



Staff Report

TO: Planning Commissioners
FROM: Carole Kendrick, Planning Manager
DATE May 11, 2021
SUBJECT: **Plot Plan 2020-0280, Conditional Use Permit 2020-0049, Variance V2020-0088 and Environmental (ENV 2021-0014) Commonly Referred to as “High Sands” Located at 655, 675 & 695 Highland Springs Avenue (APN’S: 419-150-046, 419-150-027 & 419-150-026) in the Local Commercial (LC) Zone**

APPLICANT: Ali Harb

Background and Analysis:

The applicant is requesting approval of several applications that were submitted on May 12, 2020. The individual requests are broken down below:

Plot Plan 2020-0280 is required by the Beaumont Municipal Code per Section 17.02.070 to establish a new land use. The proposed land use includes the remodel of an existing carwash, a new quick service restaurant (QSR) with a drive-thru and a multi-tenant office building located on the west side of Highland Springs Avenue, north of 6th Street and south of 8th Street. Fast food restaurants with a drive-thru and professional office uses are permitted per Beaumont Municipal Code Section 17.19.120 and Table 17.19-1.

Conditional Use Permit No. 2020-0049 is required by the Beaumont Municipal Code per Section 17.19.120 and Table 17.19-1 for particular uses. Carwashes are subject to a Conditional Use Permit. Although the car wash use is existing, the use will expand the parking and vacuum area to the north and therefore is considered a conditional use.

The project proposes a drive-thru restaurant and an office building, and the remodel of an existing car wash on a 2.38-acre Project Site in the City of Beaumont. The Project Site is located on parcels having addresses of 655, 675, and 695 Highland Springs Avenue (APNs 419-150-026, -027 and -046). APN 419-150-046 is the location of an existing auto service building and the existing car wash. An additional 429 square feet will be added to the existing car wash building area of 3,801 square feet. No renovation

of the existing auto service building is proposed. The proposed drive-thru restaurant will be 3,320 square feet and the proposed office building will be one-story and 6,392 square feet.

Variance V2020-0088 is requesting a reduction of the parking requirement by nine (9) spaces. Beaumont Municipal Code Section 17.05.040.C states that no reduction of required parking spaces shall be allowed, except through the approval of a variance in accordance with the provisions of Title 17.05.

Environmental (ENV2021-0014) (SCH#2021040011) due to the scope of the project, an Initial Study was prepared in compliance with the California Environmental Quality Act (CEQA) and determined that mitigation was required. Please see the Environmental Documentation section in this staff report for more information.

Project Setting:

The 2.38-acre site is partially developed with an auto service center and carwash and the remainder of the subject property is vacant with existing natural vegetation. The developed parcel includes curb, gutter and sidewalk, and the vacant parcels are unimproved have existing curb and two (2) driveway cuts. The parcels to the north and east are existing multi-tenant office buildings that house primarily medical and dental offices. An unoccupied commercial building is located to the south and was previously Fast Auto Loans. Residential uses and vacant land are located to the west of the subject property.

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)

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	Existing Carwash, Auto Repair and Vacant Land	DMU (Downtown Mixed Use)	LC (Local Commercial)
NORTH	Medical and Dental offices	DMU (Downtown Mixed Use)	LC (Local Commercial)
SOUTH	Fast Auto Loans (currently unoccupied)	DMU (Downtown Mixed Use)	LC (Local Commercial)
EAST	Medical and Dental offices	City of Banning	City of Banning
WEST	Vacant Land	DMU (Downtown Mixed Use)	LC (Local Commercial)

Site Design:

The currently site contains three (3) separate parcels, one of which is developed with the existing carwash (Building A) and automotive service building (Building B) at 655 Highland Springs (419-150-046). The two (2) parcels to the north are currently vacant and have addressed assigned as 675 Highland Springs Avenue (419-150-027) and 695 Highland Springs Avenue (419-150-026). The applicant will be modifying the lot lines and has been conditioned (Condition Nos. 55 and 56) to merge the parcels or process a lot line adjustment application to ensure that the carwash tunnel and vacuums are located on one (1) parcel and that no structures or uses straddle property lines.

The proposed project consists of four (4) buildings, that comprise of two (2) existing and two (2) proposed. Phase 1 includes Building A which is an existing 3,801 square foot carwash that proposed an addition of 429 square feet and a remodel of the building. The carwash circulation has been revised to provide access from the northerly driveway, across the tow (2) vacant parcels in an effort to increase stacking. Vacuum stalls are provided on the existing developed lot as well as lot identified as 675 Highland Springs Avenue. The vacuum stalls provide a 12' width to allow patrons to park and keep their vehicle doors open while utilizing the vacuums.

Building B is an existing automotive service building that has an existing square footage of 2,924 square feet that include the ground floor and basement area. No modifications are proposed for Building B, except for an exterior remodel that will occur during Phase 1.

