

## Property Information

Project Description: **2 NEW SPEC WAREHOUSE BUILDINGS TOTALING 102,100 SQFT ON 5.63 ACRES**

Project Location: **900 MARLBOROUGH AVE, RIVERSIDE, CA 92507**

Assessor's Parcel Number (APN): **249-130-023 , 249-130-024 , 249-130-053**

## Submittal Requirements

Refer to **Development Application Information** Handout for information on Submittal Requirements.

Additional submittal items include:

1. Variance Justification Form (attached)

### Height/story variances in the RC Zones

Aside from the filing requirements set forth above, any variance requests for extra building height/stories in the RC-Residential Conservation Zone must be accompanied by:

1. Approved or proposed grading plans for the site.
2. A Composite map clearly indicating the approved grading, including building pad elevations, on adjoining sites, or if no grading has been approved, the natural topography of adjoining property. Additional information on grading for a larger surrounding area may be required.
3. Street sections, where appropriate.
4. Building elevations for proposed dwelling (in addition to required plot plans).
5. Where split pads are proposed, building sections are required.

If more than one lot is involved, the proposed building and height pad elevation for each lot shall be clearly identified. Separate Variance Justification Forms for each lot are required with justifications based on the unique characteristics of each industrial lot. Heights shall be justified based on relationships with surrounding lots and natural topography.



## Variance Justification Form

**Variances Requested – State variance(s) requested specifically in detail. Please attach separate sheet(s) as necessary.**

**Please see attached sheet for full response.**

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**Required Findings –** Answer each of the following questions “YES” or “NO” and then explain your answer in detail. Questions 1 & 2 must be answered “YES” and 3 & 4 “NO” to justify granting of a variance. Attach written details if insufficient space is provided on this form. Economic hardship is not an allowable justification for a variance.

1. Will the strict application of the provisions of the Zoning Code result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code? (In other words, explain why it would be difficult to comply with the development standards) Explain in detail.

**Please see attached sheet for full response.**

2. Are there special circumstances or conditions applicable to your property or to the intended use or development of your property that do not apply generally to other property in the vicinity and under the identical zoning classification? (In other words, explain what special circumstances this specific property has that would justify the deviation from the development standards) Explain in detail.

**Please see attached sheet for full response.**

3. Will the granting of such variance prove materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which your property is located? (In other words, explain how approving such deviations from the standards will not impact the public). Explain in detail.

**Please see attached sheet for full response.**

4. Will the granting of such variance be contrary to the objectives of any part of the General Plan? (In other words, explain how the requested variance is in compliance with the goals, policies and objectives of the General Plan 2025? Explain in detail.

**Please see attached sheet for full response.**



Variances Requested – State variance(s) requested specifically in detail. Please attach separate sheet(s) as necessary.

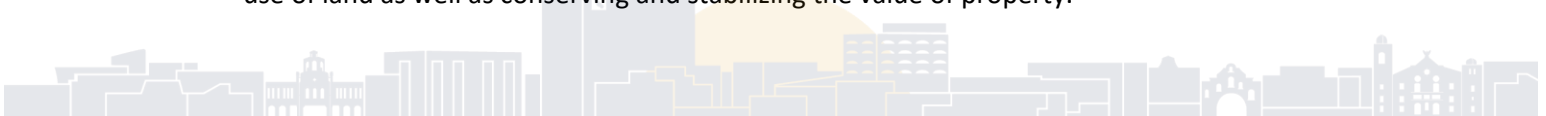
**To allow 2 new Industrial Warehouse buildings to have a 20-foot front setback in the Hunter Park BMP Zone on Marlborough Avenue where an average 50-foot setback requirement are permitted by the Zoning Code.**

1. *The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.*

The proposed project complies with this finding. The project site is significantly hindered by extreme topography, odd-site configuration, and non-parallel boundaries. The natural average slope of the site ranges from 5-9% going south to north and is bounded by Marlborough Avenue to the north, and the Gage Canal Multi-Purpose Trail to the south. The northwest corner of the site (Marlborough Avenue) is at an elevation of 976 Feet, whereas the southwest corner at the Gage Canal Multi-Purpose Trail is 1011 Feet. The northeast corner of the site (Marlborough Avenue) is at an elevation of 995 Feet, but that southeast corner of the site at the Gage Canal Multi-Purpose Trail is 1024 Feet. There is approximately 35 Feet vertical relief across the site running south to north. Most of the proposed site has a relatively flat pad at an elevation of 987 Feet for Building A and 995 Feet for Building B with hillsides on the south property boundary. The parcels are irregularly shaped by the path of the Gage Canal Multi-Purpose Trail following the southern boundary. The aforementioned site characteristics create the need for a reduced setback from the right-of-way at Marlborough Avenue, and would match the setback of the existing neighboring properties across Marlborough Avenue to the north.

