts will occur as a result of the project. At this time, it is unclear if the project will result in an Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report (EIR). In order to properly analyze potential environmental effects, the project may be required to submit technical studies prepared by a licensed professional or firm. Examples of the types of studies that could be required to be submitted include but are not limited to: Air Quality (Greenhouse Gas), Noise, Traffic, Hydrology, Biology (Habitat Assessment), Geology (Soils), and Cultural Studies.

General Correction General Mechanical Equipment

Corrective Action: Show rooftop equipment on elevations and demonstrate how equipment will be screened from the ground elevation view to a minimum site distance of 1,320 feet.

General Correction General Floor Area Ration (FAR)

Corrective Action: The subject site has a General Plan Foundation Component of Community Development (CD), and a General Plan Land Use Designation of Commercial Retail (CR). The site is subject to a Floor Area Ratio (FAR) of .20 to .35 as identified for the Commercial Retail General Plan Land Use Designation. FAR is the ratio of the building's total gross floor area to the lot size. In this case, the maximum FAR for the .3 ac site would be 4,574 square feet, and a minimum FAR of 2,614. At this time, based on the application material, it appears that the project would be inconsistent with the FAR range as the project proposes to construct approximately 12,254 square feet, resulting in a FAR of .94. To ensure consistency, the plan shall include a FAR calculation table on the site plan, and the project square footage would need to be reduced.

General Correction General Alcohol Sales - Zoning

Corrective Action: The applicant shall indicate their intention of selling alcohol beverages. If the market proposes to sell alcohol, a Conditional Use Permit will be required to be submitted. In addition, the floor plan shall identify the intended alcohol sale areas.

General Correction General

Reciprocal Access Agreement/Shared Parking

Corrective Action: The applicant shall demonstrate legal access to the subject site from Seminole Drive. In addition, the application material has indicated that a shared parking agreement allows the subject site to utilize parking on the neighboring parcel. The applicant shall provide the shared parking agreement, which should be current and valid. The parking agreement shall indicate the specific use of the 22 spaces identified on the plan.

Sheet T-1 on the proposed project plan set shall include a parking table for the required parking vs. parking provided (including shared parking). Parking for general retail requires a minimum of one space for every 200 square feet or 20 spaces for the proposed 12,254 square foot building.

Sam Gonzalez

07/06/2018

Corrections:

B&S Grading / Building & Safety

General Correction General

Corrections

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#### Corrections/Comments

Corrective Action: CORRECTIONS: PPT1800020 Submittal 1

DATE: 07/25/2018

Contact person: Sam Gonzalez

PH: (951) 955-1866 EMAIL: sdgonzal@rivco.org

The Grading Division has reviewed the submitted exhibit for PPT180020. The review was performed on electronic submittal using Bluebeam software. For Grading Division Comments, please see Bluebeam Session ID: 145-094-939. In order to review the comments Bluebeam software is required. A viewer version of Bluebeam is available as a free download here: http://www.bluebeam.com/us/products/free-viewer/

Please contact your Riverside County Planner for an "Invite". Grading Comments:

- 1) Will the existing Rock retaining walls remain?
- 2) Provide permit number(s) for existing Rock retaining walls
- 3) Are both walls located off-site?

Cleared - Recommend Approval	Flood Control / Flood Control	Deborah de Chambeau	07/06/2018
Corrections	Geology / Planning	Dan Walsh	07/06/2018

PRIOR TO SCHEDULING THIS PROJECT FOR A PUBLIC HEARING/ACTION, THE FOLLOWING SPECIAL GEOLOGIC STUDIES SHALL BE SUBMITTED TO AND APPROVED BY THE COUNTY GEOLOGIST:

A geologic/geotechnical investigation report. The investigation shall address geologic hazards including, but not necessarily limited to, slope stability, rock fall hazards, landslide hazards, surface fault rupture, fissures, liquefaction potential, collapsible and/or expansive soils, hydroconsolidation, subsidence, wind and water erosion, debris flows, seiche, and groundshaking potential. For completeness and direct correlation to the proposed project, the consultant shall be provided the most recent copy of the project case exhibit (tract map, parcel map, plot plan, CUP, etc.) for incorporation into the consultant's report. Furthermore, the consultant shall plot all appropriate geologic and geotechnical data on this case exhibit and include it as an appendix/figure/plate in their report. The geologic/geotechnical investigation report shall be reviewed and approved by the County Engineering Geologist prior to scheduling this case for a public hearing.

