



CITY OF RIVERSIDE

Community & Economic Development Department

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Planning Commission Memorandum

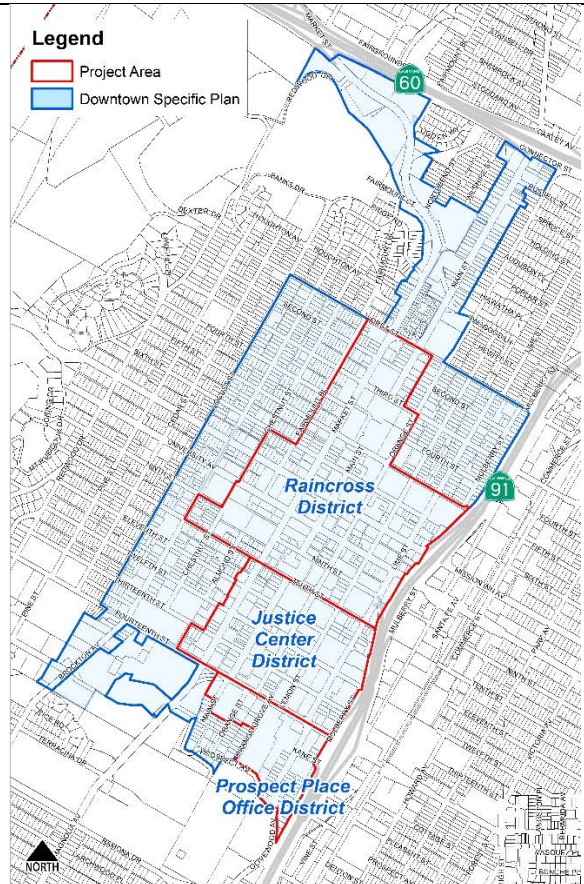
Planning Division

PLANNING COMMISSION HEARING DATE: AUGUST 25, 2016

AGENDA ITEM NO.: 3

PROPOSED PROJECT

Case Numbers	P16-0124 – Downtown Specific Plan Amendment	
Request	Amend the Downtown Specific Plan to: <ul style="list-style-type: none"> • Allow buildings to exceed current maximum building height limits within the Raincross, Justice Center, and Prospect Place Office Districts, subject to the approval of a conditional use permit; • Provide greater flexibility in the amenities required to achieve maximum floor area ratios in the Raincross and Justice Center Districts; and • Revise the definition of "Floor Area Ratio" to be consistent with the citywide Zoning Code. 	
Applicant	City of Riverside Community & Economic Development Department – Planning Division	
Project Location	Downtown Specific Plan: Raincross District, Justice Center District, and Prospect Place Office District	
Project area	Approximately 285 acres	
Ward	1	
Neighborhood	Downtown	
Specific Plan	Downtown Specific Plan	
General Plan Designation	DSP – Downtown Specific Plan	
Zoning Designation	DSP-RC – Downtown Specific Plan Raincross District DSP-JC – Downtown Specific Plan Justice Center District DSP-PPO – Downtown Specific Plan Prospect Place Office District	
Staff Planner	David Murray, Senior Planner; 951-826-5773; dmurray@riversideca.gov	



RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that Planning Case P16-0124 (Specific Plan Amendment) will not constitute significant impacts beyond what was analyzed within the Program Environmental Impact Report (PEIR) for the General Plan 2025 Program and **ADOPT** an Addendum to the PEIR pursuant to the provisions of Section 15164 of the California Environmental Quality Act Guidelines;
2. **RECOMMEND APPROVAL** of Planning Case Number P16-0124 (Specific Plan Amendment) based on the findings outlined in the staff report; and
3. **RECOMMEND ADOPTION** of a resolution amending the Downtown Specific Plan as illustrated in Exhibits 4 through 7.

BACKGROUND

At the May 7, 2015 Planning Commission hearing, City staff presented a workshop regarding urban design concepts and trends in downtowns, and identified a number of opportunities to adjust the development standards within the Downtown Specific Plan (DSP). The Planning Commission discussed several topics, including land use trends, transit and urban mobility, parking demands, walkability, and pedestrian amenities. The attached staff report (Exhibit 2) details the information covered during the workshop, and a brief discussion about the goals of the DSP, which was adopted in 2002 (review online at: <http://www.riversideca.gov/planning/cityplans-csp-downtown.asp>).