Due to the challenging site characteristics described, approximately 1.1 acres of the 5.63 net acres are to remain relatively undisturbed and/or utilized for matchup grading, allowing for the proposed grading to match the pad elevation at 987 Feet for Building A and 995 Feet for Building B. This design creates a better utilization of the project site, while also providing additional spacing between the Gage Canal Multi-Purpose Trail and the project's buildings. As a result, portions of the project along Marlborough Avenue, including building pads, emergency exits, ADA paths, are proposed to encroach into the required 40 to 50-foot fully landscaped front yard setback area.

Strict application of the Zoning Code would require such improvements to be setback a minimum of 40 to 50-feet from the property line, providing a fully landscaped setback. Which would disturb even more natural slope and would increase the projects proximity to the nearby Gage Canal Multi-Purpose Trail and the need for even taller retaining walls on the southern side of the project site. Strict application of the Zoning Code would not further the purpose stated in Riverside's Municipal Code 19.020.010, particularly regarding encouraging the most appropriate use of land as well as conserving and stabilizing the value of property.



2. *There are exceptional circumstances or conditions applicable to this property or to the intended use or development of this property which do not apply generally to other property in the same zone or neighborhood.*

The proposed project **complies** with this finding. The project site is uniquely located and shaped, and is significantly restricted due to topography and boundary conditions. The natural average slope of the site ranges from 5-9% going south to north and is bounded by Marlborough Avenue to the north, and the Gage Canal Multi-Purpose Trail to the south. The northwest corner of the site (Marlborough Avenue) is at an elevation of 976 Feet, whereas the southwest corner at the Gage Canal Multi-Purpose Trail is 1011 Feet. The northeast corner of the site (Marlborough Avenue) is at an elevation of 995 Feet, but that southeast corner of the site at the Gage Canal Multi-Purpose Trail is 1024 Feet. Most of the site has a relatively flat pad at an elevation of 987 Feet for Building A and 995 Feet for Building B with hillsides on the south property boundary.

The proposed setback of the project from Marlborough Avenue does not grant benefit to the project applicant, but rather allows for a more normal development on the project site. The shape of the site, the topography, boundary conditions, southern proximity to a Very High Fire Severity Zone and Gage Canal Multi-Purpose Trail constitute an exceptional circumstance of the property that do not apply generally to other property in the same zone and neighborhood.

3. *Granting this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.*

The proposed project **complies** with this finding. Granting the Variance will allow typical development of the property in accordance with the Objectives and Policies of the General Plan 2025 and Zoning Code. The project site is the last in that area of Marlborough Avenue to be developed and the neighborhood will benefit aesthetically and materially because of said development. Granting the Variance will allow for a greater setback from the Gage Canal Multi-Purpose Trail and Box Springs Mountain Reserve Park, while also maintaining a 20-foot landscaped front yard setback along Marlborough Avenue that does not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood, as the project is proposed to be constructed in a decorative manner with architectural flair in regards to both the buildings and their landscaping features.

4. *Granting the request will not be contrary to the objectives of the General Plan.*

The proposed project **complies** with this finding. The project is consistent with the following General Plan 2025 Policies, which seeks to:



Policy LU-25.2: *“Encourage and facilitate appropriate annexations to the Hunter Business Park and Sycamore Canyon Business Park.”*

The proposed project aims to utilize the last remaining parcels on Marlborough Avenue in the Hunter Business Park area in the most effective way possible by adding to the City’s industrial land base where logically and physically possible to do so.

Policy LU-3: *“Preserve prominent ridgelines and hillsides as important community visual, recreational, and biological assets.”*

The project proposes leaving 1.1 acres of 5.63 net acres to remain relatively undisturbed and/or utilized for match-up grading, allowing the proposed grading to maximize the utilization of the site, while also providing additional spacing between the Gage Canal Multi-Purpose Trail and Box Springs Mountain Reserve Park and the project. The project is also proposing that a small section of land on the most southern point of the project be quit claimed to Riverside Public Utilities to further protect the neighboring Gage Canal Multi-Purpose Trail.