Note: In order to initiate review of the subject report, acquisition of a County geologic report (GEO) number and submittal of review fees is required (DBF estimate is \$1224 for the proposed project). All reports (signed electronic copies in PDF format), Planning Geologic Report application (case sub-type GEO3) and deposit base fee payment should be submitted, in person by the applicant or their representative, at one of the County's two main offices (Riverside, Palm Desert). These items should be submitted at the Land Use counter. Alternatively, after submitting the GEO application and review fees to the Land Use counter, reports may be emailed to the County Geologist directly at dwalsh@rivco.org. The issued GEO number should be referenced with all correspondence. The GEO application and/or payments should not be given to the Planner or County Geologist directly.

The applicant and their consultant should also be aware that County Ordinance 457.98 requires a grading permit for any exploratory excavations consisting of 1000 cubic yards or greater in any one location of one acre or more. This applies to all trenching, borings and any access road clearing/construction that may be necessary.

Corrections:

General Correction General

PRIOR TO SCHEDULING THIS PROJECT FOR A PUBLIC HEARING/ACTION, THE FOLLOWING SPECIAL GEOLOGIC STUDIES SHALL BE SUBMITTED TO AND APPROVED BY THE COUNTY GEOLOGIST:

A geologic/geotechnical investigation report. The investigation shall address geologic hazards including, but not necessarily limited to, slope stability, rock fall hazards, landslide hazards, surface fault rupture, fissures, liquefaction potential, collapsible and/or expansive soils, hydroconsolidation, subsidence, wind and water erosion, debris flows, seiche, and groundshaking potential. For completeness and direct correlation to the proposed project, the consultant shall be provided the most recent copy of the project case exhibit (tract map, parcel map, plot plan, CUP, etc.) for incorporation into the consultant's report. Furthermore, the consultant shall plot all appropriate geologic and geotechnical data on this case exhibit and include it as an appendix/figure/plate in their report. The geologic/geotechnical investigation report shall be reviewed and approved by the County Engineering Geologist prior to scheduling this case for a public hearing.

Note: In order to initiate review of the subject report, acquisition of a County geologic report (GEO) number and submittal of review fees is required (DBF estimate is \$1224 for the proposed project). All reports (signed electronic copies in PDF format), Planning Geologic Report application (case sub-type GEO3) and deposit base fee payment should be submitted, in person by the applicant or their representative, at one of the County's two main offices (Riverside, Palm Desert). These items should be submitted at the Land Use counter. Alternatively, after submitting the GEO application and review fees to the Land Use counter, reports may be emailed to the County Geologist directly at dwalsh@rivco.org. The issued GEO number should be referenced with all correspondence. The GEO application and/or payments should not be given to the Planner or County Geologist directly.

The applicant and their consultant should also be aware that County Ordinance 457.98 requires a grading permit for any exploratory excavations consisting of 1000 cubic yards or greater in any one location of one acre or more. This applies to all trenching, borings and any access road clearing/construction that may be necessary.

Corrective Action: N/A

**Assignment Pending** 

Project Manager / Planning

07/06/2018

## Conditions of Approval

060 - E Health

Septic Abandonment

Properly abandon existing septic system under permit with Environmental Health prior to grading.

080 - E Health

Food Plans

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with applicable California Health and Safety Code.

080 - E Health

Sewer Will Serve

A "Will Serve" letter is required from the sewer agency serving the project.

080 - E Health

Water Will Serve

A "Will-Serve" letter is required from the appropriate water agency.

080 - Waste Resources

Waste Recycling Plan

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

090 - E Health

E Health Clearance

Prior to building permit final, clearance must be obtained from the Department of Environmental Health.

090 - E Health

**Hazmat Clearance** 

Obtain clearance from the Hazardous Materials Management Division.

090 - Waste Resources

Waste Reporting Form and Receipts

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

### **Advisory Notice Document**

015 - Fire

Fire

#### **ACCESS**

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

#### WATER

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

# FIRE CONSTRUCTION PERMITS REQUIRED

Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required.

