



City Council Memorandum

City of Arts & Innovation

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TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 11, 2018

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARD: 1
DEPARTMENT

SUBJECT: P14-1033 DESIGN REVIEW AND P14-1034 LOT LINE ADJUSTMENT – AN APPEAL, ON BEHALF OF THE SPRINGBROOK HERITAGE ALLIANCE, OF AN APPROVAL BY THE CITY PLANNING COMMISSION FOR THE CONSTRUCTION OF A 308,000 SQUARE FOOT WAREHOUSE BUILDING - LOCATED AT 3705-3667 PLACENTIA LANE

ISSUE:

Appeal, on behalf of the Springbrook Heritage Alliance, of City Planning Commission approval of a proposal by Art Day of Transition Properties, L.P. for a Design Review to construct a 308,000 square foot warehouse building and a Lot Line Adjustment to consolidate four contiguous parcels into a single 15.9-acre parcel, located at 3705-3667 Placentia Lane.

RECOMMENDATIONS:

That the City Council:

1. Uphold the decision of the City Planning Commission 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, adopt the Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program pursuant to CEQA Sections 15097 and 21081.6; and
2. Deny the appeal and uphold the City Planning Commission approval of Planning Cases P14-1033 Design Review and P14-1034 Lot Line Adjustment, based on the findings outlined in the Staff Report and subject to the conditions of approval.

BACKGROUND:

On October 9, 2018, City Council considered the recommendation of the Utility Services/Land Use/Energy Development Committee to uphold the appeal by the Springbrook Heritage Alliance (Appellant) of the Planning Commission's approval of a proposal by Art Day Transition Properties, L.P. (Applicant), for design review and a lot line adjustment to construct a 308,000 square foot warehouse building and consolidate four contiguous parcels into a single 15.9-acre parcel located at 3705-3667 Placentia Lane. Following discussion, the City Council voted to continue the item to the November 27, 2018 meeting and directed the City Manager's Office to facilitate a meeting with the Appellant and project Applicant to explore a compromise. The project was subsequently continued to the December 11, 2018 City Council meeting.

For additional background on this item, please refer to the October 9, 2018 City Council Memorandum (Attachment 9) which includes attachments to the February 21, 2018 Development Review Committee Report, April 5, 2018 City Planning Commission Report and July 9, 2018 Land Use Committee Report and conditions of approval and minutes.

DISCUSSION:

The City Manager's Office facilitated two meetings between the Appellant and project Applicant's teams on October 26 and November 19, 2018. On October 26, the Project Applicant presented a proposal with four suggestions. The Appellant's team did not respond at the meeting, but asked for the proposal in writing to further discuss with the Springbrook Heritage Alliance Group. The Appellant responded, on November 7, to the proposal asking for additional information in order to fully analyze and respond accordingly. To facilitate the Appellants request for additional information, City Staff set up a second meeting, which was held on November 19, in which the Project Applicant provided clarification and additional information regarding the proposal, and offered to include an additional suggestion. The appellant indicated they could not respond at that meeting to the proposal and needed to have a further discussion with the larger Springbrook Heritage Alliance group. The Appellant responded to the Project Applicant's proposal on November 26, indicating they would not accept any of the suggestions within the Applicants proposal. An agreement between the two parties has not been reached.

October 26 Meeting

On October 26, 2018, the project Applicant provided the following summary of suggestions/improvements to the concerns raised by the Appellant (representatives from the Springbrook Heritage Alliance) (Attachments 1 and 10) at the October 9, 2018 City Council meeting:

1. **Concern Raised:** Visibility of the project from Center Street.

Suggested Improvement: To reduce visibility of the parking lot and soften views of the building along Center Street, the project Applicant proposes to incorporate a berm and additional shrubbery materials along the street frontage.

2. **Concern Raised:** Condition of asphalt in front of the Trujillo Adobe and Center/Orange Streets intersection and potential vibration impacts to the Trujillo Adobe.

Suggested Improvement: To improve the existing condition of Center Street and prevent future damage by truck traffic, the project Applicant proposes to either: 1) replace the asphalt with concrete on the westbound lane of Center Street, in front of the Trujillo Adobe property; or 2) replace the asphalt with concrete at the west and east bound approaches of the Center/Orange Streets intersection.

3. **Concern Raised:** Facility operational impacts.

Suggested Improvement: To address possible operational impacts, the project Applicant proposes to remove 10 truck dock doors from 62 to 52 for the proposed warehouse building. Removal of the truck dock doors will further reduce the project's noise, traffic and air quality impacts, already assessed at less than significant levels.

4. **Concern Raised:** Truck traffic in the Northside.

Suggested Improvement: To address this concern, the project Applicant proposes a contribution of \$25,000 to the City of Riverside to prepare a truck route study as part of the Northside Specific Plan process.