Policy LU-7.2: *“Design new development adjacent and in close proximity to native wildlife in a manner which protects and preserves habitat.”*

The proposed project is located in close proximity to the Gage Canal Multi-Purpose Trail and Box Springs Mountain Reserve Park. The proposed setback of the project from Marlborough Avenue would allow for a reduced impact to neighboring native wildlife in a manner which protects and preserves habitat.







April 16, 2021

City of Riverside  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92501

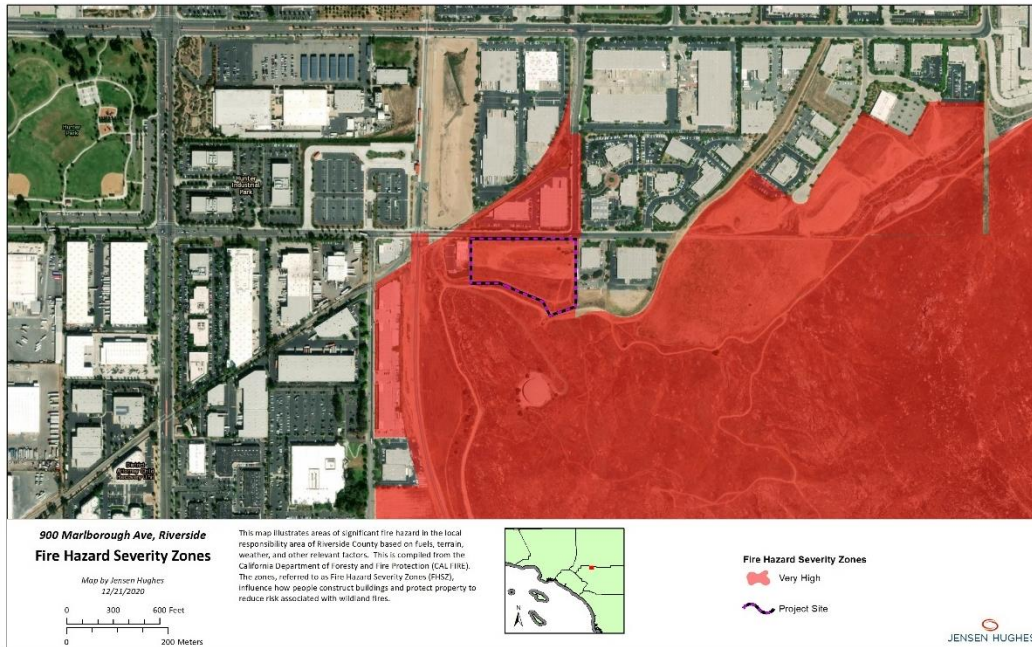
RE: Very High Fire Severity Zone – Setback Requirement

To whom it may concern,

Jensen Hughes has prepared this brief letter in response to the variance proposed by Turn 9, LLC (Magnon Development) to justify a reduction in the setback distance along Marlborough road from 50 ft to 20 ft for the 900 Marlborough Ave development project located in Riverside, CA. We understand that the setback variance has been proposed for the following reasons: the hilly site topography, odd site configuration, and, restrictions set due to the Very High Fire Severity Zone.

As the fire and life safety consultants for this project, we understand that the property and surrounding geographic area is in a Very High Fire Hazard Severity Zone in a Local Responsibility Area for the City of Riverside. The parcel is identified in the image below. The parcel is directly bordering Box Springs Mountain Reserve Park to the South, which consists of a large open, wildland space primarily consisting of annual grasslands that present a wildfire safety hazard to the property.

It is our professional opinion that the proposed reduced setback to Marlborough Avenue (from 50 ft to 20ft) would provide a wildfire risk mitigation benefit for the project as it would further distance the buildings from the southern boundary where the wildfire threat is most present. By increasing the area along the southern border, the potential impacts from wildfire threats (due to reduced radiation and by providing additional defensible space for firefighting) would be greatly reduced.



Sincerely,

*Jensen Hughes, Inc.*

*Christine Pongratz*

Christine Pongratz  
Senior Fire Protection Engineer





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April 22, 2021

City of Riverside  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92522

Re: PR-2021-00093 Marlborough Development

To whom it may concern:

Due to the fact that the property being developed on the south side of Marlborough has rear lot lines that are not parallel to the street and rectangular in nature, the proposed building and associates parking lot must utilize a non-traditional grading design to accommodate the site features. Retaining walls will be designed to reduce the elevation and allow for development to occur in these conditions, as well as adjusting the siteplan closer to the street, thusly reducing the setback allowance.

Feel free to contact me with any questions.

Sincerely,

  
Jeff Meiter, LS, RCE  
Valued Engineering, Inc.