015 - Flood

Flood Hazard Report

Plot Plan (PP) 180020 is a proposal for 12,254 square foot retail store and Cabazon Date Shake store on a 0.3-acre site in the Cabazon area. The previous commercial building, Wheel Inn Restaurant (PP14522), on the site was demolished. The site is located on the north side of Seminole Drive and west of Deep Creek Road on APN 519-190-030. The project site is not located within an Area Drainage Plan or Master Drainage Plan area.

The entire site is located within a FEMA Zone A floodplain delineated on Panel No. 06065C-0845G of the Flood Insurance Rate Maps (FIRM) issued in conjunction with the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA). The site is also within the floodplain based on the San Gorgonio River Special Study regulated by County Ordinance No. 458 Section 5. This floodplain is from flows coming out of Millard Canyon.

Per the Corp of Engineers report San Gorgonio River and Tributaries dated October 1974, the Millard Canyon creek upstream of the 10 Freeway at the canyon mouth has a tributary watershed of approximately 15.5 square miles with a 100-year discharge of 11,000 cfs. Per the AFFED mapping, the proposed building is within the depth-velocity factor of 1-3 feet\*ft/sec. There is an earthen berm upstream of the project site that diverts flows around the site to the east. The berm is not certified by FEMA nor publically maintained. The proposed retail store is on an elevated pad, the finished floor is 1.75 feet higher than the adjacent curb elevation.

Per Whitewater River WQMP guidance document, commercial and industrial developments of 100,000 square feet or more require a WQMP. The proposed retail store is less than the threshold and therefore does not require a WQMP. There is no significant change in discharge between the existing and proposed condition.

Any questions pertaining to this project can be directed to Deborah de Chambeau at 951.955.1214 or didecham@rivco.org.

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

- 1. All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
- 2. The owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.
- 3. The applicant shall retain a qualified paleontologist approved by the County of Riverside.
- 4. The paleontologist shall determine the significance of the encountered fossil remains.
- 5. Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.
- 6. If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
- 7. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. \* Per the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet.
- 8. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.

Comments: RECOMMEND DWALSH 20180720

#### 015 - Waste Resources Waste General

- -Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division.
- -AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler.
- Provide recycling service to their tenants (if commercial or multi-family complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information, please visit:

www.rivcowm.org/opencms/recycling/recycling\_and\_compost\_business.html#mandatory

- -Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.
- -AB 1826 (effective April 1, 2016) requires businesses that generate 8 cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
- -Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
- -Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP Flanning Director

# APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:		
	ILIC USE PERMIT IPORARY USE PERMIT	☐ VARIANCE
REVISED PERMIT Original Case No.		
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.		
APPLICATION INFORMATION		
Applicant Name: AHMED FEILE	H/IMPERIAL	COUSULTANTS ING
Contact Person: AHMED FELL	E-Mail:	should estellamsn.com
Mailing Address: 675 8461	BRUSH ST	
MPERIAL City	Street State	ZIP
Daytime Phone No: (209) 559-7	274 Fax No:	
Engineer/Representative Name:MUSTAN	FA RDAINIL CA	DCHITROS)
Contact Person: MUSTAFA	SDAW1 E-Mail:	mbarchire Pynail.com
Mailing Address: [4/31 ]A/AG	SMER AVE -	<u>#6</u>
City	State	92780 ZIP
Daytime Phone No: (949) 300 - 7		
Property Owner Name:	CONSULTANT	5 16c
Contact Person:	CLEH E-Mail: 4	hmoolfeileh Omsnicon
Mailing Address: 675 SA	Street	
Mailing Address: 675 S.S.	State	9225] ZIP
Daytime Phone No: (939) _559-		()
Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811	Palm De	'7-588 El Duna Court, Suite H sert, California 92211 277 · Fax (7양)) 863-7555

"Planning Our Future... Preserving Our Past"

