



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

Katherine M. Butler, MPH, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200  
<https://dtsc.ca.gov>



**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

October 24, 2024

Judy Equez  
Senior Planner  
City of Riverside  
3900 Main Street  
Riverside, CA 92522  
[jequez@riversideca.gov](mailto:jequez@riversideca.gov)

RE: MITIGATED NEGATIVE DECLARATION FOR TENTATIVE TRACT MAP NO.  
38921 - SEC LA SIERRA AND VICTORIA AVENUE DATED OCTOBER 15, 2024,  
STATE CLEARINGHOUSE NUMBER [2024100611](#)

Dear Judy Equez,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Tentative Tract Map No. 38921 - Sec La Sierra and Victoria Avenue project (project). The proposed project would subdivide a 9.91-acre project site into 49 lots for the development of single-family residences and eight lettered lots for private streets, alleys, a bioretention basin and open space. The project will provide 46 market-rate units and 3 affordable units for very low-income households. After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs

requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#) approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.

Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.

2. In the Phase I Environmental Site Assessment De Minimis Conditions Section states: "The low levels of OCPs and arsenic detected in near-surface soils as part of our Limited Soil Investigation are considered to be a de minimis condition for the subject property. However, EFI Global notes that based on the subject property's historical agricultural use, it is possible that buried/concealed/hidden agricultural by-products, both above and below ground may have existed or exists on the subject property. Any buried trash/debris or other waste encountered during future subject property development should be evaluated by an experienced environmental consultant prior to removal. If stained or suspicious soil is encountered during future grading operations, the material should be evaluated and if deemed necessary, characterized for property disposal." DTSC recommends the City of Riverside enter into a voluntary agreement to address contamination at brownfields and other types of properties or receive oversight from a [self-certified local agency](#), DTSC or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you

have any questions about the application portal, please contact your [Regional Brownfield Coordinator](#).

3. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC appreciates the opportunity to comment on the MND for the Tentative Tract Map No. 38921 - Sec La Sierra and Victoria Avenue project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

*Tamara Purvis*

Tamara Purvis  
Associate Environmental Planner  
HWMP - Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Tamara.Purvis@dtsc.ca.gov](mailto:Tamara.Purvis@dtsc.ca.gov)

Judy Equez  
October 24, 2024  
Page 4

cc: (via email)

Governor's Office of Land Use and Climate Innovation  
State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Dave Kereazis  
Associate Environmental Planner  
HWMP-Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

Scott Wiley  
Associate Governmental Program Analyst  
HWMP - Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Scott.Wiley@dtsc.ca.gov](mailto:Scott.Wiley@dtsc.ca.gov)





**GeoTek, Inc.**

1548 North Maple Street, Corona, California 92878  
(951) 710-1160 Office (951) 710-1167 Fax [www.geotekusa.com](http://www.geotekusa.com)

October 25, 2024  
Project No. 4092-CR

**Warmington Residential**

3090 Pullman Street  
Costa Mesa, California 92626

Attention: Mr. Matthew Esquivel

Subject: **Response to Department of Toxic Substances Control Comments**  
Tract No. 38921  
Assessor's Parcel Number 136-220-016  
La Sierra Avenue and Victoria Avenue  
Riverside, Riverside County, California

References: See Page 5

Dear Mr. Esquivel:

As requested, GeoTek, Inc. (GeoTek) has prepared this letter to respond to comments issued by the Department of Toxic Substances Control (DTSC) in a letter dated October 24, 2024. A copy of the letter (DTSC, 2024) is included at the rear of this report for reference.

Provided below are the specific review comments, followed by GeoTek's response.

**Comment #1:** When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#) approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.

Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.

**GeoTek Response:** OCP testing was performed by EFI Global (EFI) (EFI Global, 2019). OCP limits, particularly DDT, toxaphene and dieldrin were below residential screening limits. Arsenic was below typical Southern California Regional Background limits as stated by EFI. EFI did not make note of mixing/loading/storage areas, drainage ditches, farmhouses or any outbuildings on the property in their report. Additionally, no smudge pots were observed or noted by EFI. It is GeoTek's opinion that EFI has provided sufficient evidence that OCP's and arsenic have not significantly impacted the site and thus do not consider previous usage an Recognized Environmental Condition (REC) but a de minimis condition.

**Comment #2:** In the Phase I Environmental Site Assessment De Minimis Conditions Section states: "The low levels of OCPs and arsenic detected in near-surface soils as part of our Limited Soil Investigation are considered to be a de minimis condition for the subject property. However, EFI Global notes that based on the subject property's historical agricultural use, it is possible that buried/concealed/hidden agricultural by-products, both above and below ground may have existed or exists on the subject property. Any buried trash/debris or other waste encountered during future subject property development should be evaluated by an experienced environmental consultant prior to removal. If stained or suspicious soil is encountered during future grading operations, the material should be evaluated and if deemed necessary, characterized for property disposal." DTSC recommends the City of Riverside enter into a voluntary agreement to address contamination at brownfields and other types of properties or receive oversight from a [self- certified local agency](#), DTSC or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your [Regional Brownfield Coordinator](#).

**GeoTek Response:** GeoTek concurs with EFI's statement quoted by the DTSC. GeoTek acknowledges DTSC's recommendation but does not agree. It is GeoTek's opinion that actual contaminants of concern must be directly identified through proper laboratory testing and addressed through mitigation measures and regulatory oversight if found to be over the appropriate screening limits deemed necessary to protect the public. EFI's postulated statement



about potential buried/concealed/hidden agricultural by-products above and/or below ground is simply precautionary as does not represent direct evidence of the presence of a hazardous substance, petroleum product or material threat of a future release to the environment. GeoTek agrees with EFI that if any buried trash/debris or direct evidence of possible contaminants of concern are encountered during the future site development, GeoTek should be notified immediately, and proper testing and mitigation measures (if needed) should be taken based on the known contaminant(s).

**Comment #3:** DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

**GeoTek Response:** GeoTek concurs that all import materials should be tested to assess any contaminants of concern as noted by DTSC in their comments. GeoTek is of the opinion that if no unforeseen buried/concealed/hidden agricultural by-products are encountered during site development than EFI has sufficiently documented that OCP's and arsenic usage is a de minimis condition and does not warrant additional testing of the onsite fill materials.

GeoTek appreciates this opportunity to be of service. If you have any questions, or if GeoTek can be of further service, please contact the office at (951) 710-1160.

Respectfully Submitted,  
**GEOTEK, INC.**



Kyle R. McHargue  
CEG 2790, Exp. 02/28/26  
Project Geologist

Anna M. Scott  
Project Geologist

Attachment: DTSC Letter dated October 24, 2024

Distribution: (1) Addressee via email (one PDF file)

\\geotekfs1\Riverside\Projects\4051 to 4100\4092CR Century Communities Tract No. 38921 Riverside (La Sierra)\DTSC\4092CR RESP  
DTSC 10-25-2024.doc

## **REFERENCES**

Department of Toxic Substances Control, 2024, "Re: Mitigated Negative Declaration for Tentative Tract Map No. 38921 – SEC La Sierra and Victoria Avenue Dated October 15, 2024, State Clearinghouse Number 2024100611," dated October 24.

EFI Global, 2019, "Phase I Environmental Site Assessment and Limited Soil Investigation Report, Tentative Tract Map (TTM) 37764, Southeast Corner of Victoria Avenue and La Sierra Avenue, Riverside, California 92503," EFI Global Project No. 045.02270, dated December 19.

**From:** Julie Sullivan <julieannsullivan216@gmail.com>  
**Sent:** Tuesday, October 29, 2024 10:08 AM  
**To:** Eguez, Judy  
**Subject:** [EXTERNAL] 49 new homes at LaSierra and Victoria

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Good morning. I wanted to express my complete opposition to the new housing tract slated for La Sierra Avenue and Victoria Avenue. I am asking that the City Council have an opportunity to hear the citizen's views regarding the tract. As there is no Council meeting this evening, I am requesting a postponement of the project advancing to the Planning Commission until AFTER another City Council meeting.

Thank you.

Julie Sullivan

**From:** DENNIS THAYER <thayerlaw@outlook.com>  
**Sent:** Tuesday, October 29, 2024 10:13 AM  
**To:** Eguez, Judy  
**Subject:** [EXTERNAL]

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Stop the development on Victoria at LA Sierra

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**From:** Holly Timmons <hollytimmons@yahoo.com>  
**Sent:** Tuesday, October 29, 2024 11:41 AM  
**To:** Eguez, Judy  
**Subject:** [EXTERNAL] 49-DU project

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

I strongly oppose the 49-DU project at La Sierra and Victoria Avenue.

This would set a precedent to destroy Victoria Avenue and the Greenbelt by surrounding the area with high density development, damaging Victoria Ave with heavy traffic congestion.

The City of Riverside has worked so hard over the years to preserve the uniqueness and beauty of Victoria, let's keep it pristine.

Certainly this key parcel could be better used with replanting of citrus or avocados, protecting Victoria Ave.

Sincerely,

Helen Timmons



**From:** Carolyn Ulrich <carolyn.ulrich@earthlink.net>  
**Sent:** Tuesday, October 29, 2024 7:42 PM  
**To:** Eguez, Judy  
**Cc:** Ward 5 Councilman Sean Mill  
**Subject:** [EXTERNAL] NO to the housing tract on La Sierra and Victoria

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Hello,

I would like to register my OPPOSITION to the housing tract planned on the corner of La Sierra and Victoria.

Victoria Avenue is a protected historic greenbelt part of our city's citrus heritage.

It is a wonderful relaxing and safe green corridor for walking or biking. It needs to be protected from heavy traffic.

This property is next to the beautiful Victoria Avenue listed on the National Register of Historic Places.

We don't want high density "stack & pack" on Victoria Avenue.

Keeping the grove sets the right precedent for replanting other open land along Victoria Avenue in this area.

There is already too much traffic on La Sierra Avenue. Enough is enough. Stop tearing down our city's heritage!

Sincerely,

Carolyn Ulrich  
Victoria Ave. Resident  
[Carolyn.Ulrich@earthlink.net](mailto:Carolyn.Ulrich@earthlink.net)

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**From:** [baileywl9@aol.com](mailto:baileywl9@aol.com)  
**To:** [Equez, Judy](#)  
**Subject:** [EXTERNAL] New housing tract on Victoria Ave  
**Date:** Wednesday, October 30, 2024 11:05:59 AM

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

We would be sorry to see the beautiful Orange grove at La Sierra Ave and Victoria taken away. Equally important the project proposed has too DENSE in number of houses. This is not needed and will cause too much traffic inbound on Victoria and Lincoln of people going to work downtown. It will also encourage other developers in and out of town to want to Develop on Victoria to make money. That would destroy its historic value to our city. William R.

Bailey Jr Ret Superior Ct. Judge VAF past President

**From:** [Eguez, Judy](#)  
**To:** [jandjjaggs@aol.com](mailto:jandjjaggs@aol.com)  
**Cc:** [Scully, Chris](#)  
**Subject:** RE: [EXTERNAL] Re: Case PR-2024-001656 (TTM)  
**Date:** Wednesday, October 30, 2024 3:55:00 PM

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Good afternoon Mr. Jaggers,

I have been informed by the developer that there was a vehicle this morning to conduct additional soil testing. There was no digging, soil moving, or tree cutting as the project is not approved.

While the road is private now, the City currently has an offer of dedication along the front of the residences on Millsweet Place. Below is a link to the Parcel Map for reference. When the street is improved by the proposed development, the offer of dedication will be accepted by the City and Millsweet Place will be converted into a public street, which will be maintained by the City.

<https://riversideca.gov/PWSurvey/parcelmaps/PMB060p015.pdf>

Let me know if you have additional questions.

Respectfully,

**Judy Egüez**, Senior Planner

City of Riverside

Community & Economic Development, Planning Division

Main: 951.826.5371

Direct: 951.826.3969

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**From:** jandjjaggs@aol.com <jandjjaggs@aol.com>  
**Sent:** Wednesday, October 30, 2024 2:10 PM  
**To:** Eguez, Judy <JEguez@riversideca.gov>  
**Subject:** [EXTERNAL] Re: Case PR-2024-001656 (TTM)

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

October 30, 2024

Dear Judy Eguez:

We previously wrote you on October 19, 2024 in regards to the proposed development on La Sierra and Victoria. See below. Today at 6:50 AM heavy equipment arrived on our private road. We would like the City to post prominently that this is a private road to avoid any further use of the road by construction equipment or other heavy equipment. We will be at the meeting on November 7, 2024 to further express our concerns. We are concerned that this project as proposed is moving forward prior to the November 7th meeting. As you know this is a private road and it is not maintained or serviced by the City of Riverside.

Thank you,

John and Jo Jagers

On Saturday, October 19, 2024 at 03:30:47 PM PDT, [jandjaggs@aol.com](mailto:jandjaggs@aol.com) <[jandjaggs@aol.com](mailto:jandjaggs@aol.com)> wrote:

Good Afternoon, Judy Egeuz,

We are emailing you regarding proposed development on the southeast corner of La Sierra Avenue and Victoria Avenue.

Please note our strong objection to the plan to build 49 single family homes on a piece of property, that up to this time has been zoned for half acre lots.

We believe that our quality of life will be negatively affected by 2 years of construction 25 feet from our front doors. Not to mention the dirt, noise, insects, and rodents that will come our way as soon as the trees in the existing grove are taken out. The trees provide a much needed buffer from the noise and dirt from the traffic on La Sierra.

We are concerned with who will be maintaining and irrigating the new trees on the Millsweet side of the wall and will the wall be built before the major construction begins. What is also not acceptable to us is the inadequate wall height between the one story homes on Millsweet Place and the almost zero lot line of the new 2 story houses of the proposed development.

Thank you for your assistance.

Sincerely,

John and Jo Jagers  
Phone number: (951) 316-7676  
2663 Millsweet Pl., Riverside, CA. 92503

**From:** [Robert Lennox](#)  
**To:** [Equez, Judy](#)  
**Subject:** [EXTERNAL] Proposed housing development on corner of Victoria and La Sierra avenues  
**Date:** Wednesday, October 30, 2024 1:11:52 PM

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

I request that you reconsider the building of 49 housing units on the southeast corner of Victoria and La Sierra Avenues in Riverside. Victoria Avenue is a beautiful and very unique feature of the area which Riverside is very lucky and proud to have. To do anything which might encroach on it seems short-sighted, since once put in, the housing will not be removed. Victoria Avenue is a wonderful venue for walking or cycling. More houses and the accompanying cars would lessen its charm. Please deny the request for building houses in that location.

Thank you,  
Rob Lennox  
7908 Ruth Way  
Riverside, CA 92506

**From:** Michael Mann <mikeronie@earthlink.net>  
**Sent:** Wednesday, October 30, 2024 8:51 AM  
**To:** Eguez, Judy  
**Cc:** Michael Mann  
**Subject:** [EXTERNAL] Proposed housing on Victoria and La Sierra

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

I am writing this to you to oppose the housing tract planned on Victoria and La Sierra. I am a resident at 2645 Orange Vale Ln which is very close to the area. This is a beautiful area that needs to remain as is. The traffic on Victoria and La Sierra is increasing fast. As I understand it the zoning for this area restricts housing to ½ acre lots. 49 houses can't fit in 9.6 acres.

Thank You  
Michael Mann  
2645 Orange Vale Ln  
Riverside, CA 92503  
909-223-6971

**From:** [Amanda Tromblay](#)  
**To:** [Equez, Judy](#)  
**Subject:** [EXTERNAL] Planning Case PR-2024-001656(TM)  
**Date:** Wednesday, October 30, 2024 12:39:01 PM

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

I object to the above development of the greenbelt area of Riverside. This is a treasure we all need to protect from greedy developers. Once we start letting development encroach upon this historic area we will never get it back. Please put a halt to this project. The file # 24-0407

**From:** Robin Whittington <desertair@sbcglobal.net>  
**Sent:** Wednesday, October 30, 2024 8:19 AM  
**To:** Eguez, Judy  
**Subject:** [EXTERNAL] invading the green belt

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

We absolutely must hold the planning commission to the wishes of the people. Years ago we fought for the green belt and now not only the project noted on Victoria and La Sierra is set to break that contract with the people of Riverside, but there is another development further along Victoria that also wants to build over 200 town houses. If this first project is allowed it sets precedence for total destruction of the green belt area along Victoria Avenue. As it is today, only the numerous stop signs keep Victoria from being a freeway bypass with huge number of speeding cars. It is unfortunate that our governor has opened the door for this invasion of houses and the current mentality of more is better and we need to make money because we are spending more than we make is abhorrent to those of us who appreciate the unique and peaceful beauty of the Victoria corridor. This is an absolute NO vote from me.

Robin Whittington  
18200 Hibiscus Ave  
Riverside 92508



**From:** [Steve Yates](#)  
**To:** [Eguez, Judy](#); [smill@riversideca.org](mailto:smill@riversideca.org); [Conder, Chuck](#)  
**Subject:** [EXTERNAL] New homes proposed for La Sierra and Victoria Ave  
**Date:** Wednesday, October 30, 2024 3:42:17 PM

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Ms. Eguez,

As a resident of Riverside's green belt near the proposed development I am asking you to **oppose** the project. Allowing this project would set a precedent of destroying the historic Victoria Avenue and reducing the green belt. The traffic impact would be significant and detrimental to current residents along the Avenue.

Those backing this project are ignoring the mandates of city voter approved laws Prop R and Measure C to protect the green belt and Victoria Ave.

Again, please oppose this proposed project.

Steve Yates  
909-851-0926

**From:** [rblock31@charter.net](mailto:rblock31@charter.net)  
**To:** [Equez, Judy](#)  
**Cc:** [everett@delanoanddelano.com](mailto:everett@delanoanddelano.com); [ezgi@delanoanddelano.com](mailto:ezgi@delanoanddelano.com); [Mary Humboldt](#); [Leonard Nunney](#); [Gurumantra](#)  
**Subject:** [EXTERNAL] Letter to City about Planning Case PR-2024-001656  
**Date:** Thursday, October 31, 2024 1:45:52 PM  
**Attachments:** [La Sierra Victoria ltr 10.31.24.docx](#)  
[LSV state farmland categories.htm](#)  
[LSV state on ag land protection.htm](#)

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Hello, Judy.

Attached is a 5-page letter, in Word format, from Friends of Riverside's Hills about Planning Case PR-2024-001656, as well as two brief copies of State of California documents. Please let me know if there is any problem opening these documents. This is being presented as comment on the proposed Mitigated Negative Declaration prior to today's deadline for such comments, and as testimony for the Nov. 7 Planning Commission Public Hearing on this case.

Please confirm receipt of the letter and attachments, that they can be read, will be part of the record on the case, and will be distributed to appropriate parties including members of the Planning Commission.