While the Planning Commission workshop discussed the general obstacles that are preventing development in Downtown, the majority of the Commission's discussion focused on two topics: (1) appropriate densities and scale for the Downtown core and (2) parking requirements. Following the workshop, staff explored potential changes, and identified a number of barriers that could be addressed quickly. The proposed amendment focuses on densities and scale within Downtown.

PROJECT DESCRIPTION

This proposed amendment to the Downtown Specific Plan includes the following changes:

1. Allow buildings to exceed current maximum building height limits within the Raincross, Justice Center, and Prospect Place Office Districts, subject to the approval of a conditional use permit;
2. Provide greater flexibility in the amenities required to achieve maximum floor area ratios in the Raincross and Justice Center Districts; and
3. Revise the definition of "Floor Area Ratio" to be consistent with the citywide Zoning Code.

DISCUSSION

The proposed changes to the Downtown Specific Plan are discussed in the sections that follow. This report has been broken into a description of the changes for each district:

RAINCROSS DISTRICT

Exhibit 4 (attached) depicts the proposed changes to Sections 6.5.1 (Maximum Floor Area Ratio) and 6.5.3 (Maximum Height) of Chapter 6 - Raincross District of the Downtown Specific Plan.

Maximum Floor Area Ratio with Amenities: Section 6.5.1 regulates the Maximum Floor Area Ratio (FAR), and includes an allowance to increase the maximum FAR when certain specified amenities are provided, including a landscaped at-grade courtyard, arcade or pergola. Table A below shows the existing FAR standards.

Table A – Existing Raincross District Maximum Floor Area Ratio

District	Max. FAR	Max. FAR with Amenities	Max. FAR with Amenities and CUP
Raincross District			
Base Standards	3.5	4.5	-
Within Mission Inn Historic District	3.0	4.0	4.5

This amendment would allow for projects to be developed to the maximum FAR by incorporating amenities that are not specifically listed in the Specific Plan, subject to the approval of a Conditional Use Permit (CUP). For example, rather than an at-grade courtyard, a project may propose a roof-top restaurant with viewing platform. Under the current Specific Plan standards, a roof-top viewing area would not count as an amenity to justify the increase in the maximum FAR. This change will provide greater flexibility in project design, while giving the City discretion to deny proposals that do not reflect a quality project, or the intent of the Specific Plan. This less prescriptive approach allows projects to provide quasi-public amenities using more creative solutions. The proposed amendment would not change the maximum FAR of 4.5 currently allowed in the Raincross District.