APPLICATION FOR LAND USE AND DEVELOPMENT
Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the use permit type and number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.
AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:
I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.
(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the use permit is ready for public hearing.)
PRINTED NAME OF PROPERTY OWNER(S)  SIGNATURE OF PROPERTY OWNER(S)
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)
The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.
AUTHORIZATION FOR CONCURRENT FEE TRANSFER
The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.
PROPERTY INFORMATION:
Assessor's Parcel Number(s): 519-190-036
Approximate Gross Acreage:
General location (nearby or cross streets): North of, South of
, East of, West of

### APPLICATION FOR LAND USE AND DEVELOPMENT PROJECT PROPOSAL: Describe the proposed project. TO ROLLD 11,600 SOF ET RETAIL STORE & DATE SHAKR Identify the applicable Ordinance No. 348 Section and Subsection reference(s) describing the proposed land use(s): Number of existing lots: \_\_\_ EXISTING Buildings/Structures: Yes No Square Bldg. No.\* Height **Stories Use/Function** To be Removed Feet Permit No. 1 2 3 4 5 6 8 9 10 Place check in the applicable row, if building or structure is proposed to be removed. PROPOSED Buildings/Structures: Yes Mo Square Height **Stories** Mo.\* Use/Function Feet 11,600 1 GROCKRY STORK & DATE SHAKE W/OFFICES & STORAGE 2 3 4 5 6 8 9 10

PROPOSED Outdoor Uses/Areas: Yes No 2		
No.*	Square Feet	<b>Use/Function</b>
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APPLICATION FOR LAND USE AND DEVELOPMENT
6 7
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16
* Match to Buildings/Structures/Outdoor Uses/Areas identified on Exhibit "A".
Check this box if additional buildings/structures exist or are proposed, and attach additional page(s) to identify them.)
Related cases filed in conjunction with this application:
Are there previous development applications filed on the subject property: Yes No
if yes, provide Application No(s)
(e.g. Tentative Parcel Map, Zone Change, etc.)
Initial Study (EA) No. (if known) EIR No. (if applicable):
Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes   No
If yes, indicate the type of report(s) and provide a signed copy(ies):
Is the project located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944? Yes No
is this an application for a development permit? Yes 🖾 No 🗔
If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.
If not known, please refer to <u>Riverside County's Map My County website</u> to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer — then select the "Watershed" sub-layer)
If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.
Santa Ana River/San Jacinto Valley
Santa Margarita River
Whitewater River
Form 295-1010 (06/06/16)

if the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

HAZARDOUS WASTE AND SUBSTANCES STATEMENT
The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to <a href="Section 65962.5">Section 65962.5</a> of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:
Name of Applicant:
Address:
Phone number:
Address of site (street name and number if available, and ZIP Code):
Local Agency: County of Riverside
Assessor's Book Page, and Parcel Number:
Specify any list pursuant to Section 65962.5 of the Government Code:
Regulatory Identification number:
Date of list:
Applicant: Date
HAZARDOUS MATERIALS DISCLOSURE STATEMENT  Government Code Section 65850.2 requires the owner or authorized agent for any development project
Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:  1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the
Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:  1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County.  2. The proposed project will have more than a threshold quantity of a regulated substance in a
HAZARDOUS MATERIALS DISCLOSURE STATEMENT  Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:  1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County. Yes ☐ No ☐  2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions. Yes ☐ No ☐

# APPLICATION FOR LAND USE AND DEVELOPMENT

This completed application form, together with all of the listed requirements provided on the Land Use and Development Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1010 Land Use and Development Condensed Application.docx
Created: 04/29/2015 Revised: 05/06/2016



# PLANNING DEPARTMENT

# INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

The owner(s) of the property, at their own expense, agree to defend, Indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any tentative map (tract or parcel), revised map, map minor change, reversion to acreage, conditional use permit, public use permit, surface mining permit, WECS permit, hazardous waste siting permit, temporary outdoor event permit, plot plan, substantial conformance, revised permit, variance, setback adjustment, general plan amendment, specific plan, specific plan amendment, specific plan substantial conformance, zoning amendments, and any associated environmental documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of sult, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

Property Owner(s) Signature(s) and Date

PRINTED NAME of Property Owner(s)

If the property is owned by multiple owners, the paragraph above must be signed by each owner.

Attach additional sheets, if necessary.