The Appellant indicated they could not respond and were only able to listen to the ideas and asked that the proposal be sent to them in writing. The Appellant responded on November 7, and asked for greater clarification on the 4 ideas from the Applicant and also provided the following questions:

1. Would the project Applicant be willing to develop a different project, compatible with the Springbrook Heritage Parklands and Walking Trail Plan?; and
2. Would the project Applicant be willing to agree to the preparation of a full Environmental Impact Report (EIR) for the project?

November 19 Meeting

At the November 19 meeting, the Applicant provided clarification and answered questions relative to their proposal. In addition, the Applicant clarified they were not interested in pursuing another project and indicated that the environmental review conducted for the project was adequate and were not interested in preparing an EIR. At the meeting the Project Applicant shared that a vibration measurement study had been conducted on the Trujillo Adobe site. A copy of the report was provided to the Appellant on November 19. The Appellant discussed their desire to see the project site developed consistent with the vision of the Springbrook Heritage Alliance Parkland and Trails document

In addition to clarifying the proposed ideas, and due to the findings within the vibration measurement report, and the discussion surrounding the Springbrook Heritage Alliance Parkland and Trails document, the Applicant, made a modification to a previous suggestion made at the October 26 meeting and added an additional suggestion, as follows:

Concern Raised: Condition of asphalt in front of the Trujillo Adobe and Center/Orange Streets intersection and potential vibration impacts to the Trujillo Adobe.

Suggested Improvement: The Applicant modified the original proposal to remove proposed concrete and proposed to improve the westbound lane with new asphalt in front of the Trujillo Adobe (Attachment 3).

Concern Raised: Develop the site consistent with the Springbrook Heritage Parklands & Walking Trails Exhibit (Attachment 12).

Suggested Improvement: The project Applicant indicated a willingness to place a decomposed granite trail along the south side of the proposed project.

During the November 19 meeting, there was discussion regarding the sale of the property. The project Applicant confirmed the property was for sale if they were interested in acquiring it. The Appellant's team indicated they would further discuss it with the Springbrook Heritage Alliance group. As this would be a third party transaction, separate from Staff purview or review, it is not included in this Staff Report.

The Appellant indicated they would need to take the information back to the Springbrook Heritage Alliance Group to further discuss. In a response letter dated November 26, 2018, the Appellant indicated that the Applicants proposed ideas were minor in scope and should have been included

as part of the overall Project. The letter indicates that none of the suggestions addressed their fundamental objection to the project, which is that a warehouse like this project is wrong for the location.

Additional Technical Studies

Subsequent to the City Council meeting on October 9, 2018, to address comments regarding potential vibration impacts to the Trujillo Adobe, the project Applicant commissioned Geovision to conduct vibration measurements. The process included placing two seismographs near the southwest corner of the Trujillo Adobe. Seismographs picked up vibrations from 69 trucks passing the Trujillo Adobe on Center Street over a two-hour period.

Data received during the study indicated that the maximum vibration measured in Peak Particle Velocity (PPV) was 0.007 inch/second. This measurement is below the PPV threshold of 0.08 inch/second set by CalTrans for extremely fragile historic buildings, ruins and ancient monuments. The outcome of the vibration measurements (Attachment 3) does not change conclusions in the Mitigated Negative Declaration (MND), but clarifies that vibrations as a result of the project will not impact the Trujillo Adobe.

Community Concerns:

Following the October 9, 2018 City Council meeting, Staff received six additional comment letters from residents in opposition to the project identifying concerns with potential vibration impacts to the Trujillo Adobe (Attachment 4). Responses to comments, prepared by the project Applicant's consultants, conclude that the two additional comments do not raise any additional environmental concerns that have not been addressed in the MND and no further mitigation is necessary.

FISCAL IMPACT:

There is no fiscal impact associated with this action, since all project costs are borne by the project Applicant.

Prepared by: David Welch, Interim Community & Economic Development Director
Certified as to
availability of funds: Edward Enriquez, Interim Chief Financial Officer/City Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. Project Applicants Suggested Improvements Letter – October 30, 2018 meeting
2. Appellant Response Letter to Project Applicants Suggestions – October 30, 2018 meeting
3. Vibration Measurement Report – Geovision
4. Comment Letter and Response to Comments
5. Springbrook Heritage Alliance Letter
6. Sutton Letter 10-3-18
7. Letters
8. Presentation
9. City Council Memorandum – October 9, 2018 plus attachments
10. Project Applicants Suggested Improvements Letter - November 19, 2018 meeting
11. Applicant Diagram – Proposed Landscape Cross Section and Center Street Resurface
12. Springbrook Heritage Parklands & Walking Trails
13. Appellant Response Letter to Project Applicants Suggestions November 19, 2018 meeting