



Staff Report

TO: Planning Commissioners

FROM: Carole Kendrick, Senior Planner

DATE: July 14, 2020

SUBJECT: **Conditional Use Permit CUP2018-0021 and Plot Plan PP2018-0119 to Construct and Operate a Gas Station with Nine (9) Fuel Pumps, a 6,700 Square Foot Canopy, 3,800 Square Foot Convenience Store with an Off-Sale General License (Type 20) for the Sale of Beer and Wine, and an Attached 1,500 Square Foot Car Wash and a Stand-Alone 4,000 Square Foot Drive-Thru Restaurant on a Proposed 3.03 Acre-Site Located on the North Side of Desert Lawn Drive East of Oak Valley Village Center and West of the I-10 Freeway (APNs 414-090-005 and -007) in the Community Commercial (CC) Zone and Adoption of a Mitigated Negative Declaration (SCH# 2020060170)**

APPLICANT: Beaumont Landing LLC

Background and Analysis:

The proposed project is requesting approval of a Conditional Use Permit and Plot Plan to construct and operate a gas station with nine (9) fuel pumps (18 fueling positions), a 6,700 square foot canopy, 3,800 square foot convenience store with an off-sale general license (Type 20) for the sale of beer and wine, and an attached 1,500 square foot car wash and a stand-alone 4,000 square foot drive-thru restaurant on a proposed 3.03-acre site located on the north side of Desert Lawn Drive, east of Oak Valley Parkway and west side of the I-10 Freeway. The site is zoned Community Commercial (CC) as is the surrounding properties, except for the property to the south, which is zoned Manufacturing (M).

Project Setting:

The 3.03-acre site is currently vacant with existing natural vegetation. The parcels to the north, south east and west are currently vacant with the exception of the I-10 freeway on-ramp located on the north side of the subject property. Approximately 850 feet to the northwest of the site is the existing Holiday Inn Express. The Shadow Creek

single family residential community is located approximately 1,100 feet to the west. The Aim All storage facility is located approximately 2,200 feet east of the project site at the terminus of Desert Lawn Drive.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment D)
- Zoning Map (Attachment E)
- Aerial Photograph (Attachment F)
- Site Photographs (Attachment G)

The land uses, zoning, and general plan land use designations of the project site and surrounding area are shown in the following table.

	LAND USE	GENERAL PLAN	ZONING
PROJECT SITE	Vacant Land	CC (Community Commercial)	CC (Community Commercial)
NORTH	Vacant Land	CC (Community Commercial)	CC (Community Commercial)
SOUTH	Vacant Land	I (Industrial)	M (Manufacturing)
EAST	Vacant Land	CC (Community Commercial)	CC (Community Commercial)
WEST	Vacant Land	CC (Community Commercial)	CC (Community Commercial)

Site Design:

The proposed project consists of two (2) retail commercial buildings including an attached carwash tunnel with a total square footage of 9,300 square feet to be constructed in two (2) phases. The commercial project includes the construction of a

3,800 square foot convenience store with beer and wine sales that also includes a 1,500 square foot carwash tunnel, nine (9) fuel pumps that provide 18 fueling stations under a 6,700 square foot fuel canopy, and a 4,000 square drive-thru restaurant. The convenience store, quick service retail and drive-thru restaurant are proposed on the north side of the proposed realigned Desert Lawn Drive with the canopy and fuel pumps located on the corner of Oak Valley Parkway and Desert Lawn Drive. The applicant has identified AM/PM as the convenience store operator and Arco as the fuel provider.

The drive-thru restaurant pad has not identified an end-user at this time, but the proposed design includes a combination single and dual lane drive-thru that begins on the east side of the building and wraps along the north side of the building.

The eastern portion of the property, north of the proposed realigned Desert Lawn Drive, is not proposed for development at this time and has not been analyzed as part of the Initial Study/Mitigated Negative Declaration. Future development of this area will require the appropriate planning entitlements and CEQA review (see Condition No. 31).

On the south side of the proposed realigned Desert Lawn Drive, the applicant is proposing a water quality infiltration basin in addition to dedicating 0.35 acres for conservation related to Noble Creek, as identified in Joint Project Review 19-05-02-01 approved by the Riverside Conservation Authority on February 6, 2020.