Thanks,  
Richard Block for Friends of Riverside's Hills (FRH)

October 31, 2024 By email

To: City of Riverside Planning Commission and Planning Staff via contact planner  
Judy Eguez

From: Friends of Riverside's Hills ("FRH")

Re: Opposition to Planning Case PR-2024-001656 (the "Project") and its Draft  
Mitigated Negative Declaration ("MND") (comment deadline on MND Oct. 31,  
2024, CPC Public Hearing Nov. 7, 2024, Item 3)

This letter expresses FRH's strong opposition to this project, which would replace a nearly 10 acre orange grove at the corner of La Sierra Ave and Victoria Ave with a 49-unit housing project, and points out some serious faults in the project's MND.

As the City's voter-passed Prop R states,

"These [i.e., the City's then] plans and policies also destroy the City's remaining citrus groves, agricultural land, natural resources, and historic Victoria Avenue. ... All these are priceless and irreplaceable civic amenities which enhance the quality of life and which we wish to preserve for ourselves and future generations."

Prop R then goes on to mandate protections for the City's Greenbelt, an area of mainly citrus orchards extending southwest to the then City boundaries. The area of the present project, with its existing orchard, was subsequently annexed to the City but the annexation failed to include it in the area specifically protected by Prop R and its subsequent strengthening in voter-passed Measure C. However, the project site is close to and in a natural extension of the protected Greenbelt area, and the Project's orchard, like the greenbelt and Victoria Ave, is also a "priceless and irreplaceable civic amenity" deserving of preservation.

Regarding the present project and its Initial Study/MND, on p. 20-21 (page numbers given here are those of the MND), the answer to question 2a states

"... the 8,8-acre (sic) site is part of a 10-acre area designated as Prime Farmland by the State Department of Conservation through their Farmland Mapping and Monitoring Program (FMMP). ... The project site used to support a citrus orchard but is no longer being actively harvested. ... The

project site does have a state Farmland designation but does not currently support agricultural resources or operations. ... Based on these conditions, the project will have a less than significant impact on a direct, indirect, or cumulative basis on Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (Farmland), and no mitigation is required.”

However, per the State of California, the category of Prime Farmland, which includes the project site, is the **highest** category of agricultural land, **even higher than the category of Farmland of Statewide Importance**

<https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>

(copy attached) and **the category of Prime Farmland does not require current agricultural use of the site.**

The MND’s p.2 states

“The Victoria Avenue Policy for Preservation, Design and Development, November 2019, requires that any existing, healthy trees and their roots, trunks and canopies, located along Victoria Avenue, or within 100 feet of Victoria Avenue’s edge of roadway, shall be protected from any construction activity. In fulfillment of this policy, the project proposes to preserve 1.24 acres (54,110 square feet) of the northern portion of the site to become part of the Victoria Avenue historic landscaped parkway consistent with the Victoria Avenue Policy. This treatment along Victoria Avenue will have a 10-foot-wide decomposed granite (DG) multi-use trail through a grove of citrus trees that will remain from the existing onsite orchard that is no longer commercially harvested. This citrus grove represents 16% of the site area so the project does not propose any other onsite park or open space improvements The site will have extensive new landscaping to complement the planned Victoria Avenue “grove”. (see Figure 6, Landscaping Plan).”

That shows that the existing onsite orchard consists of healthy trees which could thus be restored to production or be replanted with new young citrus trees, and thus its loss would be a loss to state agriculture as specified by the State Department of Conservation.

On the MND's p.53, Land Use and Planning Question 11b asks

"Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect?"

The answer states

"Based on this analysis [mainly about population], the proposed Project will not conflict with any **local or regional** land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect."

However that ignores conflict with **state** policy, as stated in

[https://www.conservation.ca.gov/dlrp/Pages/CA-Environmental-Quality-Act-\(CEQA\)-.aspx](https://www.conservation.ca.gov/dlrp/Pages/CA-Environmental-Quality-Act-(CEQA)-.aspx)

(copy attached) which concludes

"The conversion of agricultural land represents a permanent reduction in the State's agricultural land resources. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State. As such, the Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guidelines § 15370. The Department highlights this measure because of its acceptance and use by lead agencies."

**The City needs to get in conformity with this and either scrap the project or provide such mitigation. Further, the conflict with the state's recommendation is substantial evidence of a potentially significant impact which thus, per CEQA, disallows the use of an MND instead of an EIR.**

On the MND's p. 20, part of answer to question 2a states

"In addition, there are properties supporting citrus orchards 0.4-mile northeast of the site south of Victoria Avenue but the extent to which they are actively producing citrus is not currently known."

However, as the promulgators of the MND could and should have easily determined and as seen on Google maps, there is a very large area there (many times the area of the subject site) of healthy looking citrus orchards. That area is part of the City's designated Greenbelt controlled by voter-passed Prop R and Measure C and zoned RA-5 (minimum 5 acre lots) and is clearly actively producing citrus (personal observation and information from local Greenbelt citrus growers). That nearby area is also connected to the project site by the Victoria Ave parkway citrus trees.

Regarding impacts other than to agriculture, the MND's p.2 states:

"The project will be built in one phase and grading will require 6,252 cubic yards (CY) of cut and 29,04 [sic] CY of fill so overall earthwork will require the import of 22,788 CY of fill (Figure 7, Grading Plan)."

At an average of 11 CY of fill per 15 CY dump truck, that is over 2,000 such dump trucks going in and out from the site (even with an overly optimistic amount per dump truck load of 15 CY, that would be nearly 1,500 loads). The MND fails to provide needed information as to the time period for such grading, and the traffic/noise/dust impacts of such grading.

As noted on MND p. 7:

"All answers must take account of the whole action involved, **including off-site as well as on-site**, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts)."

However, the MND fails in particular to provide any information as to where the large amount, 22,788 CY, of imported fill will come from, and the impacts there, and the impacts of its transport to the site.

How much of that dump truck traffic will go via Millsweet Place on the project's northeast edge (see Exhibit 4, p. 9), and thus via Victoria Ave, where trucks over 5 tons are prohibited by City Code?

The estimated total construction time is stated in the MND as 300 days, but the writer could find no breakdown as to how much of that was for grading. If 20 days of that is for grading, that is an average of over 100 dump trucks in and 100 out, per day, so in an 8-hour = 480 minute workday, a dump truck in or a dump truck

out on average every less than 2 ½ minutes. That will cause a substantial impact on the neighborhood, especially on adjacent and across the street neighboring residents (and on the Hello Baby Child Care Agency a couple of hundred feet southeast and the Arizona Middle School a couple of blocks northwest), as well as impacts on local traffic, all of which the MND fails to consider.

Another issue: Per the project plans, the sole vehicle ingress/egress (Exhibit 4, p. 9) to/from the project's 49 homes will be by a single outlet to heavily trafficked La Sierra Ave, creating emergency (especially fire) access problems, as well as a problem for any vehicle seeking a left turn to or from La Sierra Ave, which would be prevented by the landscaped median on that street. So, per the MND, an estimated 490 trips a day to or from the 49 homes, with about half having to start out or end up going the opposite direction from that intended.

For all of the above reasons, the MND is inadequate and an EIR is needed for this project if it proceeds, or better, it should be scrapped entirely.

Others will also present FRH discussion of other problems with the project and its MND.

Friends of Riverside's Hills is a public benefit non-profit corporation based in and with members resident in the City of Riverside, staffed entirely by unpaid volunteers, with aims including preservation of lands protected by the City's voter-passed Prop R and Measure C and similar lands, like that of the present project, subsequently annexed to the City.

Thank you for your consideration of opposition to the project.

FRH, by Richard Block, Vice President and Legal Liaison Officer of FRH

**From:** [rblock31@charter.net](mailto:rblock31@charter.net)  
**To:** [Equez, Judy](#)  
**Cc:** [everett@delanoanddelano.com](mailto:everett@delanoanddelano.com); [ezgi@delanoanddelano.com](mailto:ezgi@delanoanddelano.com); [Mary Humboldt](#); [Leonard Nunney](#); [Gurumantra](#)  
**Subject:** [EXTERNAL] Re: Letter to City about Planning Case PR-2024-001656  
**Date:** Thursday, October 31, 2024 2:13:56 PM

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Here is a copy of the text of one of them, from the California Department of Conservation website

[https://www.conservation.ca.gov/dlrp/Pages/CA-Environmental-Quality-Act-\(CEQA\)-.aspx](https://www.conservation.ca.gov/dlrp/Pages/CA-Environmental-Quality-Act-(CEQA)-.aspx)

The purpose of the California Environmental Quality Act (CEQA) is to:

- Prevent or minimize significant, avoidable damage to the environment.
- Disclose potential environmental effects of a proposed discretionary project, through a variety of publicly accessible documents.
- Encourage public participation in the environmental review and decision-making process.
- Ensure transparency in governmental decision-making process.

All projects requiring discretionary governmental approval, whether public or private, are subject to CEQA. CEQA statute can be found in the [Public Resources Code § 21000-21189](#), and CEQA guidelines can be found in the [California Code of Regulations § 15000-15387](#).

CEQA statute provides the fundamental regulations that an agency must follow, while CEQA guidelines provide clarification for those agencies required to administer CEQA and the public.

[Land Evaluation and Site Assessment \(LESA\)](#) is a term used to define an approach for rating the relative quality of land resources based upon specific measurable features. The formulation of the California Agricultural LESA Model is the result of Senate Bill 850 (Chapter 812 /1993), which charged the Resources Agency, in consultation with the Governor's Office of Planning and Research, with developing an amendment to Appendix G of the California Environmental Quality Act (CEQA) Guidelines concerning agricultural lands. This legislation authorized the Department of Conservation to develop the California LESA Model, which was in turn adopted as the required amendment to Appendix G of the CEQA Guidelines. The LESA model was intended "to provide lead agencies with an optional methodology to ensure that significant effects on the



environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" ([Public Resources Code Section 21095](#)).

The Division of Land Resource Protection (DLRP) reviews, comments, and provides technical assistance to state and federal agencies, local jurisdictions, and the public regarding the multiple facets of the CEQA process. For Lead Agencies, the Department recommends the following discussion regarding agricultural resources:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for impacted agricultural lands within the proposed project area.
- The project's compatibility with lands within an agricultural preserve and/or enrolled in a Williamson Act contract.

The conversion of agricultural land represents a permanent reduction in the State's agricultural land resources. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State. As such, the Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guidelines § 15370. The Department highlights this measure because of its acceptance and use by lead agencies.

If you have any questions regarding the CEQA process, please contact the Division of Land Resource Protection, at [dlrp@conservation.ca.gov](mailto:dlrp@conservation.ca.gov).

In the Department's continuing effort to migrate to a paperless environment, all environmental documents for review can be emailed to the Department at [dlrp@conservation.ca.gov](mailto:dlrp@conservation.ca.gov).

Resources:

[CEQA Laws and Regulations](#)

- [CEQA Process Flowchart](#)
- [Environmental Checklist \(Appendix G\)](#)
- [Land Evaluation and Site Assessment \(LESA\) Model](#)

---

**From:** Eguez, Judy <JEguez@riversideca.gov>

**Sent:** Thursday, October 31, 2024 1:50 PM

**To:** rblock31@charter.net <rblock31@charter.net>

**Cc:** everett@delanoanddelano.com <everett@delanoanddelano.com>; ezgi@delanoanddelano.com <ezgi@delanoanddelano.com>; Mary Humboldt <bobbuster@att.net>; Leonard Nunney <nunney@ucr.edu>; Gurumantra <gm@nutritionnews.com>

**Subject:** RE: Letter to City about Planning Case PR-2024-001656

Thank your for your input, Mr. Block. I'll make sure that the Planning Commission receives the letter. The other two attachments were received as weblinks; is there any way you can provide those as PDF's or another file type? I'm not able to attach weblinks. I appreciate it.

Respectfully,

**Judy Egüez**, Senior Planner

City of Riverside

Community & Economic Development, Planning Division

Main: 951.826.5371

Direct: 951.826.3969

---

**From:** rblock31@charter.net <rblock31@charter.net>

**Sent:** Thursday, October 31, 2024 1:42 PM

**To:** Eguez, Judy <JEguez@riversideca.gov>

**Cc:** everett@delanoanddelano.com; ezgi@delanoanddelano.com; Mary Humboldt <bobbuster@att.net>; Leonard Nunney <nunney@ucr.edu>; Gurumantra <gm@nutritionnews.com>

**Subject:** [EXTERNAL] Letter to City about Planning Case PR-2024-001656

**CAUTION: This email originated from outside the City of Riverside. It was not sent by**

**any City official or staff. Use caution when opening attachments or links.**

Hello, Judy.

Attached is a 5-page letter, in Word format, from Friends of Riverside's Hills about Planning Case PR-2024-001656, as well as two brief copies of State of California documents. Please let me know if there is any problem opening these documents. This is being presented as comment on the proposed Mitigated Negative Declaration prior to today's deadline for such comments, and as testimony for the Nov. 7 Planning Commission Public Hearing on this case.

Please confirm receipt of the letter and attachments, that they can be read, will be part of the record on the case, and will be distributed to appropriate parties including members of the Planning Commission.

Thanks,

Richard Block for Friends of Riverside's Hills (FRH)

Stay in-the-know with all things Riverside! Connect with us at  
[RiversideCA.gov/Connect](https://RiversideCA.gov/Connect).

**From:** [rblock31@charter.net](mailto:rblock31@charter.net)  
**To:** [Equez, Judy](#)  
**Cc:** [everett@delanoanddelano.com](mailto:everett@delanoanddelano.com); [ezgi@delanoanddelano.com](mailto:ezgi@delanoanddelano.com); [Mary Humboldt](#); [Leonard Nunney](#); [Gurumantra](#)  
**Subject:** [EXTERNAL] text of other attachment  
**Date:** Thursday, October 31, 2024 2:56:12 PM

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Judy,

And here is the text of the other one, from California Department of Conservation website

<https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx> **Important Farmland Categories**

FMMP's study area is contiguous with modern soil surveys developed by the US Department of Agriculture (USDA). A classification system that combines technical soil ratings and current land use is the basis for the Important Farmland Maps of these lands. Most public land areas, such as National Forests and Bureau of Land Management holdings, are not mapped.

The minimum land use mapping unit is 10 acres unless specified. Smaller units of land are incorporated into the surrounding map classifications. In order to most accurately represent the NRCS digital soil survey, soil units of one acre or larger are depicted in Important Farmland Maps.

For environmental review purposes under CEQA, the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land constitute 'agricultural land' (Public Resources Code Section 21060.1). The remaining categories are used for reporting changes in land use as required for FMMP's biennial farmland conversion report.

#### Prime Farmland (P)

Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. More information on the [definition of Prime Farmland](#) the [soils qualifying for Prime Farmland](#) is also available.

#### Farmland of Statewide Importance (S)

Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. Download information on the [soils qualifying for Farmland of Statewide Importance](#).

#### Unique Farmland (U)

Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

#### Farmland of Local Importance (L)

Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. In some counties, [Confined Animal Agriculture](#) (PDF) facilities are part of [Farmland of Local Importance](#) (PDF), but they are shown separately.

#### Farmland of Local Potential (LP)

Farmland of Local Potential is a subcategory of Farmland of Local importance and aggregated with Farmland of Local Importance acreage in the land use conversion table. Four counties include Farmland of Local Potential, see definitions below.

#### Definitions:

- Glenn County: All lands having Prime and Statewide soil mapping units which are not irrigated, regardless of cropping history or irrigation water availability.
- San Luis Obispo County: Lands having the potential for farmland, which have Prime or Statewide characteristics and are not cultivated.
- Santa Clara County: All lands having Prime and Statewide soil mapping units which are not irrigated, regardless of cropping history or irrigation water availability.
- Yolo County: Prime or Statewide soils which are presently not irrigated or cultivated.

#### Grazing Land (G)

Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing

activities.

#### Urban and Built-up Land (D)

Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

#### Other Land (X)

Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

The [Rural Land Mapping Project](#) provides more detail on the distribution of various land uses within the Other Land category in eight FMMP counties, encompassing all the San Joaquin Valley counties. The Rural Land categories include:

- Rural Residential Land (R)
- Semi-Agricultural and Rural Commercial Land (sAC)
- Vacant or Disturbed Land (V)
- Confined Animal Agriculture (CI)
- Nonagricultural or Natural Vegetation (nv)

#### Water (W)

Perennial water bodies with an extent of at least 40 acres.

#### Area Not Mapped (Z)

Area which falls outside of the NRCS soil survey. Not mapped by the FMMP.

#### OPTIONAL DESIGNATION

Land Committed to Nonagricultural Use

This category was developed in cooperation with local government planning departments and county boards of supervisors during the public workshop phase of the FMMP's development in 1982. Land Committed to Nonagricultural Use information is available both statistically and as an overlay to the important farmland information. Land Committed to Nonagricultural Use is defined as existing farmland, grazing land, and vacant areas which have a permanent commitment for development.

### **Important Farmland Categories Links**

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[Prime Farmland and Farmland of Statewide Importance](#)

[California Prime and Statewide Soils](#)

[Rural Land Mapping Project](#)

## Comments

October 31, 2024

by Bob Buster

7407 Dufferin Ave, Riverside CA 92504

[bobbuster@att.net](mailto:bobbuster@att.net) (951) 314-0201

on the Mitigated Negative Declaration for Planning Case PR-2024-001656

to Planning Commission, City of Riverside

Attn: Judy Egue, Senior Planner

[jeguez@riversideca.gov](mailto:jegue@riversideca.gov)

This project site and the land around it previously annexed to the City have long been connected and integral to the City's Greenbelt and the rest of the 7-mile Victoria Avenue parkway. I know because I have lived and farmed citrus in the Greenbelt my entire life.

This site with its green 10-acre grove and hidden home is more than a minor amenity at the only western entrance to the entire historic Victoria parkway and Greenbelt. It is a sentinel, a fitting portal warmly welcoming all who enter or pass by. It constantly commemorates the legacy of our remarkable and rich local citrus farming and – as so many hope and have voted for – its continuation in years to come. This grove can be replanted, just as I have done on my groves.

Without this site, there is no way for residents and visitors to know that just ahead is a huge area of tranquil beauty with farms, trees, walkways and riding paths, historic grove homes, a unique State Park and much more. With this farm site properly protected and adapted, all can slow down, savor and value what lies ahead.

We wouldn't have the Citrus State Historic Park without this enduring critical mass of farmland and the sustaining water from the Gage Canal. UC Riverside, world leader in agricultural research and advances, acquired Greenbelt grove land recently to find ways to combat invasive insects and



diseases, producing crops more efficiently and helping us eat healthy fruits and vegetables grown locally.

Riverside's citrus history is a capstone of our nation's proudest manifest destiny – an All American story. Exemplified not just by the Greenbelt and Victoria, but also by the leaders and people who dreamed it and thought it through, overcoming daunting obstacles to achieve its enduring success. It's a living testament to the many peoples who worked on the farms and picked the fruit. From way back volunteers have helped plant memorial trees and ragged robin roses along the Avenue.