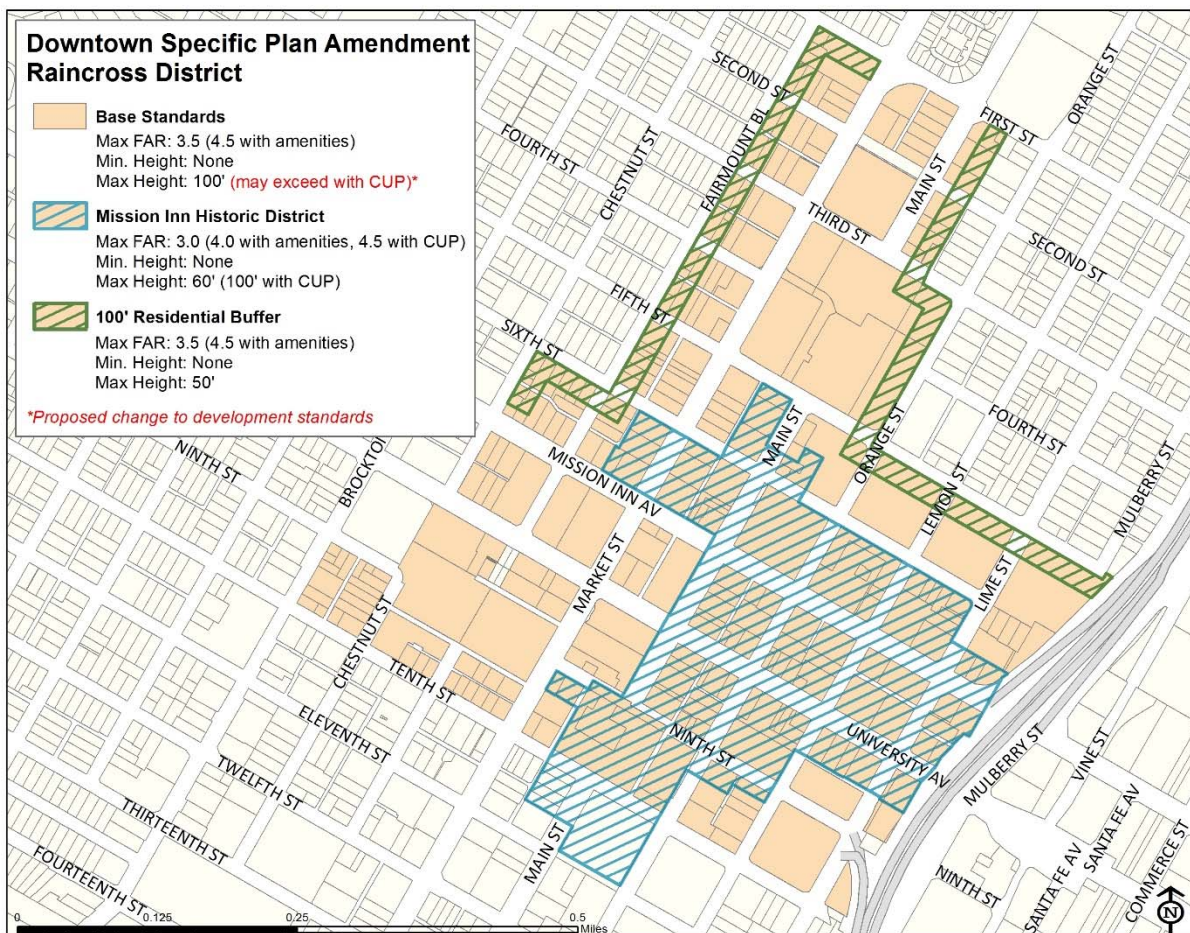
Maximum Building Height: Section 6.5.3 regulates heights within the Raincross District. The maximum height in the Raincross District is 100 feet, except buildings within 100 feet of a property with a residential zone, or within 100 feet of the Downtown Specific Plan's Residential District, are limited to 50 feet in height. Properties within the Mission Inn Historic District are also limited to 100 feet in height, but require a CUP to exceed 60 feet. These overlay areas are illustrated in Figure 1 below.

Staff is proposing an amendment to the Downtown Specific Plan to allow buildings to exceed the current maximum height limits with the approval of a CUP. This amendment is needed because, the existing maximum height standards, when combined with the maximum FAR, encourage a development pattern that is unimaginative and monolithic. Based on recent Downtown development projects, staff has observed that the buildings which maximize the allowable floor area ratio are limited to the same heights, which has prevented the City from developing a unique skyline or signature buildings. Staff believes this amendment will allow more flexibility in architectural form, which will accommodate better designed buildings and architectural variety, and provide the opportunity for marquee buildings in Downtown Riverside.

Although the proposed amendment does not specify a maximum height that may be achieved with the granting of a CUP, staff does not anticipate many requests due to the economics of building structures higher than 100 feet, site constraints, and limitations on floor area ratios (FAR), which will remain unchanged. Staff is not proposing any changes in maximum FAR because, in short, this proposed amendment is intended to provide greater flexibility and architectural interest, while ensuring there are no significant environmental impacts beyond those analyzed within the Program Environmental Impact Report for the General Plan 2025 Program. It is important to note that the proposed amendment does not allow for the maximum heights to be exceeded for

properties within the Mission Inn Historic District overlay, or within 100 feet of residentially zoned properties. Proposed changes are reflected in Figure 1 below.

Figure 1 – Raincross District Standards and Proposed Change



JUSTICE CENTER DISTRICT

Exhibit 5 identifies the proposed changes to the Sections 7.5.1 (Maximum Floor Area Ratio) and 7.5.3 (Maximum Height) of Chapter 7 – Justice Center District of the Downtown Specific Plan. The changes proposed within the Justice Center District are the same as those in the Raincross District, but are discussed separately for clarity, since the two districts have different underlying standards.

Maximum Floor Area Ratio with Amenities: Section 7.5.1 regulates Maximum Floor Area Ratio and includes an allowance for increased FAR with the provision of either a landscaped courtyard, arcade or pergola. Table B below indicates the maximum FAR for the Justice Center District.