The attached development plans (Attachment C) include the site layout, grading, floor plans, elevations, conceptual landscaping and conceptual signage.

Architecture:

The proposed Beaumont Landing project will utilize a contemporary style of architecture that includes varied rooflines to create visual interest. The exterior accents include an aluminum composite material designed to provide the appearance of wood materials, metal cantilever awnings, decorative lighting. The building also proposes multiple planes to add variety and has building heights that vary between 19 to 25 feet.

The proposed retail project consists primarily of stucco, aluminum composite materials, and metal accents. Exterior finish treatments are comprised of a mixture of paint stucco in white and grey tones, aluminum composite materials in orange and brown tones. Exterior accents and trim include aluminum composite materials, cornices, metal cantilever awnings, decorative lighting and bandings.

Circulation and Parking:

The project area is immediately east of Oak Valley Parkway between the Interstate 10 on the north and the Southern Pacific/Union Pacific tracks on the south. Forest Lawn Drive transects the development area from west to east. The applicant desires to realign Forest Lawn Drive to the south and develop the vacated property with commercial retail project. The project has been conditioned that a Road Vacation and Lot Line Adjustment will be required prior to the issuance of grading permit.

A Traffic Impact Analysis was prepared by LSA Associates, Inc. in December of 2018. The retail project is proposing two (2) driveways along Desert Lawn Drive with full turning movements. The traffic analysis is also requiring that the project install a traffic signal at Desert Lawn Drive and Oak Valley Parkway.

Per Beaumont Municipal Code Table 17.05-1. gasoline service stations are required to provide one (1) parking space per each 200 square feet of gross floor area, plus any additional spaces required for accessory uses such as retail or food service. The proposed service station requires 19 parking spaces. Fast food restaurants are calculated at one (1) space per 100 square feet of gross floor area. The proposed drive-thru restaurant will require a minimum of 40 parking spaces. The project is required to provide 59 parking spaces and is proposing 60 spaces not including the 18 fueling spaces under the canopy.

Hours of Operation:

The convenience store, gas station, and carwash are proposing a 24-hour operation. General deliveries for the convenience store will occur on a daily basis between 6am and 2pm and fuel deliveries are dependent on the truck's schedule. The carwash operation will receive bi-weekly soap deliveries between 8am and 4pm.

The quick service restaurant does not have a tenant currently identified; therefore, operational characteristics are not available.

Alcohol Sales:

The applicant is also proposing the sale of alcohol in the proposed convenience store with an Off-Sale Type 20 (beer and wine only) State of California Alcohol license. According to Alcohol Beverage Control, one (1) Off-sale license is allowed in Census Tract 438.22, based on current population ratios, and currently there are two (2) Off-sale licenses issued to Beaumont Service Station at 97 Beaumont Avenue and

Fisherman's Retreat in Calimesa (see Attachment H). Therefore, a Public Convenience and Necessity (PCN) determination will be required and the applicant has provided a letter to justify the need for the PCN which is included as Attachment H to this staff report.

The proposed use is located at least 600 feet, as measured from property line to property line, from existing public or private schools, public parks, or places of worship. The subject property is located 2,500 feet from Shadow Creek Park and, 7,500 feet from the Fellowship in the Pass Church. The nearest school is Three Rings Ranch Elementary School and is approximately 4,700 feet from the project site.

Multi-Species Habitat Conservation Plan (MSHCP):

A 4.96-acre project site (including on and off-site acreage) is located within MSHCP Criteria Cell 940. The project was reviewed by the Riverside Conservation Authority (RCA) and Wildlife Agencies as part of a Joint Project Review (JPR#19-05-02-01).

On February 6, 2020 the project was found to be consistent with the criteria cell and other plan elements subject to proposed mitigation, that is included as part of the Mitigation Monitoring and Reporting Program (MMRP) included in the Mitigated Negative Declaration (MND) and is included in Attachment A. General mitigation is provided through payment of the MSHCP Mitigation Fee.

Development Review Committee (DRC):

The Development Review Committee reviewed for the project for design. Staff from the various City departments provided written comments that have been incorporated into the proposed conditions of approval.