John W. North, colony conceiver and promoter; Matthew Gage, engineer of a 20-mile water conduit to rival Rome's; Eliza and Luther Tibbets, finders of the "unsurpassed orange from Bahia", key to unlock millions of new taste buds; Dr. Francis Gunther, Greenbelt resident and premier UCR researcher, gaining worldwide renown by protecting farmworkers from dangerous chemicals – and many others made this wonderful industry work.

Growing citrus here was the masterstroke that made Riverside not just the richest city in the nation, but one of the best to live in. It created more industry with good jobs like Food Machinery, which developed the automatic nailer to make fruit shipping crates. Toro Co, Irrrometer, and many other manufacturers started here because of citrus.

With the City's unique resources, such as its water and electric utility and UCR's research, we can again incentivize high value crops and tree fruits to grow here, making a cooling oasis for residents in the hotter climate ahead.

The grove on the site and the remaining ones are not separate from the Greenbelt and Victoria Ave because they have and benefit from:

- The same **water** for irrigation: "a deal that aided the other major English-owned land development firm—the San Jacinto Land Company. This firm ... owned Rancho El Sobrante de San Jacinto ... The Rancho land below the original Riverside Canal had been made part of the expanded Riverside of 1875, but more of it was irrigable by the Gage Canal. The English principals of the two firms agreed to extend the Gage Canal and to transfer water rights to irrigate the San Jacinto

Company's land. From *A Colony for California*, p 321 by Tom Patterson, a source listed but not quoted in the MND technical study. Like an atom's nucleus, the Greenbelt and annexed area were attracted to the other and locked together long ago. `

- Contrary to the McKenna technical study claims from 2014 and this year that it is “unlikely” that irrigation water comes from the Gage Canal, it most certainly does and has for over 60 years (prior to that the water came from the Canal, but through a now defunct company), according to Gage Canal Managers, who were never contacted in 2014 or this year.
- Rich **soils** for good trees and big crops, just like the Greenbelt's – considered Prime Farmland, which has the highest ranking for preservation by the State. See *Soil Survey of Western Riverside Area, California, USDA 1971*. Current USDA-NRCS soil resource maps also confirm this (to be submitted at Commission hearing).
- High **production** and crop returns – as evidenced by several of the most successful farmers buying and keeping groves such as the subject parcel and those near it and having more groves in the Greenbelt, e.g. A.V. Jester is shown as the owner of the orange grove from 1940-42 (MND Exhibit 8b p 12). Mr. Jester also owned the 5-acre lemon grove I live on now 4.5 miles to the northeast in the Greenbelt; Latimer Lane in this annexed area was named after Wilbur Latimer, who owned orange and lemon groves in both areas and a packing house in Downtown Riverside now converted to an Old Spaghetti Factory.
- **Identical land planning**, division into square or rectangular parcels sized and shaped for optimum citriculture and marketing to attract both investors and small resident farmers.
- The same framework of **backbone roads**. In this area Victoria and Cleveland go straight through; others at right angles from both sides of Victoria.
- **Groveworkers and picking crews** from the same Greenbelt labor camps and local Casa Blanca community
- World-leading **agriculture research** by Citrus Experiment Station at UC Riverside to combat diseases and maintain healthy trees help farmers in both areas. We must not get close to the tipping point, where the entire area is swallowed by urbanization. Keeping a critical mass of citrus and avocado acreage here will help UCR stay. Hundreds of well-paying

positions are at stake. UCR has just acquired 21 acres for avocado research.

- **Business owners and administrators** who want to live in or next to the Greenbelt and Victoria Avenue on small farms.

Riverside voters have repeatedly expressed their will to protect and enhance citrus and agriculture. The 1979 Prop R and 1987 Measure C delivered strong majorities favoring City actions to help farming and to extend zoning protection to agriculture as the City annexed. “The plan shall extend the provisions of Proposition R and of this measure to the Sphere of Influence area.” (Section 7.b.) Yet this property and surrounding agricultural land was annexed without doing this.

Popular support has not wavered. In 2014 a Nevada developer-financed campaign to weaken R & C’s protections and open the entire City to higher density zoning with a hidden “poison pill” clause was soundly defeated by citywide voters.

The MND fails to mention Prop R and Measure C (on the City Clerk’s Elections Archive) even though they are historically significant. These measures and Victoria’s national listing are also recognized and described in more detail on the City’s own neighborhoods web page ([www.riversideca.gov/athomeinriverside/neighborhoods-arlingtonheights.asp](http://www.riversideca.gov/athomeinriverside/neighborhoods-arlingtonheights.asp)). The project’s main historic/cultural consultant fails to cite this too.

So, below are the deficiencies and omissions in the MND’s erroneous conclusions and inadequate mitigations that I find:

#### Section 1 Aesthetics – X in LTSI box

Wrong, has much greater adverse impact. Having the lovely sight of a green grove at this prominent intersection benefits the thousands who walk or drive by. Jagged, crammed rooftops are not soothing or beautiful.

#### Section 2 Agriculture Resources – X in LTSI box

Absolutely wrong with clearly token, insufficient mitigation. This is irrigated Prime Farmland, just as mine is 4.5 miles away in the Greenbelt. It is ranked highest for protection by State policies. Developing this site sets a precedent for more such proposals ringing the Greenbelt and Victoria Avenue. R & C require protecting it. At minimum, any reduction here of such quality ag land must be mitigated on at least a 1-acre lost to 2-acres saved nearby.

### Section 3 Air Quality – X in same box

Erroneous, does not measure the net loss of good air filtered and emitted by tree leaves to crowded housing and vehicle exhausts. Fails to consider toxic pollution compounding effect of hotter weather and fire smoke here.

### Section 5 Cultural Resources – X in same box

Fails to consider Prop R and Measure C history, two city wide votes affirmed by State Supreme Court. Obviously, after 45 years this history is critical to consideration of this site and area today, meriting recognition of the farm and area under Federal, State and City criteria.

### Section 8 Greenhouse Gas Emissions – X same box

Not up to date with hotter weather and scores of gas-powered vehicles starting up and many more delivery trucks coming in.

### Section 10 Hydrology and Water Quality – x same box

Potential huge hazard failed to be recognized, i.e., earthquake or other Lake Mathews dam/dike breach causing sudden inundation of project site. State Water Dept web site shows three emergency flood scenarios (screen shots enclosed), one which doesn't affect the site, but two that do. Project MND Sect. 10d, bottom of p 51, claims "...Project site is not located within the dam inundation area of Lake Matthews."

If inundation potential confirmed, site should remain

in agriculture.

Section 11 Land Use and Planning – X same box as to subsection b.

This will cause a significant impact because it directly conflicts with Prop R and Measure C requirements to protect citrus and farmlands in annexed areas, especially projects on sites like this directly bordering Victoria and next to Greenbelt. This too is an adverse precedent in many other areas around the Greenbelt.

Section 14 Population and Housing – X in same box as to subsection a.

Again, this is glaring precedent, a ‘block buster’, that will obviously induce unplanned (which this project is) spot high density housing incompatible with agriculture at many other sites around the Greenbelt and throughout the City.

Section 17 Transportation – X same box as to subsection a

Such a dense development, without adequate parking and no bus service, forcing many residents to walk long distances, is completely unsuitable – even hazardous – in hot or rainy weather for children, the aged and infirm, and for disabled future residents. This cries out for necessary accommodations and improvements, both on and off site, such as bus, taxi or van service (which project proponents do not control).

**From:** [Bob Buster](#)  
**To:** [Eguez, Judy](#)  
**Subject:** [EXTERNAL] Fw: Lake Mathews Dam Inundation Map - CA DWR Webtool  
**Date:** Thursday, October 31, 2024 2:16:01 PM  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[image007.png](#)  
[image008.png](#)  
[image001.png](#)

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**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Ms Eguez, I'm submitting the following email with three screenshots of the Lake Mathew's dam inundation areas as part of my comments at page 5 on Section 10 of the MND of my 6-page comment letter (sending next to you) Planning Case PR-2024-001656. Can you include this email and Flood District Engineer Quinonez's with my letter so it is clear what these 3 shots are referring to? Advise me (951) 314-0201 if any problem. Thx much -- Bob Buster

----- Forwarded Message -----

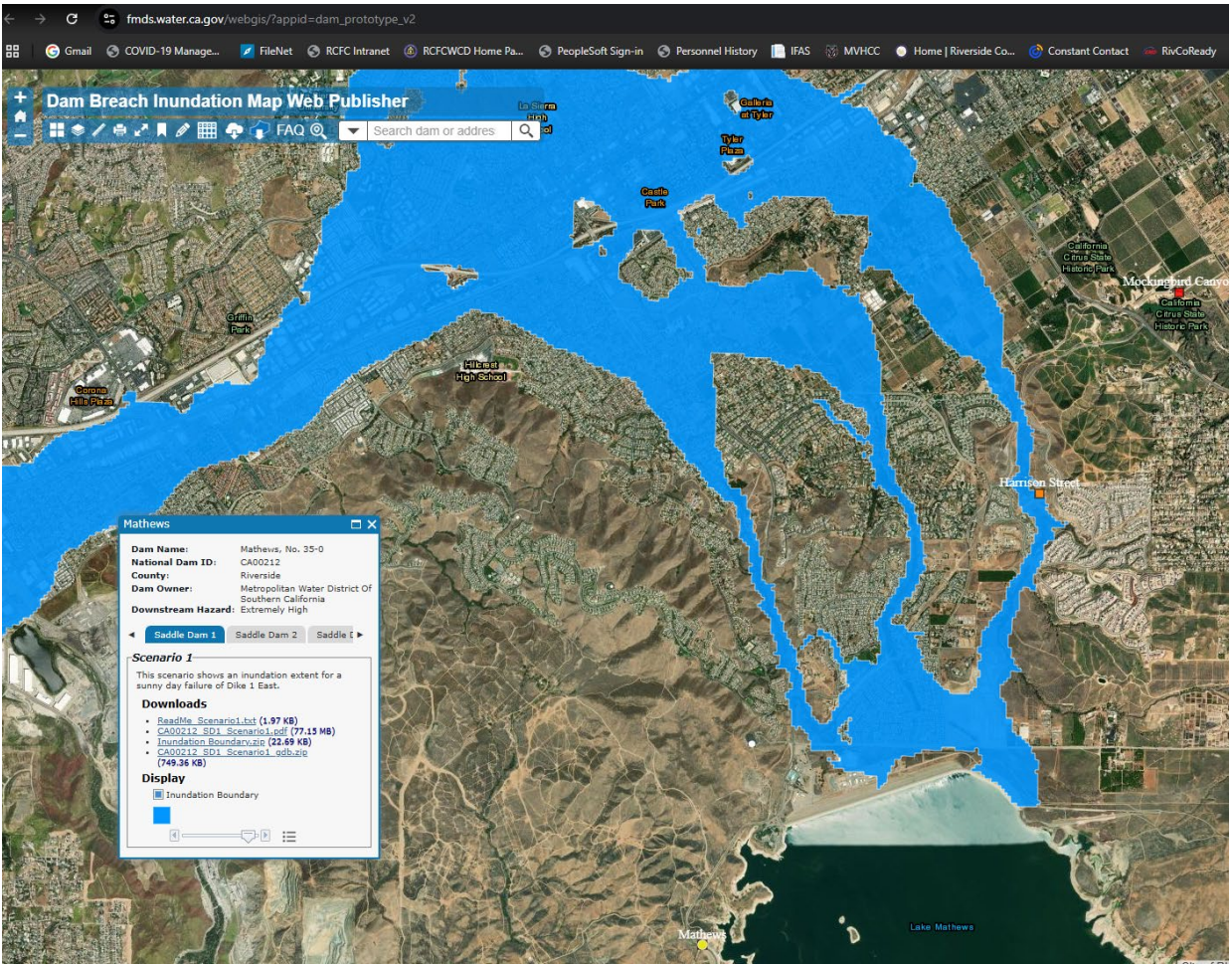
**From:** Quinonez, Edwin <eequinon@rivco.org>  
**To:** Bob Buster <bobbuster@att.net>  
**Sent:** Thursday, October 31, 2024 at 10:39:48 AM PDT  
**Subject:** RE: Lake Mathews Dam Inundation Map - CA DWR Webtool

Mr. Buster,

Just a brief follow-up to our conversation. The following is a screenshot for each of the Lake Mathews Dam inundation scenario per CA DWR website:

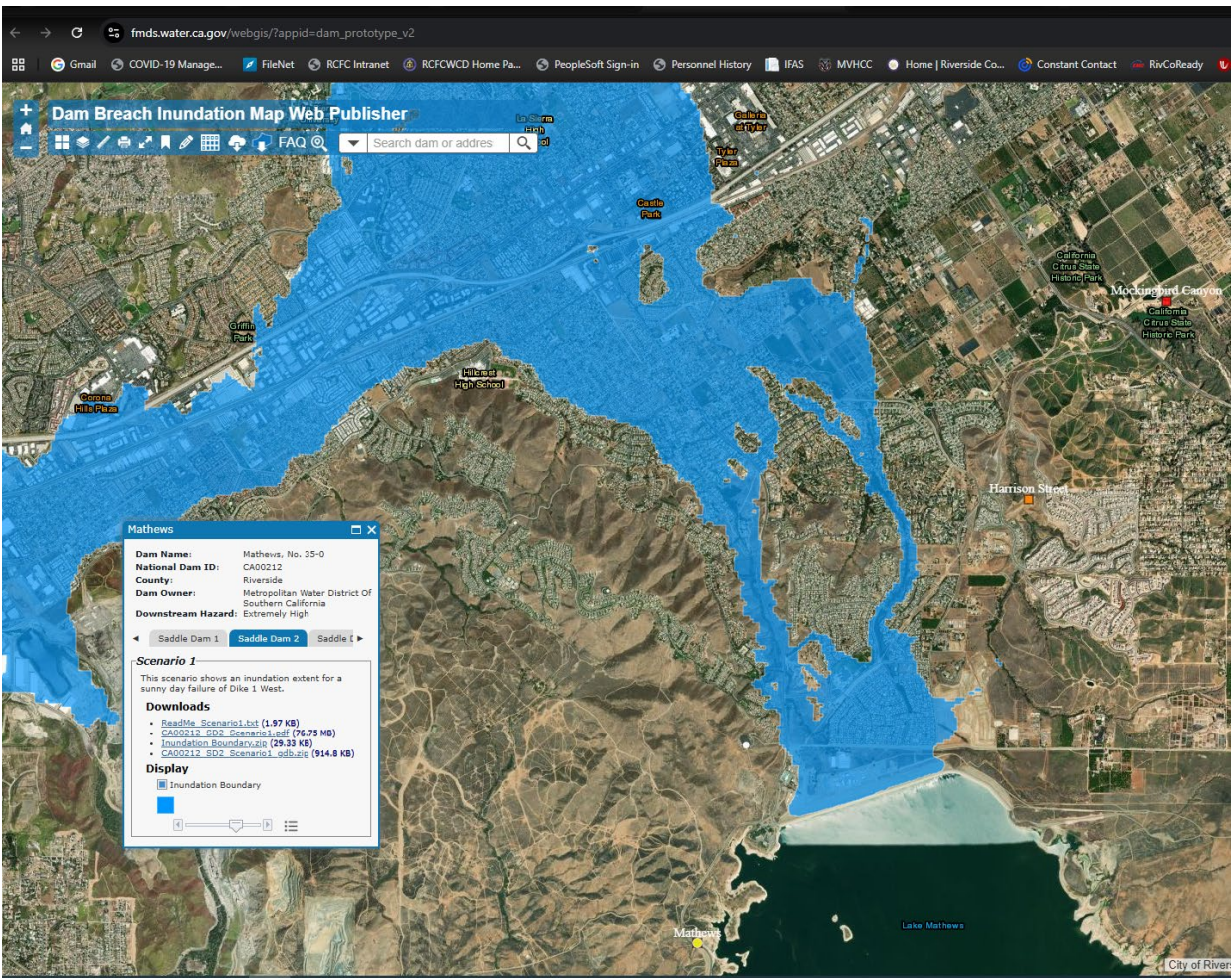
**Scenario 1**





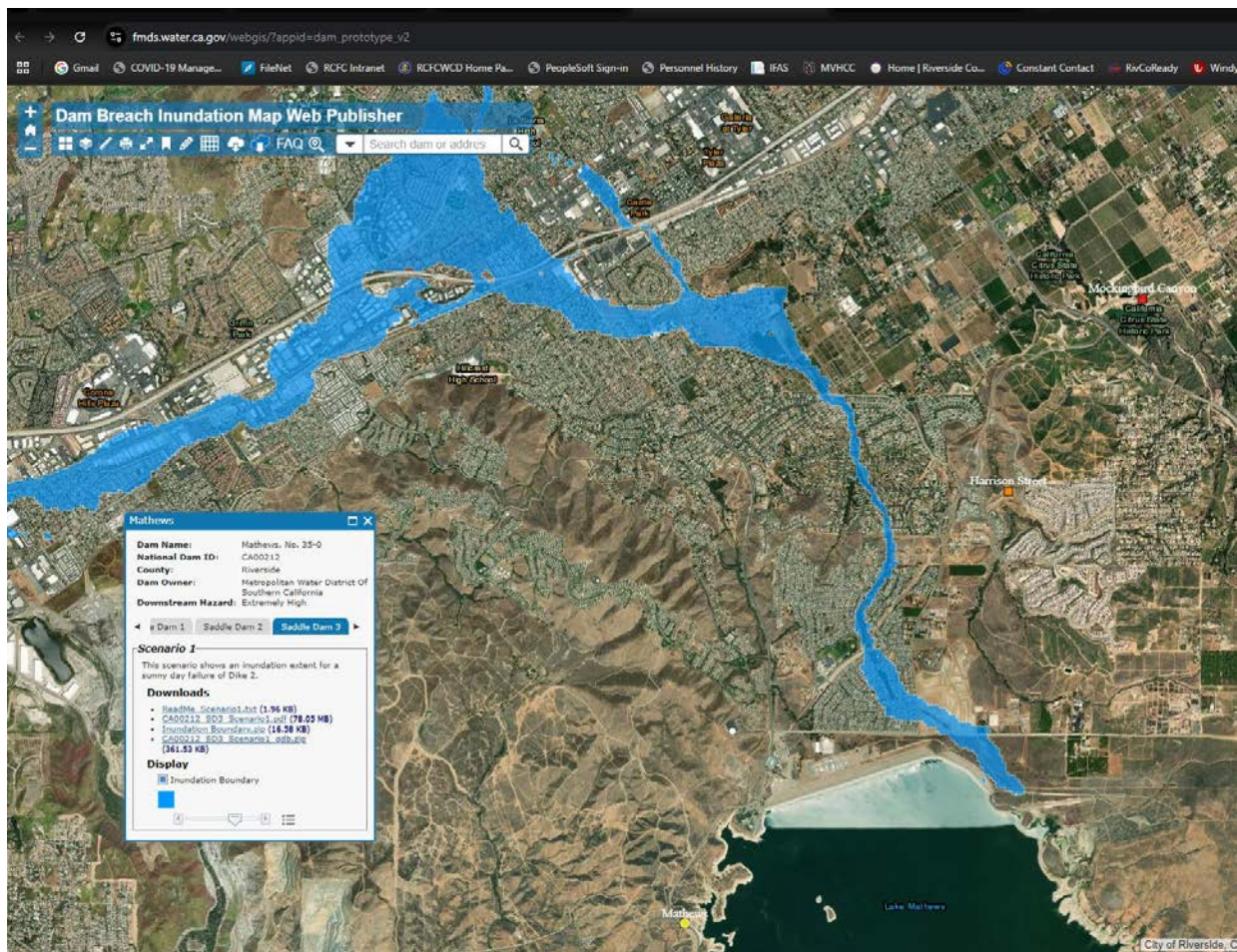
**Scenario 2**





### Scenario 3





If you have any other questions just let me know.