If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:

- If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filled with the California Secretary of State.
- If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.
- If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a
  corporate resolution documenting which officers have authority to bind the corporation and to sign
  on its behalf. The corporation must also be in good standing with the California Secretary of State.
- If the property owner is a trust, provide a copy of the trust certificate.

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

# INDEMNIFICATION AGREEMENT PROPERTY OWNER INFORMATION

• If the property eviner is a Limited Liability Corporation, provide a copy of the operating agreement for the LLC documenting who has authority to bind the LLC and to sign on its behalf.

If the signing entity is also a corporate entity, Limited Liability Company, partnership or trust, the above documentation must also be submitted with this application. For any out of State legal entities, provide documentation showing registration with the California Secretary of State.

In addition to the above, provide a copy of a Preliminary Title Report for the property subject to this application. The Preliminary Title Report must be issued by a title company licensed to conduct business in the State of California and dated less than six months prior to the date of submittal of this application. The Assistant TLMA Director may waive the requirement for a Preliminary Title Report if it can be shown to the satisfaction of the Assistant TLMA Director that the property owner(s) has owned the property consistently for at least the last five years.

### ONLY FOR WIRELESS PROJECTS (SEE BELOW)

If the application is for a plot plan for a Wireless Communication Facility, the property owner(s) and the cellular service provider must sign the indemnification paragraph above. If the application is for a plot plan for a wireless communication co-location, only the co-locating service provider needs to sign the indemnification paragraph above.

## NOTICE OF PUBLIC HEARING

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

PLOT PLAN NO. 180020 (PPT180020) – Exempt from the California Environmental Quality Act (CEQA), pursuant to the State CEQA Guidelines Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) – CEQ180062 – Applicant: Imperial Consultants Inc. c/o Ahmed Fieleh – Architect/Representative: Tarek Abdelhady – Owner: Imperial Consultants Inc. c/o Ahmed Fejleh – Fifth Supervisorial District – Cabazon District – The Pass Area Plan: Community Development: Commercial Retail (CD-CR) (0.20-0.35 FAR) – Location: Northerly of Interstate 10 and along the northwesterly corner of Seminole Drive and Deep Creek Road – .3 Acres – Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: Plot Plan application is a request to construct a 7,987 sq. ft. single-story retail building with a maximum height of 25 feet on .30 net acres. In addition, the project would be constructed in same location of the previously demolished Wheel Inn restaurant.

TIME OF HEARING: 1:30 pm or as soon as possible thereafter

DATE OF HEARING: JUNE 1, 2020

PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER

1ST FLOOR, CONFERENCE ROOM 2A

4080 LEMON STREET, RIVERSIDE, CA 92501

Pursuant to Executive Order N-25-20, this meeting will be conducted by teleconference and at the Place of Hearing, as listed above. Public access to the meeting location will be allowed, but limited to comply with the Executive Order. Information on how to participate in the hearing will be available on the Planning Department website at: <a href="https://planning.rctlma.org/">https://planning.rctlma.org/</a>.

For further information regarding this project, please contact Project Planner: Travis Engelking at (951) 955-1417 or email at <a href="mailto:TEngelki@rivco.org">TEngelki@rivco.org</a>, or go to the County Planning Department's Director's Hearing agenda web page at <a href="http://planning.rctlma.org/PublicHearings.aspx">http://planning.rctlma.org/PublicHearings.aspx</a>.

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

The case file for the proposed project is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment on the proposed project may submit their comments in writing by mail or email, or by phone between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. Please note that access to the meeting is limited. All comments received prior to the public hearing will be submitted to the Planning Director for consideration, in addition to any oral testimony, before making a decision on the proposed project. All correspondence received prior and during the meeting will be distributed to the Planning Director and retained for the official record.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Director 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: Travis Engelking

P.O. Box 1409, Riverside, CA 92502-1409

# PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on April 29, 2020,
The attached property owners list was prepared by Riverside County GIS
APN (s) or case numbers PPT180020 for
Company or Individual's Name RCIT - GIS
Distance buffered 2400'
Pursuant to application requirements furnished by the Riverside County Planning Departmen
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 2
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 identifie
off-site access/improvements, said list includes a complete and true compilation of the names an
mailing addresses of the owners of all property that is adjacent to the proposed off-sit
improvement/alignment.
I further certify that the information filed is true and correct to the best of my knowledge.
understand that incorrect or incomplete information may be grounds for rejection or denial of th
application.
TITLE: GIS Analyst
ADDRESS: 4080 Lemon Street 9 <sup>TH</sup> Floor
Riverside, Ca. 92502
TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

# **Riverside County GIS Mailing Labels**

PPT180020 ( 2400 feet buffer )





1,505

# Legend

County Boundary
Cities

World Street Map

# **Notes**





3,009 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.