Environmental Documentation:

An Initial Study/Mitigated Negative Declaration was prepared for the project in accordance with the provisions of the California Environmental Quality Act (CEQA). The Initial Study/Mitigated Negative Declaration document was based upon the City standard checklist and addressed a full range of environmental topics.

The findings of environmental process are that all significant issues can be mitigated to a level of insignificance with respect to local and regional standards and thresholds. In order to achieve the level of insignificance, a series of mitigation measures are proposed (Condition Nos. 106-113).

To ensure that these measures are properly enacted, a mitigation monitoring program is necessary and would be enforced during the construction and operation of the project, if approved.

The Draft Initial Study/Mitigated Negative Declaration was circulated for a 30-day public review period from June 10, 2020 through July 10, 2020 and is included as Attachment A to this staff report. Staff received agency comments from the Riverside Transit Agency (RTA), Riverside County Flood Control and Water Conservation District and the Rincon Band of Luiseno Indians indicating that they had no comments regarding the draft document. The staff report will be published prior to end of the comment period and any comments received after the publication of the staff report will be provided to the Planning Commission prior to the public hearing.

Planning Commission Authority:

The Community Commercial zone allows gas/service stations and drive-thru fast food restaurants as conditionally permitted uses, per Table 17.03-3, subject to approval of a Conditional Use Permit. The Beaumont Municipal Code Section 17.02.100.F authorizes the Planning Commission to approve, conditionally approve, or deny the application.

A Plot Plan is required per Section 10.02.070 to establish a new land use, or to assume an existing land use, consistent with the zoning of the proposed location and requires a public hearing conducted by the Planning Commission. The Beaumont Municipal Code Section 17.02.070.F authorizes the Planning Commission to approve, conditionally approve, or deny the application.

The Planning Commission's decision is final unless appealed to the City Council within 15 calendar days of the commission decision. In approving or denying the proposed Plot Plan and Conditional Use Permit, the Commission must make the required "findings" pursuant to the Beaumont Municipal Code.

Conditional Use Permit Findings:

The Planning Commission may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided that all of the following findings of fact are made:

1. The proposed uses conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance.

The project is subject to and is consistent with the Development Standards for the Community Commercial (CC) zone. The zoning allows gas/service stations and drive-thru fast food restaurants subject to a Conditional Use Permit.

2. The proposed uses would not impair the integrity and character of the zone in which it is to be located.

The subject property is zoned Community Commercial (CC) which allows gas/service stations and drive-thru restaurants subject to a Conditional Use Permit. The site is located in an area that is surrounded by Community Commercial (CC) and Manufacturing (M) zoned properties and will not impair the integrity or character of the zone.

3. The subject site is physically suitable for the type of land use being proposed.

The site is depressed from the existing alignment of Desert Lawn Drive and the I-10 on-ramp and freeway. The project is proposing to raise the grade of the site and realign Desert Lawn Drive to accommodate the development. The project is in a commercial area that is partially developed with commercial uses on the northwest side of the I-10 Freeway and Oak Valley Parkway and is suitable for commercial development.

4. The proposed uses are compatible with the land uses presently on the subject property.

The site is currently vacant but is zoned Community Commercial and the proposed uses are allowed subject to approval of a Conditional Use Permit.

5. The proposed uses would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.

The zoning and land use designation for the project site is Community Commercial (CC). The proposed project is surrounded by property that is commercial and manufacturing zoned and designated as commercial and industrial by the General Plan. The site is surrounded by vacant land and the I-10 Freeway, which has an eastbound ramp located north of the project site. The proposed uses are compatible with the adjacent freeway and surrounding commercial and manufacturing zoned properties.

6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The site is served by the Beaumont-Cherry Valley Water District for water services and the City of Beaumont for sewer disposal system. Electricity will be provided by Southern California Edison and natural gas will be provided by the Southern California Gas Company. Solid waste and refuse services are provided by Waste Management, Inc. on behalf of the City of Beaumont. The site can be adequately served and will not be detrimental to public health and safety.

7. There would be adequate provisions for public access to serve the subject proposal.

There is adequate access to the site as determined by the City's public safety departments. The site has access from Oak Valley Parkway and Desert Lawn Road. The subject property is also adjacent to the eastbound ramp to the I-10 Freeway.