-Edwin

---

**From:** Quinonez, Edwin  
**Sent:** Wednesday, October 30, 2024 11:26 AM  
**To:** Bob Buster <bobbuster@att.net>  
**Subject:** Lake Mathews Dam Inundation Map - CA DWR Webtool

Good morning Mr. Buster,

Just following up on our recent conversation. The following is the link to the CA Department of Water Resources tool showing inundation limits/maps for the various dams across the state:

[https://fmds.water.ca.gov/webgis/?appid=dam\\_prototype\\_v2](https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2)

In the tool you will need to zoom in to Lake Mathews and click on the small square to display inundation limits. I've included a couple screenshots for your reference but feel free to give me a call if you have any questions. I also included a PDF of the inundation map (relevant sheets) that you are able to download from website.

Regards,

Edwin Quiñonez

Assistant Chief Engineer

Business Services

Riverside County Flood Control

and Water Conservation District

1995 Market Street, Riverside, CA 92501

Office: (951) 955-1452

Cell: (951) 236-3835

[eequinon@rivco.org](mailto:eequinon@rivco.org)

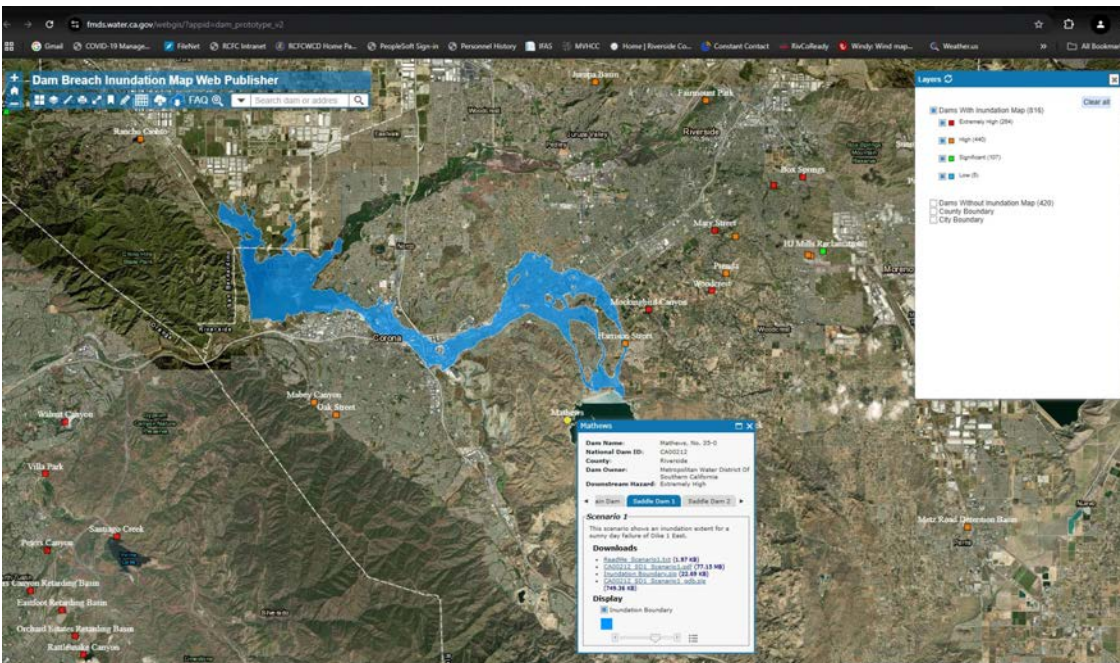
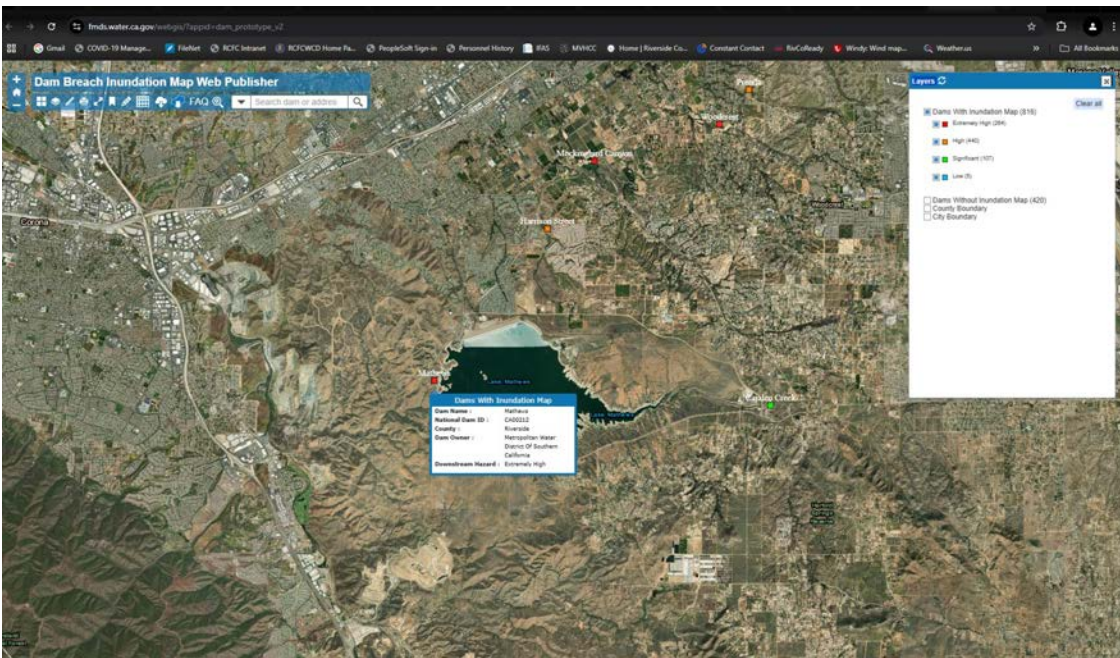
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[County of Riverside California](#)

**From:** Brian Baird <briandbaird@gmail.com>  
**Sent:** Wednesday, November 6, 2024 11:48 AM  
**To:** Eguez, Judy  
**Subject:** [EXTERNAL] CASE PR-2024-001656 (TENTATIVE TRACT MAP) Input

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Hi -

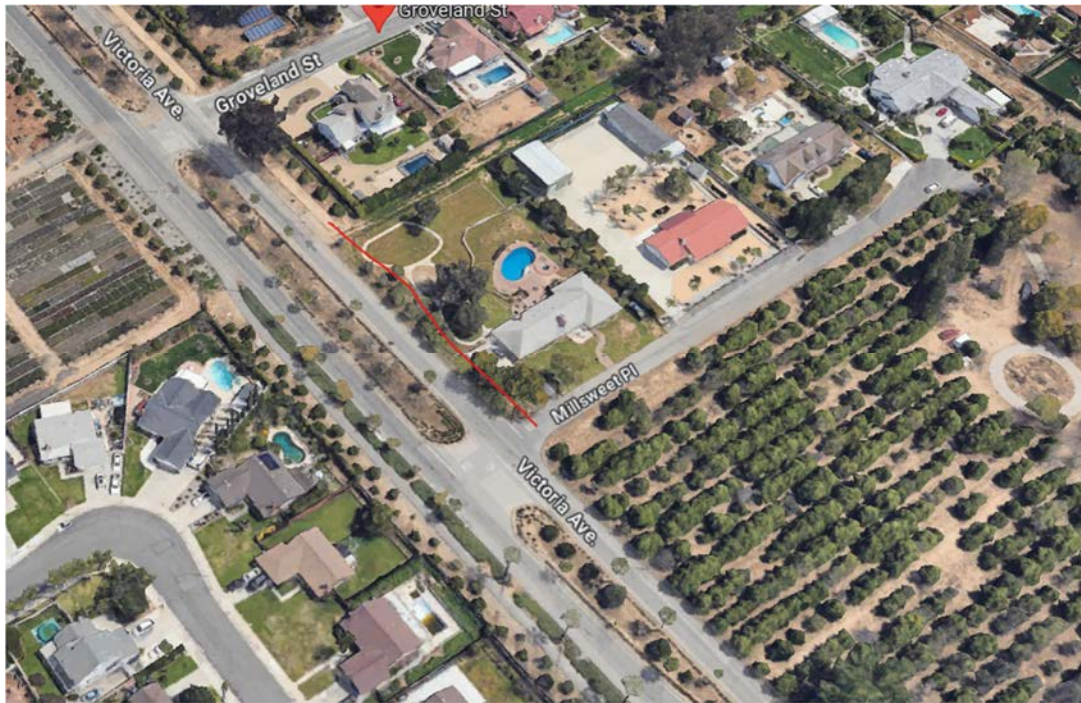
I understand you are the planner for the subject project. I live nearby off Kayjay street. While I'm discouraged to lose this historic grove I was happy to see the preservation of the grove along Victoria and the sidewalk installation.

My request is with this development the walking path must be extended all the way to the existing path near the alley at Groveland street. This 'gap' in pathway is odd and feels incomplete otherwise.

Furthermore, I'd like to understand if a southbound turn lane will be installed on La Sierra for tract access? Otherwise dangerous U turns at Cleveland will be used to access the track.

I request both of these items should be part of the project's conditions of approval.

Thanks,



Via Baird Wireless Network  
[briandbaird@gmail.com](mailto:briandbaird@gmail.com)  
M. 909.472.6082





# DELANO & DELANO

November 6, 2024

Planning Commission  
City of Riverside  
c/o City Clerk  
3900 Main Street  
Riverside, California 92522

Re: November 7, 2024 Planning Commission Meeting, Agenda Item No. 3: Planning Case PR-2024-001656 (TM)

Dear Honorable Members of the Planning Commission:

This letter is submitted on behalf of Friends of Riverside's Hills in connection with a proposed project located at the southeast corner of La Sierra Avenue and Victoria Avenue ("Project"), and the related Mitigated Negative Declaration ("MND").

I. The Project Violates the California Environmental Quality Act

The California Environmental Quality Act ("CEQA") requires the preparation of an Environmental Impact Report ("EIR") whenever substantial evidence in the record supports a "fair argument" that a project may have significant environmental impacts. Pub. Res. Code § 21080(d); *No Oil, Inc. v. City of Los Angeles* (1975) 13 Cal.3d 68, 75. Under CEQA, "substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." Pub. Res. Code § 21080(e)(1). Additionally, substantial evidence "means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." CEQA Guidelines § 15384(a) (emphasis added). If there is "substantial evidence that the project might have [a significant impact on the environment], but the agency failed to secure preparation of the required EIR, the agency's action is to be set aside because the agency abused its discretion by failing to proceed in a 'manner required by law.'" *Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1002. Here, the City should prepare an EIR before proceeding; the Project is likely to lead to several significant impacts.

The Project will lead to significant impacts to community character, land use, and aesthetics.

- The MND fails to analyze the Project's substantial inconsistency with the existing neighborhood and community. See MND at 18-19, 53-54. The Project is in La Sierra South neighborhood designated as Low-Density Residential area. MND at 1. The surrounding neighborhood consists of single-family houses designated as low density and agricultural/rural residential areas and the applicable residential development standard is 2.0 dwelling units per acre. MND at 3, Staff Report at 4. The Project's 49 residential homes would be one and two stories, on a 9.91-acre lot, with a density of 4.95 dwelling units per acre. *Id.* At this density, the Project will be inconsistent with the surrounding neighborhood. The Project proposes to increase density by more than two-fold and develop at greater intensity than currently allowed for the minimum lot area, maximum lot coverage and rear, front and side yard setbacks. Staff Report at 5. Each of these will create inconsistencies with the existing neighborhood. "[A]esthetic issues 'are properly studied in an EIR to assess the impacts of a project.'" *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4<sup>th</sup> 903, 937 (quoting *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4<sup>th</sup> 477, 492).
- The Project is inconsistent with several aspects of the City's General Plan (See Section II). For example, contrary to Land Use Element Policy LU-8.2, it does not "[a]void density increases ... that are incompatible with existing neighborhoods." General Plan at LU-26. At this density, the Project disrupts the existing development pattern within the established neighborhood.
- The MND claims the Project is consistent with the General Plan 2025 policies, however, it fails to consider applicable policies. MND at 18. For example, it refers to LU-54.3, a policy specific to the Hawarden Hills neighborhood. *Id.*
- Municipal Code Chapter 18 and the State Subdivision Map Act require findings for the approval of a tentative map. The Project does not meet these findings. For example, it is inconsistent with the General Plan. The site is not suitable for the type of development. And the Project is likely to cause environmental or public health impacts.

The Project will lead to significant impacts to agriculture resources.

- The Project site is designated as "Prime Farmland," but the MND fails to address the significant environmental impacts or provide mitigation measures. MND at 20. The MND acknowledges that "the project will result in the conversion of 9.91 acres of designated farmland to non-agricultural uses," however, fails to address the loss of agricultural resources. MND at 22. The MND's reasoning that the surrounding land is classified as "Urban

and Built Up” is not appropriate to ignore significant impacts and the required environmental analysis.

- The Project borders the Arlington Heights Greenbelt area, however, the MND fails to consider potential significant environmental impacts. The MND acknowledges that “[i]mplementation of the Project would result in the expansion of a residential neighborhood adjacent to the defined Greenbelt 2025 area” and loss of an existing farmland but finds “no impact.” MND at 21.
- The Project is also inconsistent with several General Plan policies regarding preservation of agricultural land, including:
  - The Project is inconsistent with the Land Use Element Objective LU-6 to “[r]etain functional agricultural areas within Riverside, particularly within the greenbelt area, while allowing for sensitive, low-intensity residential uses.” General Plan at LU-22.
  - Contrary to the Land Use Element Policy LU-6.4, the Project does not “facilitate long-term perpetuation of citrus stock” as it will result in the loss of most of the orange grove. LU-23.
  - The Project is inconsistent with the Open Space and Conservation Element Objective OS-3 that requires the City to “[p]reserve designated agricultural lands in recognition of their economic, historic and open space benefits and their importance to the character of the City of Riverside.” General Plan at OS-14. The Project does not “[p]romote and encourage agriculture as an essential industry and a desirable open space use” or “[p]rotect valuable agricultural land from urban development.” *Id.* (OS-3.1 & OS-3.3). Contrary to these policies, the Project will lead to conversion of a 8.8-acre Prime Farmland to urban development.
  - The Project is inconsistent with Policy OS-3.4 as it “does not [e]ncourage property owners to preserve citrus groves and implement public programs to provide incentives and other assistance to promote and protect citrus farming on prime agricultural lands. General Plan at OS-15.

The Project will lead to significant impacts to air quality and greenhouse gas emissions.

- The MND averages greenhouse gas emissions from construction over the life of the Project. MND at 34. Such emissions should be calculated as they will actually occur, not averaged over a longer period of time. *See Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal.App.4<sup>th</sup> 1013, 1049.
- The MND attempts to separate air emissions into construction and operational phases. MND at 23 – 25. However, it fails to account for the fact that such phases can overlap, thereby increasing the amounts of emissions at any given time. Both the MND and the Air Quality and GHG



Memo for the Project fail to analyze the impacts of both construction and operational emissions simultaneously.

The Project will lead to significant impacts to noise.

- The MND dismisses substantial construction noise impacts because they will be temporary and will occur only during the hours permitted in the Municipal Code. MND at 55. But noise thresholds for land use planning purposes do not necessarily determine significance for CEQA analysis, and the temporary nature of a noise impact does not make it insignificant. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Commissioners* (2001) 91 Cal.App.4<sup>th</sup> 1344, 1381.
- The MND acknowledges the noise analysis found existing conditions in excess of applicable limits. MND at 55. Yet the Project will not be providing mitigation to address these impacts. MND at 57. Indeed, where on-the-ground conditions are severe, the “relevant question” is whether the project’s additional impacts will be significant “in light of the serious nature” of the existing problems. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 718.
- The Project’s noise mitigation is vague and insufficient. *See Citizens for Responsible and Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4<sup>th</sup> 1323, 1341 (“there is no evidence of any measures to be taken that would ensure that the noise standards would be effectively monitored and vigorously enforced”). The MND only provides general mitigation measures regarding construction limits rather than addressing the specific impacts, and does not provide any mitigation measures for operational impacts. MND at 56.

The Project will lead to significant impacts to transportation.

- The MND provides a faulty VMT analysis and fails to acknowledge the Project’s potentially significant impacts. MND at 65-66. The MND acknowledges that “[t]he project exceeds the threshold by 4.9 VMT per resident (approximately 47% over the City threshold).” MND at 65. It claims that the five VMT reduction measures will “result in a decrease in VMT of 48.29% which places the project under the City threshold by 2.14%.” MND at 66. However, these reduction measures are not appropriate for the Project, and it is uncertain whether the claimed VMT decrease could be achieved. Accordingly, the Project can lead to a VMT increase far above the threshold. For instance;
  - Implementation of Measure T-1 (Increase Residential Density) is inconsistent with the considered standards of the CAPCOA Handbook. MND at 65-66, Appendix J - VMT Analysis at 3. The applicable section as attached to the VMT Analysis states “[t]his measure is most accurately quantified when applied to larger developments and/or

developments where the density is somewhat similar to the surrounding neighborhood.” Appendix J - VMT Analysis at 10. The Project does not fit this description.

- o Measure T-3 (Provide Transit-Oriented Development) “accounts for VMT reduction in the study area relative to the same project sited in a nontransit oriented (TOD) development location. To qualify as a TOD, the proposed project must be a residential project near a high frequency transit station.” Appendix J - VMT Analysis at 4. However, there is no evidence that the Project is near high frequency transit. In fact, the MND acknowledges that “the project is further than a 10-minute walk and 0.5 miles from a high-frequency transit station.” MND at 66. It further states “the 91 freeway is highly congested and provides further incentive for users of the project to utilize a transit station.” *Id.* This is not a viable reasoning for reducing VMT and is inconsistent with the intended goal of Measure T-3. See relevant section of the CAPCOA Handbook, Appendix J - VMT Analysis at 13.
- o Measure T-18 (Pedestrian Network Improvement) is aimed to “encourage people to walk instead of drive.” Appendix J - VMT Analysis at 24. The Project proposes an additional 2,295 linear feet sidewalk within the Project site. MND at 66, Appendix J - VMT Analysis at 5. Majority of this “sidewalk” is simply the entrances of the 49 residential units proposed by the Project. See Exhibit 1 of Appendix J - VMT Analysis at 8.