Phase 2 will construct a 6,392 square foot office building providing five (5) suites (Building C) and a 3,320 square foot quick service restaurant with a drive-thru (Building D), as shown in Attachment C. Building C is located in the northwest portion of the property along the western project boundary. Building D is located on the northerly parcel identified as 695 Highland Springs Avenue and will provide a drive-thru on the southern side of the building.

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

Architecture:

The proposed project will utilize a modern style of architecture that includes varied rooflines and building planes to create visual interest. Exterior accents include cantilever metal awnings, decorative scoring in a modern pattern and several recessed areas to create visual interest. The buildings also propose multiple planes for an increased architectural effect.

The proposed remodel and addition to the carwash, the remodel of the automotive repair building, and the two (2) new buildings consists primarily of stucco. Exterior finish treatments are comprised of a mixture of painted stucco in white, grey, yellow and blue tones. The project is proposing parapet roofs with varied heights between 14 to 23 feet, as shown in Attachment C.

Circulation and Parking:

A Traffic Impact Analysis was prepared by Ganddini on February 3, 2021. The retail project is proposing to utilize the existing driveway on Highland Springs Avenue (Driveway No. 3) located east of Building A and construct one (1) driveway on Highland Springs Avenue located northeast of Building D (Driveway No. 2). Both driveways will only allow for right-in, right-out turning movements.

The traffic analysis requires that the applicant install eastbound stop controls and construction of the eastbound approach to consist of one shared left-right lane for Intersection No. 1 located at Highland Springs Avenue and 8th Street (see Condition No.

103) and maintain the existing eastbound stop control for the existing business at Driveway No. 3 (see Condition No. 104). The project is also required to pay the Transportation Uniform Mitigation Fee (TUMF), Development Impact Fees (DIF) and/or fair share fees consistent with the City's requirements.

Per Beaumont Municipal Code Table 17.05-1. Fast food restaurants are calculated at one (1) space per 100 square feet of gross floor area. The office use parking is calculated at one (1) space per 200 square feet of gross floor area. The new construction is required to provide 66 parking spaces, 34 for the restaurant use and 32 for the office use. The existing uses require a total of 24 parking spaces for an overall parking requirement of 90 spaces.

The applicant is proposing a total of 81 parking spaces and requesting a variance to reduce the parking requirement by nine (9) parking spaces. A letter of justification has been provided by the applicant and is included as Attachment H to this staff report. The justification is based on the variety of uses that have staggered peak hours that would reduce the need for parking for the proposed project.

In addition, the carwash provides queueing for 12 vehicles which exceeds the minimum requirement of stacking eight (8) vehicles that the Beaumont Municipal Code Table 17.05-1 (footnote 1) requires for drive-through uses.

Hours of Operation:

The carwash is proposing hours between 7am to 9pm, seven (7) days a week. The quick service restaurant anticipated hours between 6am to 11 pm, seven (7) days a week, however an end user has not been identified and the hours may vary based on the tenant's needs. The office building is proposing hours of operation from 8am to 6pm, Monday through Friday.

Multi-Species Habitat Conservation Plan (MSHCP):

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

Development Review Committee (DRC):

The Development Review Committee reviewed for the project for design on May 28, 2020, September 17, 2020, October 29, 2020, January 7, 2021 and March 18, 2021. 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. 89-104).

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 April 1, 2021 through April 30, 2021 and is included as Attachment A to this staff report. Staff did not receive any calls or written comments during the public review period.

Public Communications Received:

Property owners located within a 300-foot radius of the project site were notified of the public hearing on April 30, 2021 with a 10-day hearing notice in addition to a public notice in the Press Enterprise. At the time of report preparation, the Planning Department has not received any letters of comment from the public in favor or opposition to the project. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing.

Planning Commission Authority:

The Local Commercial zone allows carwashes as a conditionally permitted use, per Table 17.19-1, 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.

A Variance is required per Section 17.05.040.C for the reduction of any parking spaces. The Beaumont Municipal Code Section 17.02.110.G states the Planning Commission shall act to approve, conditionally approve, or deny the application. The decision of the Planning Commission shall become effective immediately upon its rendering, unless an appeal is filed pursuant to the provisions of Section 17.02.060 (Appeals and Revocations).

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 Local Commercial (LC) zone within the Downtown Area Plan. The zoning allows carwashes subject to a Conditional Use Permit, and fast-food restaurants with a drive-thru and professional offices are permitted.

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 Local Commercial (LC) within the Downtown Area Plan which allows gas/service stations and carwashes subject to a Conditional Use Permit, and fast-food restaurants with a drive-thru and professional offices are permitted. The site is located in an area that is surrounded by currently zoned Local

Commercial (LC) properties, with the exception of the property to east that is located in the City of Banning, 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 developed on the southerly parcel and vacant on the two (2) northerly parcels and the subject property and is relatively flat. The proposed project is in a predominately commercial area that is developed, with the exception of a vacant parcel to the west, and the subject property is suitable for commercial development.

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

The project is in a commercial area that is developed with commercial uses surrounding the site, with the exception of a vacant land that is located to the west. The is generally flat, partially developed and is suitable for commercial development.