8. The proposed use is consistent with the objectives, policies, general land uses, and programs of the City of Beaumont General Plan.

The proposed project is in conformance with the General Plan for the City of Beaumont. The land use designation for the project site is Community Commercial (CC). The proposed development is consistent with the General Plan policies.

9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare.

The proposed project meets all the development standards under the Community Commercial zoning, which is intended to protect the public interest, health, safety, convenience, or welfare. The gas station, drive-thru fast food restaurants and retail uses will provide a convenience for the public that will not be detrimental to public health, safety or welfare.

10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood.

The proposed design and elevations are compatible with the existing commercial development in the area and will maintain the image and character of the

commercial properties that are developed in the area along the I-10 Freeway and Oak Valley Parkway.

11. The Planning Commission shall find that the proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations.

This use will not have an adverse effect on humans or the environment for any population. The proposed project will provide a wide range of goods and services including gas, fast food restaurants, and other transportation related services to serve all income levels of the population.

Plot Plan Findings:

1. The proposed use is permitted, or is substantially similar to a use permitted, within the subject zone and complies with the intent of all applicable provisions of the Zoning Ordinance.

The project is subject to and is consistent with the Development Standards for the Community Commercial (CC) zone. The zoning allows gas/service stations and drive-thru fast food restaurants subject to a Conditional Use Permit.

2. The proposed use is consistent with the objectives, policies, general plan land uses and programs of the general plan and any applicable specific plans.

The proposed project is in conformance with the General Plan for the City of Beaumont. The land use designation for the project site is Community Commercial (CC). The proposed development is consistent with the General Plan policies.

3. The subject site is physically suitable for the type and intensity of the proposed land use.

The site is depressed from the existing alignment of Desert Lawn Drive and the I-10 on-ramp and freeway. The project is proposing to raise the grade of the site and realign Desert Lawn Drive to accommodate the development. The project is in a commercial area that is partially developed with commercial uses on the northwest side of the I-10 Freeway and Oak Valley Parkway and is suitable for commercial development.

4. The location, size, design and operating characteristics of the proposed uses is compatible with existing land uses within the general area in which the proposed use is located.

The zoning and land use designation for the project site is Community Commercial (CC). The proposed project is surrounded by property that is commercial and manufacturing zoned and designated as commercial and industrial by the General Plan. The site is surrounded by vacant land and the I-10 Freeway, which has an eastbound ramp located north of the project site. The proposed uses are compatible with the adjacent freeway and surrounding commercial and manufacturing zoned properties.

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed land use would not be detrimental to the public convenience, health, safety or general welfare;

The site is served by the Beaumont-Cherry Valley Water District for water services and the City of Beaumont for sewer disposal system. Electricity will be provided by Southern California Edison and natural gas will be provided by the Southern California Gas Company. Solid waste and refuse services are provided by Waste Management, Inc. on behalf of the City of Beaumont. The site can be adequately served and will not be detrimental to public health and safety.

6. The approval of the plot plan permit for the proposed uses is in compliance with the requirements of the California Environmental Quality Act and there would be no significant adverse impacts upon environmental quality and natural resources that cannot be reasonably mitigated and monitored.

A Mitigated Negative Declaration was prepared for the project by Rincon Consultants, Inc. and determined that any project impacts can be reasonably mitigated as shown in Attachment A.

Recommended Action:

Hold a public hearing;
Approve a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Conditional Use Permit CUP2018-0021 and Plot Plan PP2018-0119, subject to the attached Conditions of Approval; and
Direct staff to prepare a Notice of Determination for the applicant to record with the County Clerk.

Attachments:

- A. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- B. Draft Conditions of Approval
- C. Development Plans
- D. General Plan Land Use Designation Map
- E. Zoning Map
- F. Aerial Photograph
- G. Site Photographs
- H. Applicant's letter dated April 22, 2020 regarding findings for Public Convenience or Necessity (PCN)
- I. Proof of Publication

Incorporated herein by Reference:

City of Beaumont General Plan
City of Beaumont Zoning Ordinance
Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan
Informational Map
Contents of City of Beaumont Planning Department Project File CUP2018-0021 &
PP2018-0119