## II. The Project Violates the General Plan

“The propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements.” *Orange Citizens for Parks and Recreation v. Sup. Ct.* (2016) 2 Cal.5<sup>th</sup> 141, 153 (citation omitted). If a Project “will frustrate the General Plan’s goals and policies, it is inconsistent with the County’s General Plan unless it also includes definite affirmative commitments to mitigate the adverse effect or effects.” *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4<sup>th</sup> 342, 379. “[G]eneral consistencies with plan policies cannot overcome ‘specific, mandatory and fundamental inconsistencies’ with plan policies.” *Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4<sup>th</sup> 200, 239. As noted above, the Project is inconsistent with numerous General Plan goals and policies.

The Project is in La Sierra South neighborhood, designated as Low Density Residential, and at the border of the Arlington Heights Greenbelt area. The 2025 General Plan asserts that “the greenbelt area of Arlington Heights is greener than ever through preservation of citrus groves and more sensitive development patterns.” General Plan at LU-3. “Riverside’s heritage is firmly grounded in the citrus industry. Riverside’s future also embraces this heritage by preserving the City’s greenbelt and perpetuating

agricultural uses, especially in the Arlington Heights area.” LU-22. The Project is inconsistent with this vision.

The Project violates the General Plan’s overarching policies as well as policies specific to protection of the Arlington Heights Greenbelt, including:

- Contrary to Land Use Element Objective LU-6, the Project does not “[r]etain functional agricultural areas within Riverside, particularly within the greenbelt area, while allowing for sensitive, low-intensity residential uses.” LU-22. The Project proposes a high-density development violating this policy.
- The Project is also inconsistent with Policy LU-6.4 which requires the City to “[r]eview development within agricultural areas to encourage efficient land use and facilitate long-term perpetuation of citrus stock.” General Plan at LU-23.
- Contrary to Policy LU-8.2, the Project does not “[a]void density increases ... that are incompatible with existing neighborhoods.” General Plan at LU-26. At the proposed density, the Project disrupts the existing development pattern within the established neighborhood.
- Contrary to Open Space and Conservation Element Objective OS-3, the Project does not “[p]reserve designated agricultural lands in recognition of their economic, historic and open space benefits and their importance to the character of the City of Riverside.” General Plan at OS-14. The Project will lead to the loss of 8.8 acres of Prime Farmland. MND at 20.
- Contrary to Policy OS-3.1, the Project does not “[p]romote and encourage agriculture as an essential industry and a desirable open space use,” and fails to recognize that “the Arlington Heights Greenbelt and La Sierra Lands are important agricultural lands because of their high soil quality, favorable climate and low water costs.” General Plan at OS-14.
- The Project is inconsistent with Policy OS-3.2 that requires “encouragement of agricultural use based on consideration of historic use, soil suitability, agricultural significance, prevailing parcel sizes and geographical associations.” General Plan at OS-14. The Project will lead to the loss of the orange grove, a Prime Farmland, that “land has the soil quality, growing season, and moisture supply needed to produce sustained high yields” as designated by the State Department of Conservation. FMMP, California Department of Conservation (<https://maps.conservation.ca.gov/DLRP/CIFF/>).
- The Project also does not “[p]rotect valuable agricultural land from urban development through the use of agricultural zoning districts and other appropriate development regulations...” (Policy OS-3.3), General Plan at OS-15.
- The Project is inconsistent with Policy OS-3.4 to “[e]ncourage property owners to preserve citrus groves and implement public programs to provide incentives and other assistance to promote and protect citrus farming on prime agricultural lands.” General Plan at OS-15.

III. Failure to Make Adequate Findings

“[R]egardless of whether the local ordinance commands that the [] board set forth findings, that body must render findings sufficient both to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis for the board’s action.” *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 514. The proposed findings fail to demonstrate compliance with land use requirements and are insufficient in numerous respects.

State law provides that a city must deny a tentative map where the project is inconsistent with the general plan, where the site is not physically suited for the proposed type of development, and/or where the proposed improvements are likely to cause environmental or health impacts. Gov. Code § 66474. In this instance, as these comments explain, all three factors apply.

IV. Conclusion

For the foregoing reasons, Friends of Riverside’s Hills urges the Planning Commission to reject the Project and the MND and prepare an EIR. Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ezgi Kuyumcu', with a stylized, flowing script.

Ezgi Kuyumcu

cc: Judy Egüez, Senior Planner

## Comments - Revised

November 6, 2024

by Bob Buster

7407 Dufferin Ave, Riverside CA 92504

[bobbuster@att.net](mailto:bobbuster@att.net) (951) 314-0201

on the Mitigated Negative Declaration for Planning Case PR-2024-001656

to Planning Commission, City of Riverside

Attn: Judy Eguez, Sr Planner; <jeguez@riversideca.gov>

Riverside has a long history supporting protection of our irreplaceable resources Victoria Avenue and citrus Greenbelt (VGB).\*

Owners of the project site kept farming it – without trying to develop – for at least 20 years after it was annexed in 1985. Why does the City fail to see its continuing agricultural potential? Just because the owners' grove is next to roads and housing does not mean it cannot continue to be farmed successfully or has rezoning rights. I and other farmers here still farm in similar conditions.

There's no justification for the same applicant to get a third chance to pave over this Prime Farmland and build an even more incompatible project, exploiting Victoria's [Note] beauty. It's obvious that this proposal is not only wrong for the site, but it's also an ongoing threat to the entire VGB.

There are glaring holes in these reports and stale information – misleading and even false – from 10 years ago.\*\* The prior application for 14 DU's is superficially repackaged to support 49. A fresh, full analysis by applicant and City is needed. The City must correct these misrepresentations and point out:

- There **was and is strong community support** for protection going further back than R & C. The City Planning Dept. recommended 5-acre agricultural zoning **in 1955**.
- The project, at this key location, is an obvious **harmful precedent** for more incompatible “creeping subdivisionism”.

- The site and substantial acres close by are irrigable **Prime Farmland**,\*\*\* with deep fertile soils and a history of high citrus production, with potential to replant in specialty fruits.
- A Lake Mathews dam or dike break **does inundate the site**, contrary to applicant's claim.\*\*\*\*
- MND also fails to –
  - o divulge **dump truck** removal and delivery **routes and schedules** for soil replacement and its on **and off-site** impacts
  - o cite the **historic significance of Prop R and Measure C**, archived by the City Clerk, that bear on this case
  - o show the **City's own map and description** of the important features at stake on its website (copy attached):

[www.riversideca.gov/athomeinriverside/neighborhoods-arlingtonheights.asp](http://www.riversideca.gov/athomeinriverside/neighborhoods-arlingtonheights.asp)

I urge you to get to know the true history and facts of this case before you vote.

This applicant's distortions, combined with rushing it through at this busy time, warrants the scrutiny a reasonable continuance would provide.

\*Read submitted 1955 Press-Enterprise editorial

\*\* Misleading information in key areas raise concern that the rest of MND may be slanted including: water source for irrigation; historic Victoria improvements from old City Limits to La Sierra Ave [to be submitted at Commission Hearing]; erroneous claim that no Prime or other high ranked farmland is nearby; statement that site is not within Lake Mathews inundation zone; and others: For example, site irrigation water has always come from the Gage Canal, with new plastic pipes installed in the 1960's when homes were built next to the grove. But applicant's cultural consultant stated in 2014 that the site's grove irrigation water entered the property through a weir located along Victoria Ave from an unknown source without ever checking with the then Gage Canal Manager. In the 2024 update the weir is correctly shown at the east highest corner of the property, but the consultant still fails to check with the current Gage Manager and claims the water source is "unlikely" to be Gage. (MND 8b pp 19-20). The same consultant also cites Tom Patterson's book as an authoritative source, but still contradicts his description on p 321 of how the Gage Canal was extended and water rights transferred so that the

San Jacinto company could best irrigate their land above the lower Riverside Canal and outside the 1875 City Limits.

\*\*\* See submitted USDA-NRCS farmland categories map of site and area.

Again, the applicant states incorrectly, that “there are no other lands classified as, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the project vicinity” (MND p 20). The USDA-NRCS map I submit clearly shows that there are more lands nearby on both sides of Victoria easterly that are so rated.

\*\*\*\* MND p 51

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## BACKGROUND

This site with its green 10-acre grove and home is more than a minor amenity at the only western entrance to the entire VGB. It is a sentinel and fitting portal warmly welcoming all who enter or pass by. 24/7 it commemorates the legacy of our remarkable citrus history and – as so many hope and have voted for – its continuation in years to come.

Without this site, there is no way for passing residents and visitors to know that, just ahead, is a 5,500-acre area of tranquil beauty with farms, groves, palm colonnades, walking, riding and jogging paths along quiet streets and a flowing canal, historic homes, and the California Citrus Historic Park. With this farm site properly protected, replanted and adapted, all entering VGB can slow down, savor and value it.

Riverside has such valuable assets as the Historic Park – sited here over rival bids from San Bernardino and Orange counties – and UC Riverside’s new VGB presence, acquiring research land. The stable and high-paying jobs coming can grow and endure if the area is protected and nurtured.

Riverside’s citrus history is a capstone of our nation’s proudest Manifest Destiny – an All American story, with help from English investors, Americans of Mexican descent and immigrants from China and Mexico. Exemplified also by the leaders who dreamed it, thought it through and overcame daunting obstacles –

John W. North, Founder of the Riverside Colony in 1870, abolitionist, judge, appointed by President Abraham Lincoln Chief Justice of the Nevada Territory Court, organized this new town of “associated settlement where each one’s industry will help to promote his neighbor’s interests as well as his own”

Matthew Gage, a jeweler from Canada, engineer of a 20-mile long water conduit to rival Rome’s, which has served the project area from its inception

Eliza and Luther Tibbets, finders of the “unsurpassed orange from Bahia”, the seedless fruit with the power to charm millions of new taste buds

Dr Francis Gunther, VGB resident and top Citrus Experiment Station/UCR researcher, of worldwide renown for determining standards to protect farmworkers from dangerous chemicals

Growing citrus here was the masterstroke that made Riverside the richest city in the nation and a great place to live. 1876 posters promote Riverside’s “climate cure for health and wealth.” Packing house employment was soon followed by durable industries like Food Machinery, Toro Co, Irrrometer and many more manufacturers.

Then and now it has been a catalyst for community volunteering. From way back, long before Victoria Avenue Forever, residents have helped plant memorial trees and ragged robin roses.

With our impressive ag land resources, plentiful and inexpensive Gage Canal irrigation water, the City’s water and electric utilities and UCR’s pro-active research, we can incentivize growing high value specialty crops and tree fruit here – yielding a cooling oasis and boon to all residents and neighbors facing the hot climate ahead.

The project site’s grove and annexed area are an inextricable part of VGB because they both have –

Ø **Combined land and water.** Joining the two areas together was, from the beginning, a mutually beneficial merger, proving cooperation, not



competition. That's plain to see 135 years later. The Matthew Gage model of extending irrigation water and land subdivision was exactly that of the abutting owners, the San Jacinto Land Company. (See p 321 of Tom Patterson's 1971 book *A Colony for California*). The annexation groves' success bolstered the Greenbelt's and, extending Gage water later through a pipe across front of the hills through the old Rancho Sobrante de San Jacinto above unincorporated Home Gardens to Corona, aided citrus growing in the Temescal Valley and Corona.

- Ø **Fertile deep soils**, the same Prime irrigable Farmland, which has highest ranking for protection by the State. The annexed land's value along and east of Victoria is further underscored by farmers investing in underground drains to lower the high water table and insure trees had unsaturated root zones.
- Ø Investors & farmers who saw and realized **high production and crop returns** in both areas. For example, A. V. Jester is listed as the owner of the site orange grove from 1940-42 (MND 8b p 12) Jester also owned the lemon grove I live on and farm now, 4.5 miles to the east in the VGB; Latimer Lane in the annexed area was named after Wilbur Latimer, who also owned lemon groves on Dufferin in the VGB and had a packing house in Downtown Riverside, now converted to an Old Spaghetti Factory. (Patterson notes, p 378, "It is frequently remembered by Riverside citrus growers that many of the buyers of the English groves [annexed area] recouped their purchase prices from the 1929 crop alone." Patterson continues, p 379, "... most of these large holdings continued in citrus production. Averaging good and bad years, **they continued to be profitable** ... One English firm, the San Jacinto Land Company, remained until 1944 ... **Arlington Heights remained the location to which citrus fruits were most adaptable.**"
- Ø Identical land planning – divided into square or rectangular **parcels sized and shaped for optimum citriculture efficiency** and marketing to attract both investors and resident farmers and backbone roads Dufferin, Cleveland and Victoria connecting to La Sierra, with cross streets (except for diagonal Boundary Lane marking the prior City Limits) at right angles.
- Ø Grove workers and picking crews from the same Greenbelt camps and Casa Blanca community.

- Ø Resident business owners and administrators who choose to live in both areas, enjoying having large lots and fruit-bearing trees – some having Poppy Hill’s splendid views.
  - Ø Benefited from UCR research and assistance.
- 

## DRAFT MND DEFICIENCIES

Listed below are the MND’s deficiencies I find:

Section 1 -- Aesthetics                      X in LTSL box  
Inadequate mitigation for the loss of the lovely sight of a soothing green grove for thousands of daily pedestrians and drivers. Contrast that to jagged rooftops crammed together.

Section 2 -- Agricultural Resources                      X in LTSL box as to subsections a and b  
Yes, this will convert Prime Farmland to non-agricultural use. The response claiming that “there are no other lands classified as Prime, Unique or Farmland of Statewide Importance within the project vicinity” is false, as the current USDA-NRCS map proves. Such lands are close by to the east, across and along Victoria. The category of Prime Farmland, which includes the project site, does not require current agricultural use of the site. This category is the highest in importance for protection, even higher than Farmland of Statewide Importance. The site itself merits City-incentivized replanting or – at the least – full compensating conservation nearby, not mere token street tree facades.

Section 5 -- Cultural Resources                      X in same box

1955 City Planning recommendations to protect Victoria Avenue and the Citrus Greenbelt as well as passage of the later voter initiatives Proposition R (1979) and Measure C (1987) are directly relevant to the project site's history and annexed area. Saving 5,500 agricultural acres next to intensifying urbanization is a major achievement, yielding manifold benefits: less traffic congestion, air pollution, noise and heat. It deserves recognition and support and must not be weakened by this proposal.

That they meet and surpass the historically significant resource criteria for all three levels of Landmark and other designated recognition and protection is self-evident:

City: Landmark Criteria (Chapter 20.50.o1 0 – U) “Landmark” means any improvement or Natural Feature that is an exceptional example of a historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains a high degree of integrity and meets one or more of the following criteria: 1. Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; ... 6. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning, or cultural landscape; ...

State:

California Register of Historical Resources (CRHR). To be designated eligible for the CRHR, a resource must meet at least one of the following criteria listed. 1. Associated with events that have made a significant contribution to the broad patterns of **local or regional history or the cultural heritage of California or the United States**. 2. Associated with the lives of persons important to local, California or national history. 3. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.

California Point of Historical Interest (CPHI). 2. Associated with an individual or group having a profound influence on the history of the area.

Federal:

- A. Is associated with events that have made a significant contribution to the broad patterns of our history.

This 10-acre grove and its nearby farmland at the key point of the western edge and entrance to historic Victoria and citrus greenbelt. It embodies and signifies the full extension and realization of North's watershed vision:

**“... marking the dividing line between the old era of California** – the era of missions, of great cattle ranges and of immense grain fields and scanty population – **and the new era** of small farms and homes of a few acres of fruit, where a dense population can live in comfort and ease with all the conveniences and advantages of the modern city ... We have all that Judge North foresaw and more than he could conceive of fifty years ago.” (1922 *History of San Bernardino and Riverside Counties*, p 352-3). This was the consummation of Gage's pioneering agricultural water and land development too, his leadership reflected by the San Jacinto Land Co. principals, who copied his methods and connected to his canal. Here grew the dream's culmination, a veritable Garden of Eden, of the Tibbets' navel orange tree. Here too centered the inventive combination of scientific and practical minds from the Citrus Experiment Station, typified by Dr. Gunther, and reverberating across the globe, still insuring that citrus can overcome invasive insects and diseases.

**For more than 100 years the project site's grove has been part of this history.**

This site meets all the criteria above and more.

The applicant's cultural history conclusions are dry, stunted and myopic. The project site and area **is** closely associated and contributes even today to the broad patterns of our history. Where is their evidence, contrary to Tom Patterson's conclusion (p 379) that these groves “continued to be profitable”, that this one “always provided supplemental income” ?[Cite] To say that the

loss of one 10-acre grove, especially at this prime location, won't make a difference, is to completely ignore the powerful influence of precedent. Such "induced demand" has already eliminated too many agricultural areas.

Section 7 -- Geology and Soils

X in same box as to a ii, iii and c

Technical report fails to recognize high ground water upwelling from farm underground drain pipe manholes along south side of Victoria between McAllister and Tyler. I have witnessed this after even mild earthquakes. Rainwater backing up below Poppy Hill could affect groundwater levels to the south at project site, causing widespread liquefaction. This requires added independent expert evaluation.

Section 10 -- Hydrology and Water Quality

X in same box

Potential huge hazard, arguing against any housing development on this site, is inundation from a break in the Lake Mathews dam or dike. Applicant claims site is not in inundation zone (MND p 51). Official State Water Dept maps (attached) show it is.

Section 11 -- Land Use and Planning  
subsection b

X in same box as to

Contrary to the response, which fails to recognize that it conflicts with **State policy**: "The conversion of agricultural land represents a permanent reduction in the State's agricultural land resources. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State. As such, the Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guidelines §15370. The Department highlights this measure because of its acceptance and use by lead agencies."

**The City needs to conform with this and either deny the project or provide such mitigation. The conflict with the State's recommendation is**

**substantial evidence of a potentially significant impact which under CEQA does not allow a MND instead of an EIR.**

Section 14 -- Population and Housing  
subsection a

X in same box as to

How can the City ignore the many examples of such spot high density housing development eroding the integrity of nearby agricultural land and becoming a precedent for our VGB's destruction? This is a classic case, which is sure to "induce" more incompatible projects. By this false logic, the VGB can be chipped away repeatedly 10 or 20 acres at a time without any mitigation required.

Section 17 -- Transportation

X in same box as to subsection a

Fails to account for adverse impacts on children, the aged and infirm, people recovering from injuries, and the disabled on and off-site. Sufficient mitigation include, but should not be limited to, necessary accommodation and improvements, such as bus, taxi or van service provided by applicant.



