



# City Council Memorandum

## *City of Arts & Innovation*

**TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JUNE 23, 2015**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARD: 5**

**DEPARTMENT**

**SUBJECT: PLANNING CASES P13-0685 AND P13-0852: CERTIFICATE OF APPROPRIATENESS AND ENVIRONMENTAL IMPACT REPORT FOR THE DEMOLITION OF THE RIVERSIDE FREE METHODIST CHURCH (RFMC) ON THE CALIFORNIA BAPTIST UNIVERSITY (CBU) CAMPUS – 8431 DIANA AVENUE – APPEAL FROM GRESHAM SAVAGE ON BEHALF OF STEVE SMITH, DIRECTOR OF FACILITIES AND PLANNING SERVICES**

**ISSUE:**

The issue for City Council consideration is approval of a Certificate of Appropriateness (COA) and an Environmental Impact Report (EIR) for the demolition of the Riverside Free Methodist Church (RFMC), located on the California Baptist University (CBU) campus at 8431 Diana Avenue (Project).

## **RECOMMENDATIONS:**

## That the City Council:

1. Adopt the attached Resolution (Attachment 6) certifying that the Final EIR (FEIR) for the Project: (a) has been completed in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.); (b) was presented to the City Council and the City Council reviewed and considered the information contained in the FEIR prior to approving the Project; and (c) reflects the City's independent judgment and analysis, and making certain findings of fact;
2. Adopt the Findings of Fact and Statement of Overriding Considerations attached to the Resolution as Exhibit "A";
3. Adopt the Mitigation Monitoring and Reporting Program attached to the Resolution as Exhibit "B";
4. Concur with the findings contained in the FEIR, the attached Resolution, the case file, and the administrative record; and
5. Uphold the appeal of the Cultural Heritage Board's action and approve all related applications, Planning Cases P13-0685 and P13-0852, based on and subject to the City

Planning Commission's findings and recommended conditions, and the Utility Services/Land Use/Energy Development Committee's recommendation.

### **COMMITTEE RECOMMENDATIONS:**

On May 20, 2015, the Cultural Heritage Board (CHB) considered the Certificate of Appropriateness (COA) along with the Draft Environmental Impact Report (DEIR) in a public hearing for CBU's proposed demolition of the RFMC. Staff recommended that the CHB recommend approval to the City Council. Following CHB discussion, a motion to recommend approval of the COA and the FEIR to the City Council was seconded and voted upon. The vote resulted in a tie of 4 ayes and 4 noes, with 1 absent. The effect of the split vote is that there is no recommendation from the CHB.

On May 21, 2015, the City Planning Commission (CPC) considered the DEIR in a public hearing. The CPC recommended that the City Council approve the FEIR for the project, by a vote of 5 ayes, 0 noes, 1 absent and 3 conflicted.

The applicant filed an appeal of the CHB's action on May 21, 2015. On June 9, 2015, the Utility Services/Land Use/Energy Development Committee (LUC) considered the applicant's appeal, and unanimously recommended that the City Council approve the COA and certify the FEIR (P13-0685 and P13-0852).

### **BACKGROUND:**

CBU acquired the RFMC site after the City Council approved the CBU Specific Plan (CBUSP), as the RFMC is within the boundary of the CBUSP. After it was purchased, the RFMC congregation moved to another church site.

CBU is proposing to demolish the RFMC because it does not fit within the master plan program of the CBUSP. The demolition of the RFMC requires a COA because it is eligible for designation as a City of Riverside Structure of Merit, which is defined by Riverside Municipal Code Title 20 – Cultural Resources, Section 20.50.010. A DEIR was prepared in accordance with CEQA to support the COA request. The DEIR was released for a required 45-day public review on March 27, which ended May 11, 2015. There was only one comment received on the DEIR from Sempra Energy regarding their operations within the area.

The DEIR found no significant impacts to the Project except for the substantial change in a historic resource, the demolition of the RFMC. Mitigation measures have been imposed in connection with the Project, however, the impacts to RFMC could not be reduced to less than significant. Findings have been made and are set forth in the attached Resolution (Attachment 6) for the adoption of a Statement of Overriding Consideration.

### **FISCAL IMPACT:**

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

Prepared by: Emilio Ramirez, Interim Community & Economic Development Director  
Certified as to availability of funds: Brent A. Mason, Finance Director/Treasurer  
Approved by: Al Zelinka, FAICP, Assistant City Manager  
for John A. Russo, City Manager  
Approved as to form: Gary G. Geuss, City Attorney  
Concurs with:



CHRIS MAC ARTHUR, Chair  
Utility Services/Land Use/Energy Development Committee

Attachments:

1. Utility Services / Land Use / Energy Development Committee staff report – June 9, 2015
2. Cultural Heritage Board draft minutes – May 20, 2015
3. City Planning Commission recommended conditions – May 21, 2015
4. City Planning Commission staff report – May 21, 2015
5. City Planning Commission draft minutes – May 21, 2015
6. Resolution certifying the Final EIR and adopting the Facts, Findings and Statement of Overriding Considerations attached to the Resolution as Exhibit "A" and the Mitigation Monitoring and Reporting Program attached to the Resolution as Exhibit "B"
7. Final Environmental Impact Report for the Demolition of the Riverside Free Methodist Church