REPORT PRINTED ON... 4/28/2020 4:44:14 PM

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519180001 REX HENDRIX P O BOX 6060 ATASCADERO CA 93423 519180018 USA BIA 2800 COTTAGE WAY SACRAMENTO CA 95825

519180026 MKA CABAZON PARTNERSHIP 2651 IRVINE AVE 141 COSTA MESA CA 92627 519190001 NINO REAL ESTATE INV PO BOX 277 BEAUMONT CA 92223

519190005 SC RETAIL 1800 W KATELLA AVE ORANGE CA 92867 519190009 DESERT VIEW FINANCIAL 160 GREENTREE DR STE 101 DOVER DE 19904

519190012 JACK DEMPSEY BURK P O BOX 519 TEMPLE CITY CA 91780 519190022 RIVERSIDE COUNTY FLOOD CONT 1995 MARKET ST RIVERSIDE CA 92501

519190024 ELENOR SANTIAGO 6240 TOPAZ ST RANCHO CUCAMONGA CA 91701 519190025 PACIFIC TELEPHONE & TELEGRAPH CO 140 NEW MONTGOMERY ST SAN FRANCISCO CA 94105

519190026 AT & T COMMUNICATIONS CALIF INC 340 MT KEMBLE AVE MORRISTOWN NJ 07960 519190030 IMPERIAL CONSULTANTS INC 675 SAGEBRUSH ST IMPERIAL CA 92251

519190031 JAE & SUN INV 7101 PLAYA VISTA NO 316 PLAYA VISTA CA 90066 519190032 KENNY WU 2290 HUNTINGTON DR NO 100 SAN MARINO CA 91108 519190033 WILLIAM ESTANISLAU 18862 COUNTRY CLUB LN YORBA LINDA CA 92886 519190036 CABAZON FAMILY PARTNERSHIP NO 1 2651 IRVINE AVE STE 141 COSTA MESA CA 92627

519190038 DESERT LAND INV 160 GREENTREE DR STE 101 DOVER DE 19904 519190043 RIVERSIDE CABAZON TRUST 888 721 S HARBOR BLV FULLERTON CA 92832

519190046 CABA 7 IRREVOCABLE TRUST 721 S HARBOR BLV FULLERTON CA 92832 523140014 SOUTHERN PACIFIC TRANSPORTATION CO 1700 FARNAM ST 10TH FL S OMAHA NE 68102

525020001 FORTINO PERALTA ESTEBAN 1509 SCOTT AVE POMONA CA 91767 525020002 ESPOSITO RITA 3960 S HIGUERA ST NO 158 SAN LUIS OBISPO CA 93401

525020003 FRANK P. ESPOSITO 1905 E FOOTHILL GLENDORA CA 91741 525020004 NEIL DILELLO 5342 RUNNING FAWN CT RANCHO CUCAMONGA CA 91737

525020005 JAAR PO BOX 1478 BANNING CA 92220 526060005 MORONGO BAND OF MISSION INDIANS 12700 PUMARRA RD BANNING CA 92220

526060014 GNAZZO BARBARA J TRUST DATED 2/16/2006 2419 UNICORNIO ST CARLSBAD CA 92009 526070002 MONICA HILL 14089 ALMOND ST CABAZON CA 92230 526070003 MONICA NICOLE VARELA 637 MICHIGAN AVE BEAUMONT CA 92223

Richard Drury Komalpreet Toor Lozeau Drury, LLP 1939 Harrison Street, Suite 150 Oakland, CA 94612 526090003 ANNETTE RIVAS 79321 PORT ROYAL BERMUDA DUNES CA 92203

Kirkland West Habitat Defense Council PO Box 7821 Laguna Niguel, Ca, 92607-7821