# Farmland Designations Map

Requesting Customer: Robert Buster  
Approximate Acres: 10  
Land Use: Cropland  
Address: Millsweet Lane, Riverside CA 92503

Date: 11/4/2024  
Office: Redlands  
Agency: USDA-NRCS  
Map Author: Katy Lam  
County, State: Riverside, CA

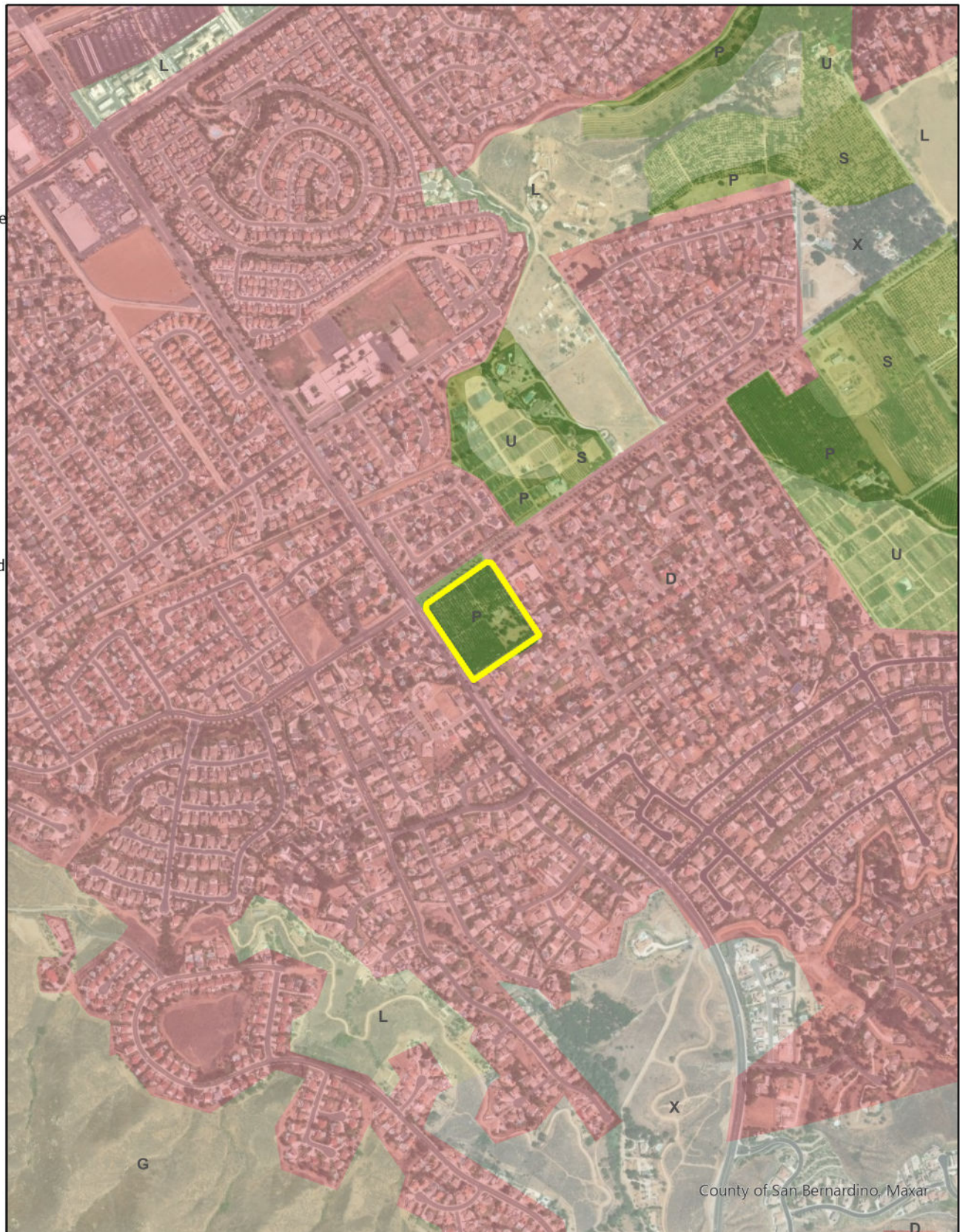


## Legend

 MillsweetProperty

### Prime and Unique Farmlands, FMMP

-  P-Prime Farmland
-  S-Farmland of Statewide Importance
-  U-Unique Farmland
-  G-Grazing Land
-  L-Farmland of Local Importance
-  LP-Farmland of Local Potential
-  X-Other Land
-  CI-Confined Animal Agriculture
-  nv-Nonagricultural or Natural Vegetation
-  V-Vacant or Disturbed Land
-  R-Rural Residential Land
-  sAC-Semi-agricultural and Rural Commercial Land
-  D-Urban and Built-Up Land
-  W-Water Area
-  I-Irrigated Farmland
-  N-Nonirrigated Farmland
-  Z-Out of Survey Area



Scale: 1:12,500

0 0.1 0.2 0.4 Miles



## RE: Lake Mathews Dam Inundation Map - CA DWR Webtool

From: Quinonez, Edwin (eequinon@rivco.org)

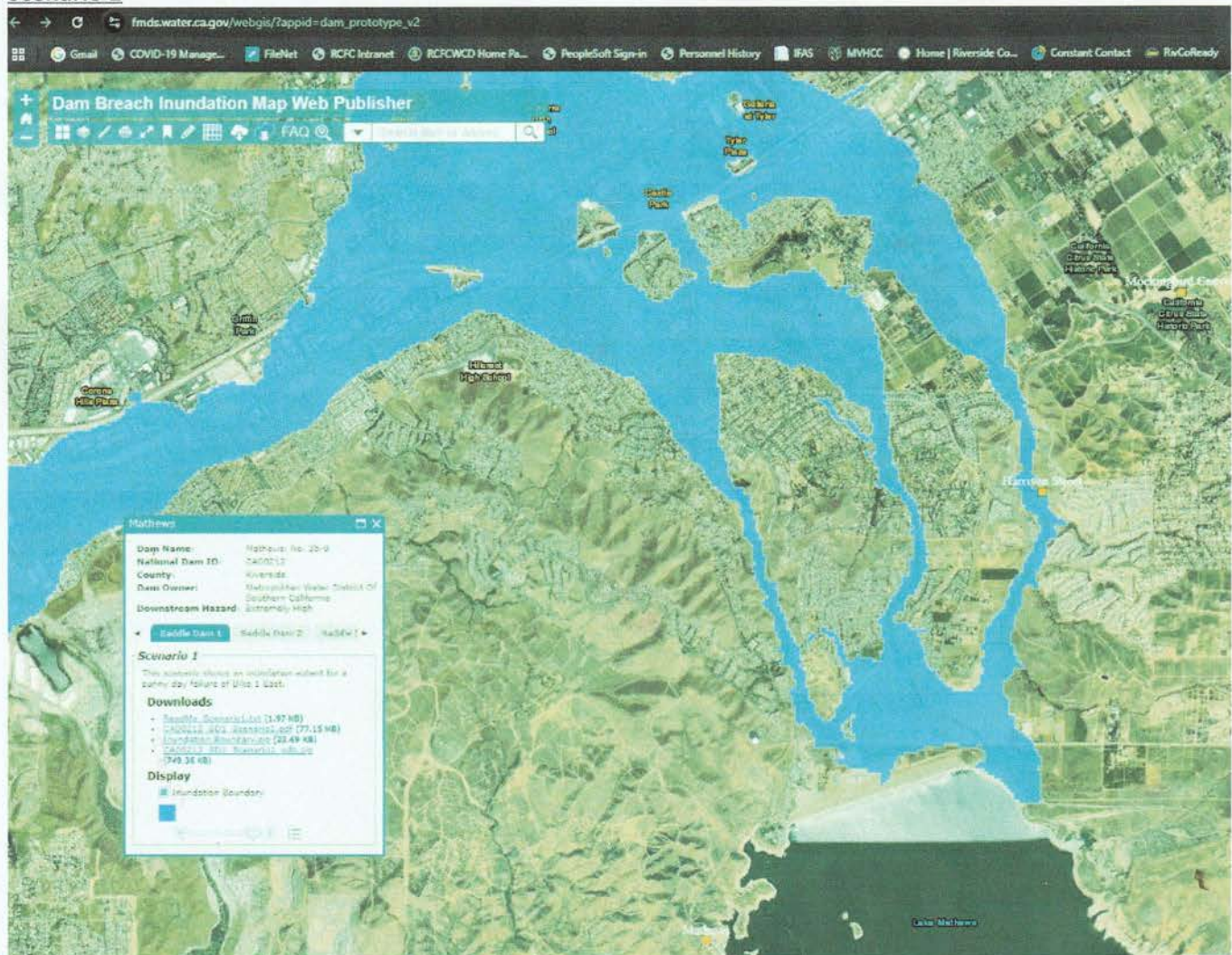
To: bobbuster@att.net

Date: Thursday, October 31, 2024 at 10:39 AM PDT

Mr. Buster,

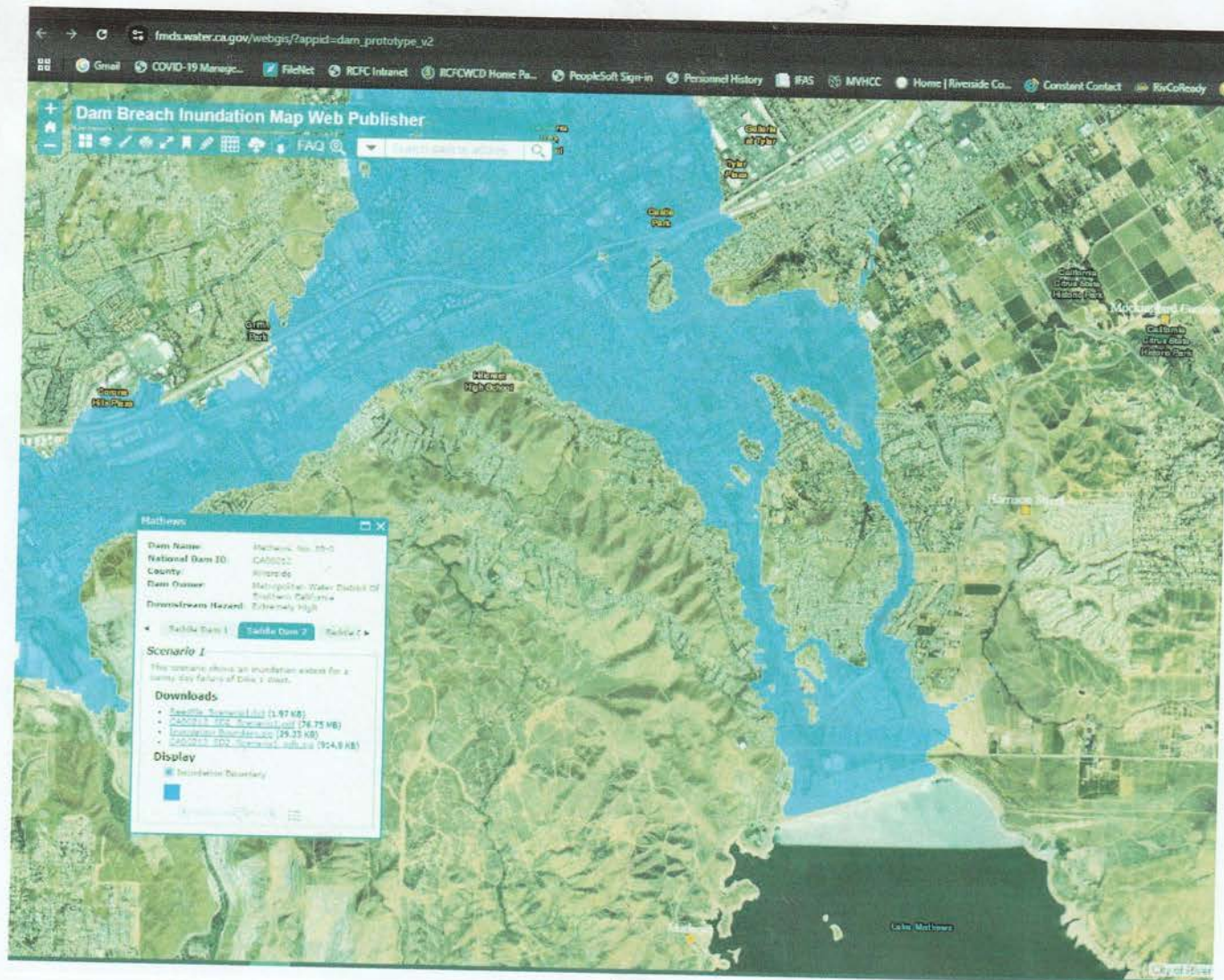
Just a brief follow-up to our conversation. The following is a screenshot for each of the Lake Mathews Dam inundation scenario per CA DWR website:

### Scenario 1



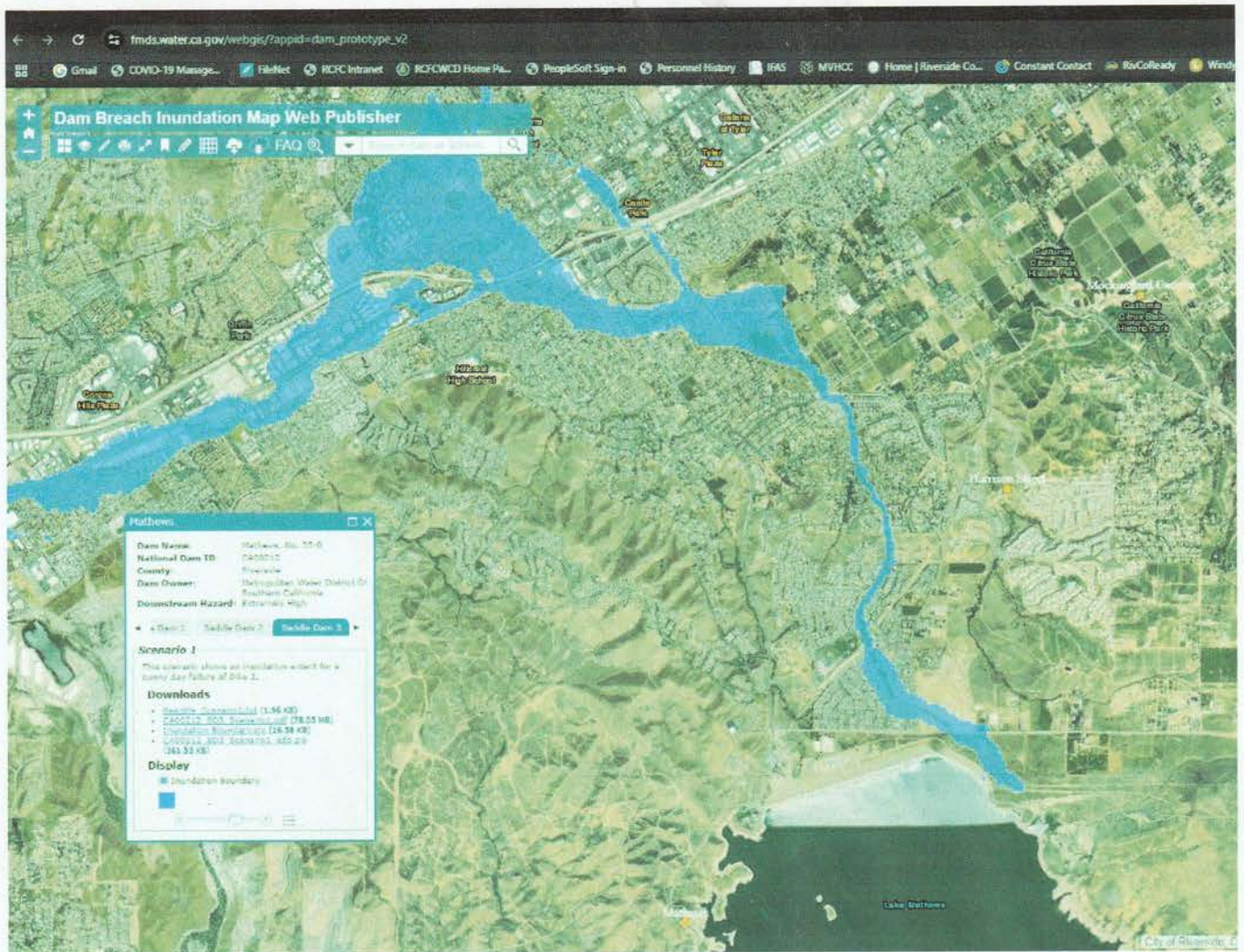


## Scenario 2





### Scenario 3



If you have any other questions just let me know.

-Edwin



Riverside Press-Enterprise editorial May 28, 1955

(actual clipping from 69 years ago)

## Agricultural Zoning

It is encouraging that several groups, including the County Farm Bureau and the Riverside Chamber of Commerce, are showing an interest in agricultural zoning. This reflects an increasing realization that the Southern California of the future will be a pleasanter place in which to live if certain sections of it are withheld from development and preserved as agricultural green belts between urban areas.

We have been particularly concerned about preserving the citrus area along Victoria avenue. We feel that Riverside could hardly suffer a greater loss than in the destruction of this area.

The threat to it is very real. An aerial photograph in this paper yesterday showed how fingers of subdivided area are pushing toward the avenue. The caption writer coined an apt phrase—"creeping subdivisionism."

This creeping will continue unless something is done to stop it. The subdividers, some of whom have no permanent interest in this community, cast hungry eyes on the whole area. And some of the owners of citrus property are calling for a reduction in the lot size requirement which the zoning laws apply to the area in order that they may sell for more.

They will eventually sell though and the area will eventually be chopped up by subdivisions even if the lot size requirement is not reduced. If Victoria avenue is to be preserved affirmative action is necessary. Affirmative action in the form of agricultural zoning which, if the Eliot-Iwasko recommendations are followed, would permit the construction of only one home in five acres.

This is a cause which should appeal to all individuals and organizations having an interest in what kind of a city this is going to be 20 years from now.

