

April 17, 2018

## MORTLAND TRUST

City of Riverside  
Land Use and  
City Council  
City Hall  
3900 Main St.  
Riverside, CA 92501

re: P-14-1033/P14-1034  
and Mortland Trust  
APN 246 040022

Attn: Brian Norton  
Senior Planner

Dear Mr. Norton

The referenced development is adjacent to the 3+ acres owned by Mortland Trusts for which I am the sole Trustee. I am supportive of your approval, not only of this development, but of the City's effort to bring this area back to life. It has been neglected for years as it has gone through a standard "neighborhood transition".


Thank you for denying the obstructive appeals and reaffirming the right of the City to invite people to invest their time & money to improve languishing areas of the City based on improved and approved General Plans.

The Process to comply with the City Standards set in place over years to protect the City residents and improve the City's aging and derelict neighborhoods warrants sound development.

Also thank you for the forethought and expense of improving the Circulation Element with Center Street which provides for the similar zoned development that will occur on the Colton side of the street.

This area will prosper again and not only contribute to the immediate benefit of the City, but will demonstrate to others that the City of Riverside is forward looking and supports active and positive development based on a strong planning and General Plan discipline.

Thank you for your consideration of my thoughts and thank you for your time to improve the community by revitalising downtown neighborhoods -

Sincerely,  
  
• 1009 Del Tio Court, Camarillo, Ventura County, California 93010 USA • (805) 988-0369 •  
William Mortland TT

May 31, 2018

RECEIVED

JUN 01 2018

Councilman Mike Gardner  
Councilman Chris MacArthur  
Councilman Mike Soubirous

Community & Economic  
Development Department

Re: Appeal from Planning Commission Decision  
Planning Cases P14-1033 and P14-1034  
Center Street Commercial Center

Dear Sirs:

I am writing to you in opposition to the proposed project. I believe it violates the intent of the Riverside General Plan 2025 (as amended February 2018) and the purpose of zoning code provisions in the Riverside Municipal Code.

General Plan 2025

The impression received from reading the General Plan's section on "Preservation of Industrial Land is that the City does not favor warehouses:

...In the past, a significant percentage of Riverside's industrial land was used for warehousing and distribution operations. Buildings associated with warehousing and logistics occupy significant space, but produce relatively few high-paying jobs.

To realize the vision of a more evolved economy, including better work opportunities within Riverside, remaining industrial land must carefully utilized (*sic*), with favor given to "clean" industries that yield robust numbers of higher-paying jobs. Candidate industries, many of which already have a presence in Riverside, include high technology, biotechnology, general research and development and light manufacturing. (Riverside General Plan 2025, Amended February 2018, pp. LU-38 and LU-39.)

General Plan Policy LU-24.3 (p. LU-40) emphasizes this position by requiring the City to avoid giving City incentives for development of warehouse and distribution facilities. Incentives could be monetary awards, such as loans, grants, tax or other business cost reductions, or rebate programs. However, incentives need not involve money. On the California Business Incentives Gateway website (<https://cbig.ca.gov/>), the City of Riverside lists several non-monetary incentives such as Site Location Assistance or Streamline Riverside Permitting and Review. The entries in the Gateway do not indicate that warehouse and distribution facilities are ineligible for any of the incentives listed. Riverside's willingness to grant variances or consolidate lots (as in this case) to help develop warehousing is a non-monetary incentive for this class of business, contrary to the General Plan.

Title 19, Riverside Municipal Code

Chapter 19.130 of the code provides a description of the Business and Manufacturing Park Zone, in which the proposed project is located. Among the facilities allowed in this zone are "small-scale warehouses". Although the word "include" shall mean "includes but not limited to" (Riverside Municipal Code, Title 19, Article

II: Zoning Code Administration, Interpretation and Enforcement, Chapter 19.060, section 19.060.030. Use of the term “small-scale” is deliberate and unambiguous. Yet, another section of the zoning code appears to allow large warehouses in the BMP. This contradiction raises the issue of what is a small warehouse versus a large warehouse.

The Permitted Uses Table (Riverside Municipal Code, Title 19, Article V: Permitted Uses Table, Chapter 19.150, section 19.150.020A) shows that warehouse facilities of up to 400,000 square feet are permitted in BMPs without conditions, so it appears that 400,000 square feet is the cut-off for a small-scale warehouse. However, the General Plan defines “small” warehouse as up to 10,000 square feet per site (Riverside General Plan 2025, Amended February 2018, p. LU-141). Allowing for the consolidation of four lots, the permitted area of a warehouse building would be 40,000 square feet. A 308,000 square-foot warehouse like this proposed project exceeds that limit. If the purpose of the zoning code is to “provide the legislative framework to implement the goals and policies of the City of Riverside General Plan”, then the zoning code should not contradict clear and explicit General Plan policies (Riverside Municipal Code, Title 19, Article I: Zoning Code Enactment and Applicability, Chapter 19.030 section 19.030.020).

Transportation Engineering Studies

Furthermore, the zoning code table define referred to above selects a cut-off between small and large warehouses that appears arbitrary. The Institute of Transportation Engineers defines a high cube (large capacity) warehouse distribution facility as having at least 200,000 gross square feet of floor area and a ceiling height of 24 feet or more. (Institute of Transportation Engineers. High-Cube Warehouse Vehicle Trip Generation Analysis, October 2016, p. 1). A building 308,000 square feet in area and 45 feet high exceeds ITE’s cut-off.

Conclusion

The zoning code does allow for variances “when, because of special circumstances applicable to a property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Code would deprive that property of privileges enjoyed by other property in the vicinity and under identical zoning classification.” (Riverside Municipal Code, Title 19, section 19.910.230 “V” Definitions). The proposed project complies with the zoning code only in the narrowest, most legalistic sense. The proposed warehouse is a large warehouse. Completion of the project is not a matter of overriding importance. The zoning code should not be used to subvert the General Plan, and no property owner in the area should have the privilege of doing so.

Respectfully,



Sala Ponnech  
3878 Pine Street  
Riverside, CA 92501