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 for the project site is Local Commercial (LC) and the land use designation is and Downtown Mixed Use (DMU). The proposed project is surrounded by property that is currently zoned Local Commercial and designated as Downtown Mixed Use in the General Plan, with the exception of the property to the east which is located in the City of Banning. The site is surrounded by developed land with the exception of the property to the west that includes properties that are vacant and developed. The proposed uses are compatible with the surrounding commercial 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 Highland Springs Avenue.

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 Downtown Mixed Use (DMU). 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 Local General zoning, which is intended to protect the public interest, health, safety, convenience, or welfare. The carwash, quick service restaurant with a drive-thru and professional office 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 commercial development to the north, south and east, and will provide an updated image that compliments the character of the commercial properties that are developed in the area along Highland Springs Avenue.

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 vehicle washing, a quick service restaurant and multiple professional offices to serve all income levels of the population.

12. This subsection G shall apply only to the uses identified in Chapter 17.03. This subsection shall not invalidate any conditional use permit for an operation facility

but shall be complied with prior to issuance of a building permit for all projects which no building permit has been issued upon the effective date of this provision.

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 Local Commercial (LC) zone. The zoning allows carwashes subject to a Conditional Use Permit, and fast-food restaurants with a drive-thru and professional offices are permitted uses.

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 Downtown Mixed Use (DMU). 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 project is in a commercial area that is developed with commercial uses surrounding the site, with the exception of a vacant land that is located to the west. The site is generally flat, partially developed 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 for the project site is Local Commercial (LC) and the land use designation is and Downtown Mixed Use (DMU). The proposed project is surrounded by property that is currently zoned Local Commercial and designated as Downtown Mixed Use in the General Plan, with the exception of the property to the east which is located in the City of Banning. The site is surrounded by developed land with the exception of the property to the west that includes properties that are vacant and developed. The proposed uses are compatible with the surrounding commercial 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 Lilburn Corporation and determined that any project impacts can be reasonably mitigated as shown in Attachment A.

Variance Findings:

The Planning Commission may approve, conditionally approve, or deny the application provided that all of the following findings of fact are made:

1. The strict or literal interpretation and application of this Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Zoning Ordinance or would deprive the applicants of privileges granted to others in similar circumstances.

The subject property is partially developed and constrained by the existing improvements, the size of the property and limited access from Highland Springs Avenue. The strict interpretation of the parking requirements would render the project infeasible and would impede future development of the site. The applicant has indicated that the proposed uses will have staggered peak hours that would reduce the need for parking, as stated in the justification letter (see Attachment H).

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property that do not apply generally to other property in the same zone.

The subject property is partially developed and constrained by the existing improvements, the size of the property and limited access from Highland Springs Avenue. The strict interpretation of the parking requirements would render the project infeasible and would impede future development of the site. The applicant has indicated that the proposed uses will have staggered peak hours that would reduce the need for parking, as stated in the justification letter (see Attachment H).

The site is also located in the downtown area of the City, as identified in the General Plan, which in general has limited parking opportunities for existing businesses.

3. That the granting of such variance will not constitute the granting of a special privilege inconsistent with the limitations on other properties in the vicinity classified in the same zone.

The site is located in the downtown area of the City, as identified in the General Plan, which in general has limited parking opportunities for existing businesses and would not constitute the granting of a special privilege inconsistent with limitations on other properties in the vicinity classified in the same zone, if the proposed use in fact only demands the parking as stated by the applicant.

4. That the granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.

The proposed use is subject to a Conditional Use Permit that per the Beaumont Municipal Code Section 17.02.100.I the Community Development Director has the authority to initiate proceedings to suspend or revoke a conditional use permit if it is found to be materially detrimental to the public health, safety, or general welfare or injurious to property or improvements in the zone or neighborhood in which the property is located in. Therefore, if the property after operation cannot demonstrate that adequate parking is provided for the use, the Conditional Use Permit can be suspended or revoked.

5. That the granting of such variance will not create any inconsistency with any objective contained in the General Plan.

The proposed variance will not create any inconsistency with the General Plan objectives and satisfies Circulation Element Goal 3 by ensuring that new development provides sufficient parking to meet demand. The applicant has indicated that the parking demand for the proposed uses anticipate staggered use that will efficiently utilize parking without overparking the project.

Recommended Action:

Hold a public hearing; and,
Adopt Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve Plot Plan PP2020-0280, Conditional Use Permit CUP2020-0049 and Variance V2020-0088, subject to the attached Conditions of Approval.
Direct staff to prepare a Notice of Determination for the applicant to file with the Riverside County Clerk Recorder.

Attachments:

- A. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- B. Draft Conditions of Approval
- C. Development Plan
- D. General Plan Land Use Designation Map
- E. Zoning Map
- F. Aerial Photograph
- G. Applicant's letter dated July 23, 2020 regarding the statement of operations
- H. Applicant's letter dated November 23, 2020 regarding the variance justification
- 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 PP2020-0280, CUP2020-0049, V2020-0088 and ENV2021-0014