Urging **saving Victoria Ave & Greenbelt** –  
"Riverside could **hardly suffer a greater loss**  
than the destruction of this area"

Accurately predicting that "... the future  
will be a pleasanter place in which to live  
... **if certain sections are withheld from  
development and preserved as  
agricultural green belts ...**"

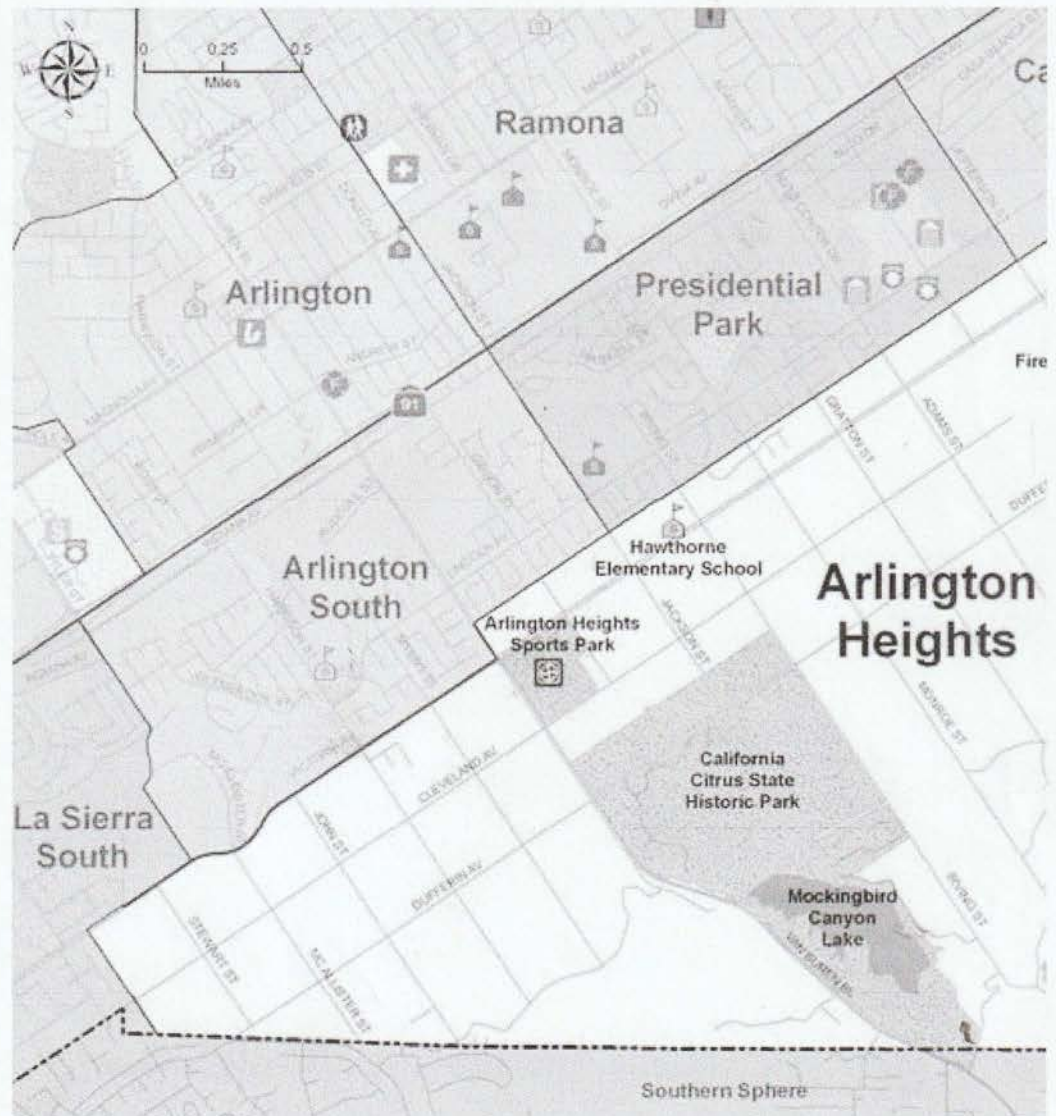
**City Planning advised RA-5 zoning  
then, exactly what  
Prop R did 45 years ago**



## At Home in Riverside

Search

### Arlington Heights Neighborhood



In 1875, people began settling in what is now the Arlington Heights neighborhood. When the City of Riverside was incorporated in 1883, Arlington Heights was included in the original 39.4 square mile city limits. Intensive agricultural development of the area was initially made possible by the Gage Canal. Completed in 1890, the Gage Canal utilized gravity flow in drawing down water from the Santa Ana River. Agricultural uses in the area continue to use Gage Canal water into the

21st century.

In terms of geographic area, the neighborhood is the largest neighborhood in the City. It is bordered by three neighborhoods to the north (Casa Blanca, Presidential Park and Arlington South), La Sierra South neighborhood to the west, unincorporated county land to the south, and the county line, Alessandro Heights and Hawarden Hills to the east (generally areas east of Washington Street).

The focus of this area has historically been citriculture due to the numerous orange groves and crop fields. The neighborhood is also commonly known as the Arlington Greenbelt. Arlington Heights is the meeting place for the Riverside of yesterday and the Riverside of today. Consistent with the rural character of the area, low-density, single-family residential development has over the years, integrated with the agricultural lifestyle so key in the early growth of the City. This neighborhood has the lowest residential density found in the City, with residential lots of 5 acres in size or greater.

Arlington Heights is well known for Victoria Avenue, a street of both natural and cultivated beauty; a horticulturalist's delight. Studded with fragrant red ragged robin roses, pepper and eucalyptus trees, and its signature palm trees, Victoria Avenue is a showcase street that is the pride of the City. Because of its important historic significance, Victoria Avenue is listed in the National Register of Historic Places.

The neighborhood is enriched with three major natural arroyos; Mockingbird Canyon, Woodcrest and Prenda. Arroyos are not just conduits for water, but rich and varied areas of animal and plant life. As a result of voter initiatives Proposition R and Measure C, growth in the greenbelt has been very limited. Growth that has occurred has done so in a manner to preserve the agricultural character of the greenbelt as well as important valuable natural features such as the arroyos. Other important features include Mockingbird Canyon Lake and the California State Citrus Historic Park, which offers historic interpretation of the early citrus culture in Riverside and California. The site of the future Arlington Heights Sports Park, located on Van Buren Boulevard just north of the state park, will provide greater recreational opportunities for the surrounding area. Arlington Heights Fire Station No.10, located on Jefferson Street just south of Victoria Avenue, proudly serves the Arlington Heights neighborhood. Hawthorne Elementary School serves the neighborhood, in addition to many fine schools outside of Arlington Heights.

### **Council Representatives & Wards**

Ward 4

Ward 5

Detailed Neighborhood Map





**From:** Cara Gonzalez <cmschoeman@gmail.com>  
**Sent:** Thursday, November 7, 2024 10:37 AM  
**To:** Eguez, Judy; Mill, Sean  
**Subject:** [EXTERNAL] Concern: La Sierra residential development

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Good morning,

My name is Cara Gonzalez and this email is in regards to the hearing that will take place tonight about the development of 49 single-family homes off La Sierra and Victoria Ave. I believe this is agenda number 3 for tonight's session. I unfortunately cannot make this hearing, but would like to use this email to express concerns I have with this proposed development.

I live in the adjacent neighborhood located off Kayjay St. Unfortunately, new development in Riverside has been more focused on the maximum amount of homes can possibly fit into any space possible. Several families come to Riverside because of the properties Riverside offers. We value our space and the privacy our homes offer and several have no desire to turn the La Sierra area into a heavily populated community as we see in many cities. We are already battling a heavy transient problem that is affecting our safety as several families no longer spend their time grocery shopping at the local markets off La Sierra because of this issue. Building 49 homes in the allotted space is concerning as it will congest our area, contributing to more pollution, more traffic, more noise, and can even be considered a public health issue as we saw with COVID-19 space is valuable.

Cars coming down La Sierra drive pretty fast and having an entrance on La Sierra can increase the chances of collisions and more traffic. Not only that, several cars will be attempting to make dangerous U-turns at the Cleveland entrance off La Sierra making it difficult for other cars to exit the neighborhood from Cleveland and creating unsafe situations. Also, building 49 homes will not meet the aesthetics of the community as Victoria is a historic street and this proposed development will eliminate several orange groves, which is what Riverside is known for.

There are several neighbors located at the end of Kayjay st who are still on septic. I know many who have been asking the city to tie them into the sewer, yet all the development around them is tied into the city. I find it inconsiderate to not hear their voices or concerns and to move forward with new development around them. I am in favor of building less homes with bigger lots, all while preserving the grove along Victoria if building is absolutely necessary. To eliminate our orange groves for developers to make a pretty penny by maximizing the amount of homes in a small space is not wanted.



Thank you for your time.

Kind regards,  
Cara Gonzalez

---

**Subject:** FW: [EXTERNAL] RE: La Sierra & Victoria Ave proposed development

---

**From:** ray aguilera <[toolnick10@yahoo.com](mailto:toolnick10@yahoo.com)>  
**Sent:** Wednesday, November 6, 2024 12:17 PM  
**To:** Miller, Scott <[SMiller@riversideca.gov](mailto:SMiller@riversideca.gov)>  
**Cc:** CityClerkMbx <[City\\_Clerk@riversideca.gov](mailto:City_Clerk@riversideca.gov)>  
**Subject:** [EXTERNAL] RE: La Sierra & Victoria Ave proposed development

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Mr. Miller

It has been brought to my attention that a new housing development is in talks on the corner of La Sierra & Victoria Ave. I strongly disagree with this idea and hope you oppose the development of 46 unit homes on this historic street. This project will be disastrous for the community as there is no more reason or need to tear down more orchards on this historic area. This community in Ward 5 is peaceful and cannot handle more traffic congestion, noise and will overburden the streets infrastructures on that corner along with the residents in that ward. Victoria Ave is a place of greenery landscape and tranquility that does not need to overdevelop. If this plan is to go through it will only encourage other developers to develop more on Victoria Ave. There is plenty of land further south in the county area for new development.

Councilman Miller, please do not approve or go along with this project idea. Keep Ward 5 safe, for our pedestrians, environment and way of living in this greenbelt.

Raymond Aguilera

2781 Leo Cir RVSD Ca 92503

\* May this email be made public record

**Subject:** FW: [EXTERNAL] Re-Zoning of property on La Sierra .Victoria

---

**From:** rich morales <[richrichie69@yahoo.com](mailto:richrichie69@yahoo.com)>

**Sent:** Wednesday, November 6, 2024 5:00:23 PM

**To:** Mill, Sean <[SMill@riversideca.gov](mailto:SMill@riversideca.gov)>

**Cc:** CityClerkMbx <[City\\_Clerk@riversideca.gov](mailto:City_Clerk@riversideca.gov)>

**Subject:** [EXTERNAL] Re-Zoning of property on La Sierra .Victoria

Sean We do want you to support the rezoning of this property.

This is Zoned for multi home nor does it need to be. . This area is to maintain Citirs with 12 to 14 homes as the Dave Zunkia sold this property sold for . Not multi 49 homes and  
3 low income homes

We help to put you into office help prevent thiis . This This property located on Victoria and La Sierra Southeast corner diagonally across from the Jones property.

Please vote no to rezoning this property

Thank you

Rich Morales

951-543-1218

[Richrichie69@yahoo.com](mailto:Richrichie69@yahoo.com)



**Subject:** FW: [EXTERNAL] Ward 5 Re-zoning

---

**From:** Lori Smith <[lsmith5305@yahoo.com](mailto:lsmith5305@yahoo.com)>  
**Sent:** Thursday, November 7, 2024 5:17 AM  
**To:** Mill, Sean <[SMill@riversideca.gov](mailto:SMill@riversideca.gov)>; CityClerkMbx <[City\\_Clerk@riversideca.gov](mailto:City_Clerk@riversideca.gov)>  
**Subject:** [EXTERNAL] Ward 5 Re-zoning

November 7, 2024

Dear Mr. Mill,

I write to you today as a resident of Ward 5 regarding case #2024 001656 (Re-zoning and possible 49 home development at the corner of La Sierra/Victoria).

I strongly urge you NOT to support ANY re-zoning of this beautiful area of our beloved city. This area is only zoned for 20 homes and cramming 46 homes into this space at best appears money driven. Additionally, there seems to be some confusion as to the 3 "affordable homes" specific definition. Are these "tiny homes", are they town homes all attached, or is this potentially a small apartment complex with the potential to expand? No clarification has been put forth.

The traffic down La Sierra is already at a boiling point with increased accidents (some fatal) at an all time high. This area, during school hours with Arizona Middle School in close proximity, is already a congested mess. This traffic will be diverted around the intersection via Cleveland to Cross St back to Victoria regardless of "no traffic" signs already posted. This congested area has already increased the amount of traffic through my residential neighborhood during peak commuter hours. How much will this traffic increase by doubling the number of homes in one small specific area.

During this construction, traffic will increase along Victoria Ave. where any hour of the day there are walkers, joggers, and bikers. Families out getting fresh air and exercise will be impacted by frustrated drivers just trying to get around construction zones to get home, making it increasingly unsafe for said families .

Once this area is "re-zoned", could the plans change to put multi family dwellings in or an apartment complex? Where is our guarantee these plans wont change once re-zoning takes place. This has the potential to be impactful for generations. Isn't 20 homes in this space enough? Over building in this small space is not a clear answer to the states housing problem.

Please keep this small corner of our city from a re-zoning nightmare. My husband made a phone call into your office last week and never received a call back.

I WOULD LIKE MY COMMENTS TO BE MADE PUBLIC RECORD.

Sincerely,  
Lori Miera  
951-214-5305  
10846 Leota Lane

**From:** jenny scalise.gs <jenny@scalise.gs>  
**Sent:** Thursday, November 7, 2024 4:35 PM  
**To:** Eguez, Judy  
**Subject:** [EXTERNAL] victoria ave

**CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.**

Hello to All Concerned,

I am very concerned about the future of Victoria Avenue. The building of homes in this area( LaSierra/ Victoria) or any other on Victoria Avenue would mark the beginning of the end. It will ruin the historicalness of this street and open a flood gate of problems. Do not make the mistake of destructive Riverside decisions, as was done in the 1960s. Please put a stop to this.

Thank you,  
Jennifer Jarrard

# Planning Commission - Art Pick Council Chamber

Meeting Time: 11-07-24 09:00

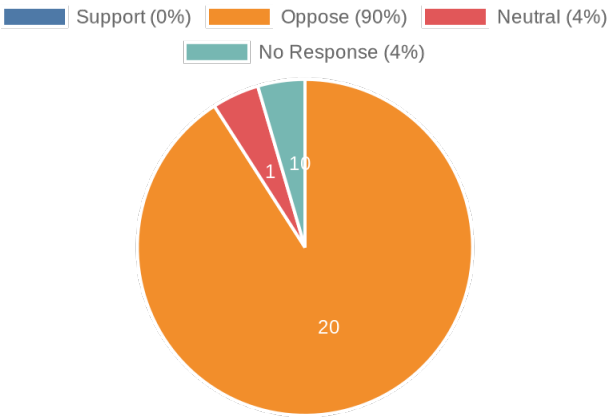
## eComments Report

| Meetings                                       | Meeting Time   | Agenda Items | Comments | Support | Oppose | Neutral |
|------------------------------------------------|----------------|--------------|----------|---------|--------|---------|
| Planning Commission - Art Pick Council Chamber | 11-07-24 09:00 | 12           | 22       | 0       | 20     | 1       |

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment





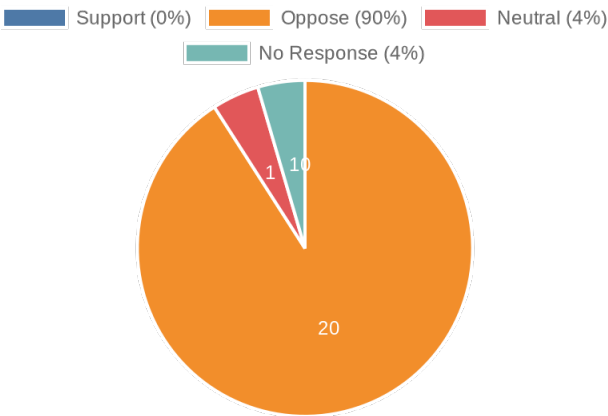
Planning Commission - Art Pick Council Chamber  
11-07-24 09:00

| Agenda Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Comments | Support | Oppose | Neutral |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|--------|---------|
| 1. To comment on any matters within the jurisdiction of the Planning Commission, you are invited to participate in person or call at (951) 826-8688. Press *9 to be placed in the queue to speak. Individuals in the queue will be prompted to unmute by pressing *6 when you are ready to speak.<br>To participate via ZOOM, use the following link:<br><a href="https://zoom.us/j/92696991265">https://zoom.us/j/92696991265</a> , select the "raise hand" function to request to speak. An on-screen message will prompt you to "unmute" and speak - Individual audience participation is limited to 3 minutes.                                                                                                                                                                                                                                      | 7        | 0       | 6      | 1       |
| 3. PLANNING CASE PR-2024-001656 (TM): Proposal by Matthew Esquivel of Warmington Residential to consider a Tentative Tract Map to subdivide a 9.91-acre parcel into 49 single family lots to facilitate residential development of 46 market rate dwellings and 3 affordable dwellings. The project site is currently developed as an orange grove, situated on the southeast corner of La Sierra Avenue and Victoria Avenue, in the R-1-1/2 Acre - Single Family Residential Zone, in Ward 5. The Community & Economic Development Department recommends that the Planning Commission determine the project will not have a significant effect on the environment and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP). Contact Planner: Judy Egüez, Senior Planner, 951-826 3969, jeguez@riversideca.gov | 14       | 0       | 13     | 0       |
| 4. Items for future Planning Commission consideration as requested by members of the Commission. Only items that fall within the powers and duties of the Planning Commission as set forth in the City Charter and/or the Riverside Municipal Code will be agendized for future discussion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1        | 0       | 1      | 0       |

Sentiments for All Agenda Items

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

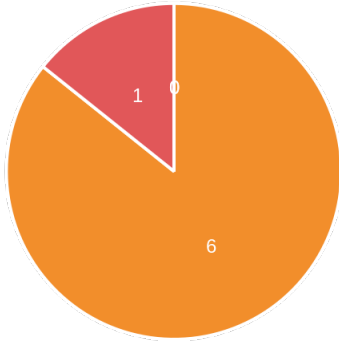
Overall Sentiment



Agenda Item: eComments for 1. To comment on any matters within the jurisdiction of the Planning Commission, you are invited to participate in person or call at (951) 826-8688. Press \*9 to be placed in the queue to speak. Individuals in the queue will be prompted to unmute by pressing \*6 when you are ready to speak. To participate via ZOOM, use the following link: <https://zoom.us/j/92696991265>, select the "raise hand" function to request to speak. An on-screen message will prompt you to "unmute" and speak - Individual audience participation is limited to 3 minutes.

## Overall Sentiment

Support (0%)   Oppose (85%)   Neutral (14%)  
No Response (0%)



### Candy Cody

Location: 92503, Riverside  
Submitted At: 2:51pm 11-04-24

I opposed to the development of having so many houses in this area since it will have a great impact on traffic by making it worse and change the scenery of this area. Please keep the zoning as it and keep this area of Riverside uniqueness of it characters

### Terri Weber

Location: 92503, Riverside  
Submitted At: 2:05pm 11-02-24

This is disrupting a very important piece of agricultural ecosystem. There are plenty of real estate in other areas. I oppose housing development in that area.

### Karen Orilla

Location: 92503, Riverside  
Submitted At: 8:04pm 11-01-24

This over development will greatly impact the openness and countryside nature of this area. And once this is allowed, there will surely be others to follow behind it. Instead of a calm and largely serene environment because of the open spaces, we will get the density of an over crowded neighborhood. Keep the zoning as-is and keep this part of Riverside a spacious and green suburb.

### Jeanette Aguila

Location: 92503, Riverside  
Submitted At: 7:30am 10-31-24

You are taking away our orange groves to make more houses that brings more traffic in this area. As it is it take us a long time to get to the freeway now and you want to add 50 more houses. Get out of here go make them in OC by the developers area. This is all about money how about our town. It is well known for the orange groves and as it is there is hardly any left. Keep our city alone go buy some where else. This affects the schools that are already full not only the traffic.