Table B – Existing Justice Center District Maximum Floor Area Ratio

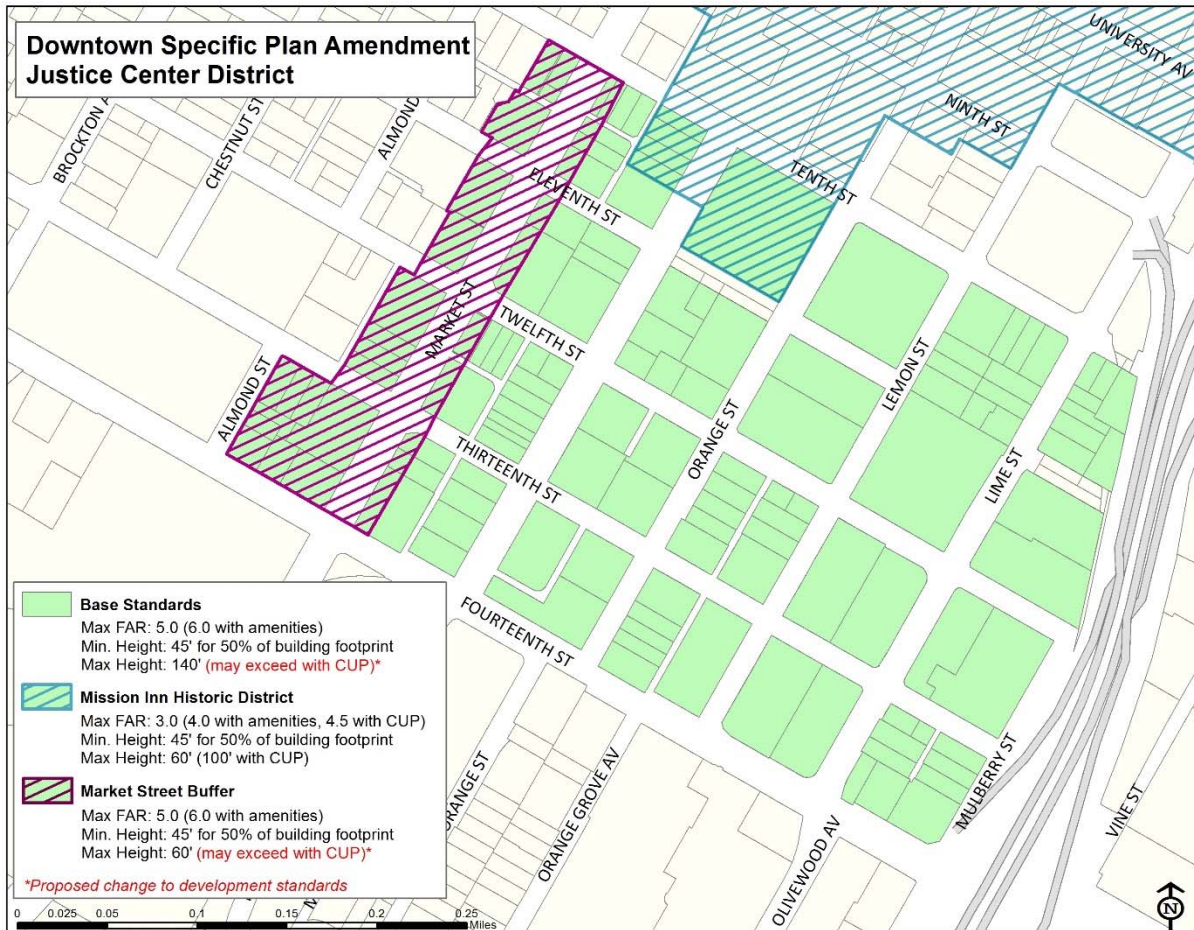
District	Max. FAR	Max. FAR with Amenities	Max. FAR with Amenities and CUP
Justice Center District			
Base Standards	5.0	6.0	-
Within Mission Inn Historic District	3.0	4.0	4.5

Similar to the Raincross District, this amendment will allow the permitted increase in FAR with the provision of an amenity not specifically listed in the specific plan, subject to the approval of a conditional use permit. No changes are proposed to the maximum FAR.

