



Date: 6-26-18

Item No.: 21a

# City Council Memorandum

*City of Arts & Innovation*

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: JUNE 26, 2018**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT** **WARD: 1**

**DEPARTMENT**

**SUBJECT: P17-0506 DESIGN REVIEW, P17-0507 GRADING EXCEPTION, P17-0748 GRADING EXCEPTION, AND P17-0749 VARIANCE – A REFERRAL BY COUNCIL MEMBER MIKE GARDNER OF AN APPROVAL BY THE DEVELOPMENT REVIEW COMMITTEE FOR THE CONSTRUCTION OF A 346,290 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING – LOCATED AT 750 MARLBOROUGH AVENUE AND 1550 RESEARCH PARK DRIVE**

## **ISSUE:**

Referral by Council Member Mike Gardner of Development Review Committee approval of a proposal by Jim Guthrie of Guthrie Properties, for a Design Review, Grading Exceptions, and Variance to construct a 346,290 square foot industrial warehouse building, consisting of 6,820 square feet of office use and 339,470 square feet of warehouse area, on a 22.34 acre site, located at 750 Marlborough Avenue and 1550 Research Park Drive.

## **RECOMMENDATION:**

That the City Council:

1. Uphold the decision of the Development Review Committee and determine that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record, and recommend City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program pursuant to CEQA Section 21081.6; and
2. Approve Planning Cases P17-0506 Design Review, P17-0507 Grading Exception, P17-0748 Grading Exception, and P17-0749 Variance, based on the findings outlined in the staff report and subject to the conditions of approval.

## **BACKGROUND:**

The 22.34 acre site consists of two contiguous parcels and a portion of a third parcel located north of the project site. It is situated at the eastern terminus of Marlborough Avenue and the southwestern terminus of Research Park Drive, at the foothill of the Box Springs Mountain Reserve Park. The project site has an average natural slope of 11.62 percent, and there is an approximate 100-foot elevation difference from the Marlborough Avenue right-of-way to the east property line, adjacent to the Box Springs Mountain Reserve Park. The site is vacant and consists of vegetated areas along the south and east portions of the site. A cement-lined culvert traverses

directly east-west through the site. Additionally, the site encompasses an existing multi-purpose trail which extends from the southwest corner of the site to the south and east sides of the project site. Surrounding lands uses include light industrial uses to the north, the Box Springs Mountain Reserve Park to the south and east within the limits of the County of Riverside, and light industrial uses to the west.

On May 2, 2018 the Development Review Committee (DRC), made up of representatives from City departments/divisions approved the project. The DRC was created pursuant to Title 19 of the Riverside Municipal Code, Section 19.050.045, and is authorized to conduct administrative functions including the review and approval of discretionary actions.

## **DISCUSSION:**

### *Referral*

On May 7, 2018, staff received a request from Council Member Mike Gardner to refer the project for consideration by City Council. The referral was made at the request of a constituent, Friends of Riverside's Hills.

### *Project Description*

The proposed project consists of Design Review for the construction of a 346,290 square foot industrial warehouse building, consisting of 6,820 square feet of office use and 339,470 square feet of unrefrigerated warehouse area, on two contiguous parcels and a portion of a third parcel located north of the project site. The proposed warehouse building is centrally located on site and oriented towards Marlborough Avenue. Adequate access and parking will be provided to serve this project.

A variance has been requested by the applicant to allow a 15-foot front yard landscape setback along the north property line (Marlborough Avenue), where a 20-foot landscape setback is required by the Code. Staff supports the variance as the reduced landscape setback will accommodate a decorative terraced retaining wall planted with Bougainvillea, Lantana, and Prostrate Rosemary; thus, minimizing the visual impacts of the reduced setback. Except for the 20-foot front yard landscape setback requirement, the proposed project complies with the development standards of the BMP – Business and Manufacturing Park Zone and the Hunter Business Park Specific Plan.

Implementation of this project also requires the granting of Grading Exceptions for slopes ranging from 20 feet 6 inches to 31 feet 10 inches in vertical height along the southern and eastern boundaries, and slopes ranging from 22 feet to 26 feet in vertical height along the western boundaries. As well, grading exceptions are needed for retaining walls ranging in height between 3 feet and approximately 25 feet. Findings in support of this request can be supported as the retaining walls will be terraced and substantially planted, thus softening the appearance of the proposed walls; furthermore, the topography of the site, adjacency to the Box Springs Mountain Reserve Park and Gage Canal contributed to the creation of manufactured slopes primarily located in the rear of the site and not readily visible from the surrounding streets.

As part of this project, the applicant is proposing to enhance and partially reconstruct an existing 10-foot wide multi-purpose trail, consisting of decomposed granite material. The trail extends from the southwest corner of the site to the south and east sides of the site. The trail is proposed to be graded to drain into a proposed ditch/channel that will run along the southern and eastern side of the trail for storm water protection. The multi-purpose trail is used as a fire access road,

and therefore has been designed to provide a 12-foot wide clearance for fire service vehicles with a maximum slope no greater than 15%.