**Lisette Orilla**

Location: 92503, Riverside  
Submitted At: 12:26am 10-31-24

Please do not allow the developer to bypass zoning restrictions. Their plans will cause too much congestion and will negatively impact the area.

**Sharon Mateja**

Location: 92505, Riverside  
Submitted At: 3:49pm 10-30-24

Case # PR 2024-001656 (Tract Map No. 38921

I highly oppose a 49 home development that is being considered on Victoria avenue and La Sierra Avenue. This is zoned R1 1/2 and as so can accommodate 19 houses. This is a highly congested roadway currently and the infrastructure cannot support a development of this size. This also will harm the existing growers in this area with the increased traffic and commissions. No more VARIANCES, protect Riverside, Protect Ward 5, Protect RESIDENTS

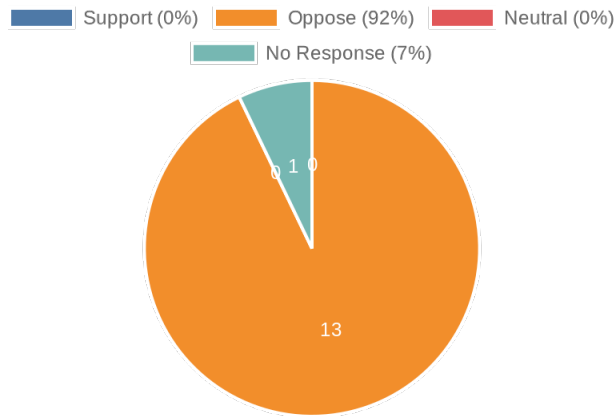
**Nancy Crunk**

Location:  
Submitted At: 3:09pm 10-25-24

Testing ecomment. nc

Agenda Item: eComments for 3. PLANNING CASE PR-2024-001656 (TM): Proposal by Matthew Esquivel of Warmington Residential to consider a Tentative Tract Map to subdivide a 9.91-acre parcel into 49 single family lots to facilitate residential development of 46 market rate dwellings and 3 affordable dwellings. The project site is currently developed as an orange grove, situated on the southeast corner of La Sierra Avenue and Victoria Avenue, in the R-1-1/2 Acre - Single Family Residential Zone, in Ward 5. The Community & Economic Development Department recommends that the Planning Commission determine the project will not have a significant effect on the environment and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP). Contact Planner: Judy Egüez, Senior Planner, 951-826 3969, [jeguez@riversideca.gov](mailto:jeguez@riversideca.gov)

## Overall Sentiment



### Laura S

Location:

Submitted At: 12:58am 11-07-24

In October 2000, Victoria Avenue was added to the National Park Service's National Register of Historic Places because of its important historical significance, which features miles of incredible Palm, Eucalyptus and a variety of other trees as well as the famous Ragged Robbin Roses that beautify this Avenue year round. Victoria Avenue is designated as a Scenic Parkway and a fundamental element of the City's parkway landscape network, and a component of Riverside's park system within the General Plan. The City even has a Victoria Avenue Policy for preservation, design and development. This proposal for 49 homes crammed in a 9.91 acre parcel by Warmington Residential Builders violates Riverside's Victoria Avenue Policy. Putting this 49 home project on the corner of extremely busy Victoria Ave and La Sierra Ave WILL definitely have a significant effect on the environment by increasing noise, and VMT, which will increase greenhouse gasses. Per the report, the vehicles miles traveled impact PER resident is 15.3%, which exceeds 15% per city threshold, and is 46.15% higher than city threshold for residential projects, which will increase greenhouse gases. Please vote no on the plan as proposed. It is not appropriate for the gateway to our beautiful historic Victoria Avenue.

### Lori S

Location: 92503, Riverside

Submitted At: 11:24pm 11-06-24

Please, please reconsider allowing this many homes on this land, the orange grove on the Southeast corner of La Sierra and Victoria Avenues. At the very least, please allow more time for public comment and consideration of the direct effect this development will have on the residents in the area. Sending Notice to residents within 300' of the proposed development may be all that is required, but gives no consideration for the residents currently living in this community and traveling La Sierra Ave on a daily basis, which has become increasingly difficult. We haven't yet felt the effects of the hundreds of new homes being built at the south end of Mc Allister when they become fully occupied. Cramming 49 homes in such a small space is not in keeping with the beautiful Victoria Ave area. All the additional people and traffic is not what we need when the current crime and traffic congestion can't be managed.

If these comments are read, I appreciate your time. I feel our concerns are probably not of importance nor will consideration be given by the people making the decisions for housing development in the City of Riverside, but thanks for the opportunity to vent.

**BEVERLY ARIAS**

Location: 92504, RIVERSIDE  
Submitted At: 5:18am 11-06-24

Please reconsider this development here on Victoria/ La Sierra.  
For reasons Riversiders already mentioned.

I'm definitely a supporter of Housing, it's obvious our City is booming and you can see there are more than 325,000 residents here. However, the residents have spoken and at this area- more fine tuning is Necessary. Traffic is so congested on Victoria and all the major streets La SIERRA, Washington, Central, Arlington, Van Buren - that is what needs some major attention!

I could only imagine if these 49 market rate homes are built and that will create about 150 more cars in that area.

Please oppose this plan, thank you

**Anthony Roble**

Location:  
Submitted At: 11:08am 11-05-24

While I do not oppose development of this lot, the proposed plan is for entirely too many units and the lots too small. This type of development is out of step with the character of the greenbelt/Victoria corridor. We bought our house in this area not in small part because of that character and I feel it is important to maintain that as best we can. Ideally, I would love for the grove to stay but I understand that may not be economically possible, nor is the lot part of the greenbelt as I understand it. However, there is a reason the area is currently zoned for larger lots. This parcel was previously approved for 14 houses which is much more in keeping with the surrounding area. As a homeowner in the area and constituent of ward 5, please oppose this rezoning and proposed plan.

**Candy Cody**

Location: 92503, Riverside  
Submitted At: 2:58pm 11-04-24

Please protect this area and stop putting houses in an area already that already have highly congested and traffic gridlock.

**Gary George**

Location: 92503, Riverside  
Submitted At: 6:50am 11-04-24

Long time residents moved to this area for a reason & that was to flee inner city over crowding, heavy traffic, increased crime, etc. Stop over crowding & causing too much traffic. Please do not allow this project. Don't ruin this neighborhood any further.

**S R**

Location: 92503, Riverside  
Submitted At: 3:53pm 10-31-24

Enough is enough. Please protect the city of Riverside. This area is already over congested with vehicles. And to remove the orange grove is terrible. I hope you consider the people who do not want this to happen.

**Terry Abraham**

Location: 92503, Riverside  
Submitted At: 9:18am 10-31-24

The traffic will greatly be impacted on the corner of La Sierra and Victoria Ave. what happened to Prop R and Measure C that was passed back in the 80's and is still in place today. With the city allowing ADU's to be placed all over our city neighborhoods without regards to the neighbors or streets they affect this could be a big problem with 1/2 acre lots. Which can bring additional traffic. Can the local schools handle this possible influx of students. There is some properties now that appear to have not followed the Measure C initiative which in the city only one dwelling per 5 acres and this was established to protect the orange groves .

**E S**

Location: 92503, Riverside  
Submitted At: 7:49am 10-31-24

Cutting down more groves and trees doesn't benefit society or earth.....also, let's not overpopulate this area like LA County.....

**Aaron Martinez**

Location: 92503, Riverside  
Submitted At: 7:20am 10-31-24

The proposal will stress and congest traffic on La Sierra Avenue. There have been several housing developments on Mc Callister Avenue Citrus Heights Street that has negatively impacted traffic on La Sierra Avenue in the last several years with increased transient and commercial traffic. With this development, additional vehicles and traffic will decrease quality of life for our neighborhoods. The proposed development indicates outbound and inbound traffic is onto La Sierra Avenue. If the proposal is agreed to by Riverside, I believe that to decrease traffic conflict, the new neighborhood outflow should be into Victoria Avenue with a reconfiguration of the existing plant center divider area. I also believe the density of housing is too condensed for the area. Too many homes in the proposed area.

**Sam Ababa**

Location: 92503-7454, Riverside  
Submitted At: 11:28pm 10-30-24

Please do not continue to take away what makes this City beautiful.

Please oppose this effort in its entirety.

**Amanda Tromblay**

Location: 92506, Riverside  
Submitted At: 8:33pm 10-30-24

The greenbelt is being chipped away by Orange County Developers who have no interest in preserving this historic treasure. Once destroyed, we cannot reclaim it.

**Steve Ruzicka**

Location: 92503, Riverside  
Submitted At: 5:54pm 10-30-24

The decision for this project will have implications for the very far future. Building 40 houses on a 9 acres lot is pure nonsense. It only profits the investor at the expense of our quality of life. I trust that the city planning department will put the Riverside citizens and their opinions first and above the developer.

**Lori Riley**

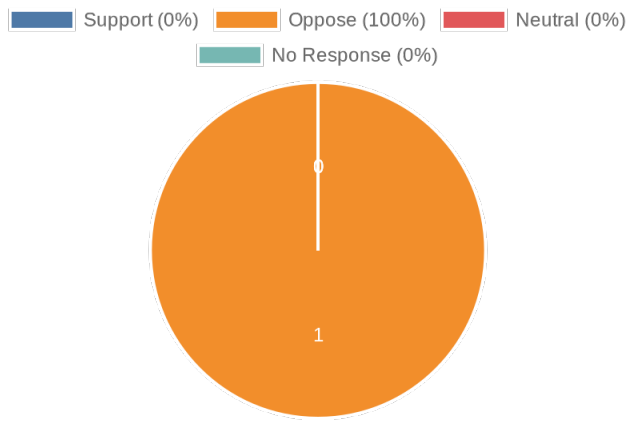
Location: 92503, Riverside  
Submitted At: 5:05pm 10-30-24

This area is supposed to be for homes on a half acre lot it is not zoned for this many homes- it will add more traffic , increase population at the local schools which are already full!



Agenda Item: eComments for 4. Items for future Planning Commission consideration as requested by members of the Commission. Only items that fall within the powers and duties of the Planning Commission as set forth in the City Charter and/or the Riverside Municipal Code will be agendized for future discussion.

Overall Sentiment



Leslie Kendell

Location: 92501, Riverside  
Submitted At: 11:46am 11-02-24

I believe this will be horrible for riverside and the area



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1/7/2025

City of Riverside City Council  
3900 Main Street  
City of Riverside, CA 92522

City\_Clerk@riversideca.gov  
Via Email

Re: Southeast corner of Victoria Avenue and La Sierra Avenue  
APN 136-220-016

Dear City of Riverside City Council,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Accountability Act (HAA). As you know, the City Council has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the HAA. Should the City fail to follow the law, YIMBY Law will not hesitate to file suit to ensure that the law is enforced.

On November 7, 2024, the City of Riverside's Planning Commission improperly denied the proposed project despite the City Staff determination that the project will not have a significant effect on the environment and recommendation that the Planning Commission approve the project based on the findings. In response, the applicant appealed the decision to City Council.

As previously discussed, the project consists of a 9.91-acre site to be subdivided into 49 lots for development of single-family residences and eight lettered lots for private streets, alleys, a bioretention basin and open space to facilitate construction of 46 marketrate residences and 3 affordable residences for very low-income households. The residential lots will range in size from 3,690 sq ft to 7,437 sq feet, and a lot located along Victoria Avenue will include a 0.67-acre open space that will preserve existing orange groves in perpetuity.

The proposed project will bring several benefits to the community and will enhance the currently vacant 9.91-acre site, tying into existing utilities and infrastructure while preserving portions of the historic orange groves along Victoria Avenue. Further, contrary to project opposition, the Phase I Cultural Resources Assessment confirms the site is not a "historical resource," and the site currently has an approved tentative tract map (TTM), showing it is neither a historical site nor protected land. The Planning Commission erred in denying the project, and we urge City Council to follow the relevant state housing laws that support the approval of this project.

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's zoning ordinance or general plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety.

With the requested concessions and/or waivers available under State Density Bonus Law, the above captioned proposal is zoning compliant and general plan compliant; therefore, your local agency must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above. Should the City fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state and would be eligible to apply for residency in the proposed housing development project.

Sincerely,

A handwritten signature in black ink that reads "Sonja Trauss". The signature is written in a cursive, flowing style.

Sonja Trauss  
Executive Director  
YIMBY Law

**LAW OFFICE OF ABIGAIL SMITH  
A PROFESSIONAL CORPORATION**

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2305 Historic Decatur Road, Suite 100, San Diego, CA 92106

Abigail A. Smith, Esq. Email:  
abby@socalceqa.com  
Telephone: (951) 808-8595

*VIA E-MAIL AND U.S. MAIL*

February 28, 2025

City of Riverside Planning Division  
Ms. Judy Egüez, Senior Planner  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92522  
[JEguez@riversideca.gov](mailto:JEguez@riversideca.gov)

**Re: Warmington 49 (Planning Case PR2024-001656; Tract Map No. 38921):  
Proposed CEQA Statutory Exemption**

Dear City of Riverside:

Please accept these comments on behalf of the Rural Association of Mead Valley and local residents regarding Planning Case PR-2024-001656 (TM): a proposal by Matthew Esquivel of Warmington Residential to consider a Tentative Tract Map to subdivide a 9.91- acre parcel into 49 single family lots to facilitate residential development of 46 market rate dwellings and 3 affordable dwellings located at the southeast corner of Victoria Avenue and La Sierra Avenue (“the Project”).

We understand that a Mitigated Negative Declaration was initially prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), but this proposed CEQA determination may be replaced with a statutory exemption under State CEQA Guidelines, § 15183 (“Exemption”). Accordingly, we address the Exemption in this letter.

State CEQA Guidelines, § 15183 may apply to a proposed project subject to CEQA *only when* the project is “consistent with (A) a community plan adopted as part of a general plan, (B) a zoning action which zoned ... the parcel on which the project would be located to accommodate a particular density of development, or (C) a general plan of a local agency, *and when* “an EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.” In short, this statutory exemption provides for “streamlined” CEQA review for projects that are consistent with the “development density” under an existing land use plan because they have been examined in a prior EIR and they present no new or “peculiar” significant impacts that have not been

previously examined or mitigated in that EIR.

To the extent the proposed Exemption will be based on the City of Riverside's General Plan and General Plan EIR, we believe, as a threshold matter, that the Project is not "consistent with the development density established by existing zoning, community plan or general plan policies". (Guidelines, § 15183 (a).) The Project requests a *zoning amendment* to *increase* the density of the site. The site's current zoning does not currently support the Project's proposed density. Nor is the Project "consistent with General Plan policies" as discussed below. (*Id.*)

The Project does not qualify for the Exemption and/or further CEQA review is required because there are "project-specific significant effects which are peculiar to the project or its site." (Guidelines, § 15183 (a), (b).) Among other new and/or peculiar impacts that have not been previously evaluated or mitigated by an existing land use plan, the Project presents the potential for significant land use impacts. The City's General Plan contains land use policies to preserve the City's historic parkways, greenways and agricultural lands, including the 5,500-acre Arlington Greenbelt and the historic Victoria Avenue. The General Plan's Open Space and Conservation Element Objective OS-3 and Objective OS-4<sup>1</sup> derive in part from voter-approved Measure C and Proposition R, which seek to preserve rural properties and uses through the application low density residential zoning to certain areas of the city. Policy OS-4.1 states that the City shall "continue to implement Proposition R and Measure C." The Project site is an active agricultural property (citrus groves) at the main entrance to the Arlington Greenbelt area. It is also located along the historic Victoria Avenue. (*See*, General Plan Figure OS-2.) The permanent conversion of the property from agricultural or natural lands to urban, non-agricultural uses creates the potential for significant land use impacts due to inconsistency with the General Plan and applicable Zoning Code provisions.

There are "peculiar" impacts insofar as the subject land is part of or adjacent to the Arlington Heights Greenbelt area that the General Plan specifically aims to protect and preserve. The Project's proposed zoning changes will increase the density of the site resulting in impacts that are directly contrary to the policies of the General Plan with respect to the historic greenbelt. The General Plan states, "[b]ecause of the importance of citriculture as a visual amenity, open space resource and important source of civic pride as part of the City's heritage, preservation of agriculture in the Arlington Heights Greenbelt will be of utmost importance as a City goal." The Project sets bad precedent that leads to the greenbelt's breakdown. In addition, according to the General Plan's Land Use Element, Victoria Avenue is a "historic parkway ... long recognized as an important local and scenic resource." (LU- 10). The Project will have an ongoing impact degrading the entire avenue from natural lands to urban uses, significantly altering the visual landscape along this historic parkway.

The Project also has the potential to contribute to the cumulative loss of agricultural and historic resources. As the General Plan states, "Riverside's heritage is firmly grounded in the citrus industry. But Riverside's future also embraces this heritage by preserving the City's greenbelt and

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<sup>1</sup> [https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/general-plan/12\\_Open\\_Space\\_and\\_Conservation\\_Element.pdf](https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/general-plan/12_Open_Space_and_Conservation_Element.pdf)

perpetuating agricultural uses, especially in the Arlington Heights area.” (LU- 22). General Plan Objective LU-6 contains a list of policies designed to ensure the continuation of the “agricultural character” through adherence to zoning provisions and policies. The Project’s contribution to the cumulative loss of agricultural and historical resources that contribute to Riverside’s history as an agricultural community must be evaluated through CEQA.

In addition to direct and cumulative land use impacts, the Project results in potentially significant agricultural impacts due to the conversion of active agricultural uses to non- agricultural uses. These impacts have not been previously evaluated or mitigated in the General Plan. In fact, the General Plan contains policies, effectuated through the zoning code, that seek to *preserve* the agricultural character of the greenbelt area along Victoria Avenue.

Additionally, we believe the Project may result in potentially significant impacts in the areas of aesthetics, cultural resources, greenhouse gas emissions, hazards, land use and planning, population and housing, public services and transportation that should be examined through an appropriate CEQA document.

Finally, the City determined that a mitigated negative declaration was necessary for the Project. Now there is a request that the city make the formal finding that *no CEQA review* is required for the Project. This sequence and timing calls into question whether an exemption is appropriate level of CEQA review for the proposed activity. To our knowledge, there have been no further environmental studies or information that change the need for a mitigated negative declaration under CEQA, and, in fact, the record shows the opposite: the Project’s proposed density, location, and urban use conflicts with important policies of the City’s General Plan and otherwise creates potential for significant CEQA impacts identified in this letter. Therefore, we submit that a statutory exemption is not the appropriate level of CEQA review for the proposed activity.

Thank you for considering these comments. We intend to submit further comments upon further review of the available planning materials. Thank you also for including my office on any future CEQA and public notices relating to the Project.

Sincerely,

A handwritten signature in cursive script that reads "Abigail Smith".

Abigail Smith