Maximum Building Height: Section 7.5.3 regulates the maximum heights within the Justice Center District. The maximum height throughout the Justice Center District is 140 feet, with some exceptions. The height exceptions apply to buildings west of Market Street, and buildings within 50 feet of Market Street to the east (i.e., the “Market Street Buffer area”). Buildings within these areas have a maximum height of 60 feet. Additionally, properties within the Mission Inn Historic District are limited to 100 feet in height, and require a CUP to exceed 60 feet.

The proposed amendment will allow for buildings outside the Mission Inn Historic District to exceed the prescribed maximum heights, subject to the granting of a conditional use permit (CUP). However, unlike the Raincross District, which does not apply the height increase to the residential buffer area, the allowance for buildings to exceed the maximum height will apply to the Market Street Buffer area. The intent is to provide greater flexibility along the Market Street corridor, which is a major arterial through the Downtown. The proposed changes are reflected in Figure 2 below.

Figure 2 – Justice Center District Standards and Proposed Change



PROSPECT PLACE OFFICE DISTRICT

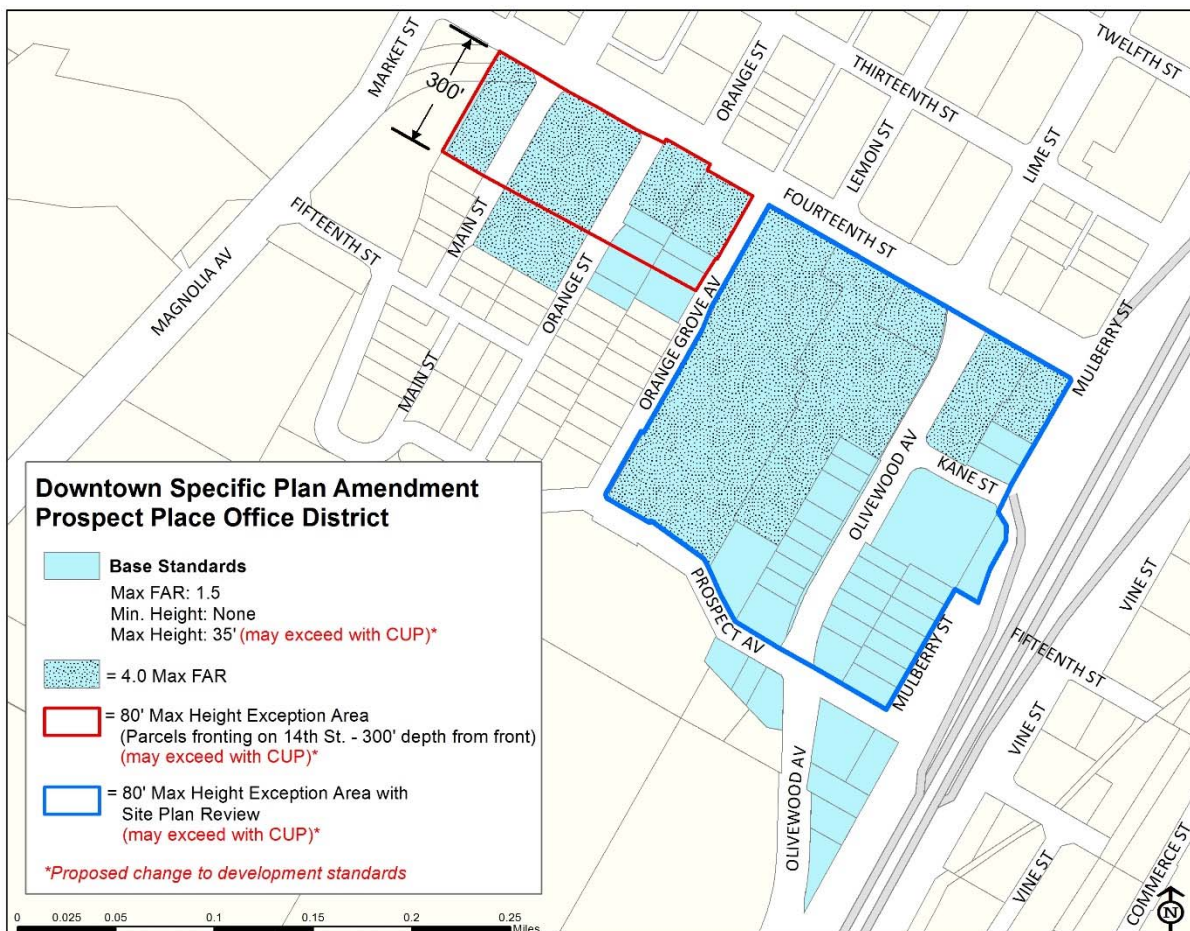
The amendments proposed for the Prospect Place Office District (Exhibit 6) are principally related to the permitted maximum building heights. There are no changes proposed to the allowable FAR.