#### *Public Comments*

The following is a list of concerns about the project expressed by interested parties, received after the close of the CEQA public comment period. A response by staff is provided with each concern:

1. Concern: The resulting increase of heavy truck traffic on Iowa Avenue and other streets will affect residents along those routes. While some of the trucks will use Columbia Avenue to and from the I-215 Freeway, many will use Iowa Avenue either going to or from the freeway ramps near or north of Center Street or to or from the freeway ramps at Blaine/3<sup>rd</sup> Street.

Response: City Council has approved an ordinance establishing axle restrictions prohibiting use by commercial vehicles exceeding three axles on Iowa Avenue between Spruce Street and Blaine Street. Furthermore, the project has been conditioned to propose and furnish two signs to advise heavy vehicles at Marlborough and Iowa Avenues of the axle restriction; additionally, trucks serving the project will be provided route maps depicting the limits of the axle restriction.

2. Concern: There are air quality and health impacts of the heavy diesel truck trips induced by warehouse projects, operational impacts that were essentially ignored by the Development Review Committee approval in this case simply because, as the City's response to AQMD comments stated, there is no school or similar use within 1,000 feet of the project site. The AQMD just approved a precedent-breaking decision that such warehouse projects need special attention to the diesel truck air quality/health impacts.

Response: Section 3a, *Air Quality*, of the Mitigated Negative Declaration (MND) analyzes emissions associated with the operation of the project. The majority of the project-related operational emissions would be due to area emissions and vehicle trips to and from the site. Air quality impacts were modeled using CalEEMod; the results found the project to be below air quality thresholds and no mitigation is required. Although the Box Springs Mountain Reserve may be considered a "sensitive receptor" pursuant to the Multiple Species Habitat Conservation Plan (MSHCP), South Coast Air Quality Management District (SCAQMD) describes a sensitive receptor as a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant. Section 3d, *Air Quality*, of the MND analyzes this concern and finds the impacts of the project to be less than significant.

In regards to the AQMD decision, information obtained from AQMD's website indicate that the SCAQMD's Governing Board directed its staff to continue developing proposed voluntary and regulatory measures to reduce emissions from the ports, warehouses, airports, rail yards and new development. For warehouses, SCAQMD will develop a proposed indirect source rule; however, such rule is not currently in effect.

3. Concern: There are impacts to trails on Sugarloaf Mountain that area residents use, and impacts on the wildlife in the Reserve, an MSHCP Core Reserve, that need to be more adequately addressed.

Response: Section 15, *Recreation*, of the MND analyzes recreational facilities and has concluded that there will be no impacts to existing trails. The project includes preservation

and enhancement of an existing trail connection that starts along the Gage Canal at the southwest corner of the project site and runs along the southern and eastern boundary of the site, which is part of the Sugarloaf Trails of the Box Springs Mountain Reserve. The multi-purpose trail will remain publicly accessible for bicycling and hiking.

In regards to impacts on the wildlife in the Reserve, Section 6.1.4 of the MSHCP contains Urban/Wildland Interface Guidelines which are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area, including the Box Springs Mountain Reserve. The provisions of the guidelines that apply to the project include impacts related to drainage, toxics, lighting, noise, invasive plant species, barriers, and grading/land development. Biological Resources Item 4e of the MND describes how each of these areas of concern have been addressed in the MND. The project has been found to be in compliance with the MSHCP and therefore, there are no significant impacts.

4. Concern: Since the Development Review Committee is a standing committee, it appears that its meetings must be open to the public pursuant to the Brown Act.

Response: The Development Review Committee (DRC) is not a legislative body subject to the Brown Act as it is neither a legislative body nor a governing body. DRC was created in connection with Streamline Riverside and is composed solely of staff from various City departments. The Riverside Municipal Code explicitly gives DRC the authority over activities that required determination of compliance with applicable zoning provisions, such as design review and variance applications. Prior to DRC, projects such as this one were handled administratively by the Zoning Administrator. The various departments were routed plans for the project and would send in their individual conditions and changes. With the creation of DRC, these comments are now handled at the same time so as to streamline and make for a more efficient process.

## **FISCAL IMPACT:**

There is no impact to the General Fund, since all project costs are borne by the applicant.

Prepared by: Rafael Guzman, Community & Economic Development Director

Certified as to

availability of funds: Adam Raymond, Chief Financial Officer/City Treasurer

Approved by: Al Zelinka, FAICP, City Manager

Approved as to form: Gary G. Geuss, City Attorney

### Attachments:

1. Development Review Committee Report – May 2, 2018
2. Referral Request from Council Member Mike Gardner
3. Presentation