Maximum Building Height: Section 9.5.2 of the Downtown Specific Plan regulates the maximum heights within the Prospect Place Office District. Although the base standards for this district establish a height of 35 feet, the majority of the District falls under an exception that grant a maximum height of 80 feet. Buildings that have an 80 feet height limit include structures within 300 feet of the 14th Street frontage, and the entire area of properties bounded by 14th Street to the north, State Highway 91 to the east, Prospect Avenue to the south, and Orange Grove Avenue to the west.

The proposed amendment will allow buildings to exceed the established maximum heights, with the approval of a CUP. This opportunity is being applied to the entire district, regardless of whether the maximum height is 35 or 80 feet. These changes are shown in Figure 3. Like the Raincross and Justice Center Districts, the proposed amendment is intended to allow for greater flexibility in architectural form. And, as with these other two districts, staff does not anticipate many CUP

proposals to exceed the height limit, due to the economics of building structures higher than 80 feet, site constraints, and the existing limitations on floor area ratios (FAR).

Figure 3 – Prospect Place Office District Standards and Proposed Change



FLOOR-AREA RATIO DEFINITION

The definition of "Floor Area Ratio" within the Downtown Specific Plan is not consistent with the definition found within the citywide Zoning Code. The definition in the Downtown Specific Plan includes "garages and accessory structures" in the calculation of building square footage; whereas the citywide Zoning Code specifically states that "parking structures are not included in the floor area calculation." This inconsistency has resulted in confusion for developers, staff and the public. As such, the proposed amendment revises the definition of "Floor Area Ratio" in the Downtown Specific Plan, Chapter 18 - Definitions (Exhibit 7) to be consistent with the citywide Zoning Code.

ENVIRONMENTAL REVIEW

An Addendum to the Certified Final Program Environmental Impact Report for the General Plan 2025 Program has been prepared by the City of Riverside in conformance with the California Environmental Quality Act (Public Resources Code, § 21000 et seq.) ("CEQA"), the State CEQA

Guidelines (Cal. Code Regulations, Title 14, Chapter 3 § 15000 et seq.) and the City of Riverside Resolution No. 21106 (Local CEQA Guidelines). The Addendum has been prepared to address minor changes to the General Plan 2025 Program ("Program") that will result from the implementation of the proposed Downtown Specific Plan ("Downtown SP") amendment. The Addendum is attached as Exhibit 10.

CEQA Requirements for the Use of an Addendum: When a lead agency has already prepared an EIR, CEQA mandates that a subsequent or supplemental environmental impact report is not required, unless substantial changes occur to a project or the circumstances surrounding a project, or new information regarding new significant environmental effects becomes available, or the severity of previously significant effects that occur are substantially increased.

When only some changes or additions to a previously certified EIR are necessary, and none of the conditions summarized above occur, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines, § 15164(a)).

Summary of Analysis and Findings for an Addendum: Based upon the environmental checklist prepared for the Amendments to the Raincross, Justice Center and Prospect Place Office Districts of the Downtown SP, no further clarification or additional explanation of impacts is warranted, beyond the analysis contained in the Final PEIR.

Pursuant to Section 15164 of the State CEQA Guidelines, the City of Riverside finds that only minor modifications are required to the Circulated Final PEIR and that none of the conditions described in Public Resources Code Section 21166 or Section 15162 of the CEQA Guidelines requiring preparation of a subsequent or supplemental EIR have occurred. More specifically, the City of Riverside has determined that:

- Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines § 15164(b) allow an Addendum to a Program EIR to be prepared when minor technical changes or additions to approved projects are necessary;
- The City of Riverside is considering the Addendum together with the previously certified Program, and with the comments received and considered during the public hearing process;
- The determination reflects the independent judgment of the City Council and has been completed in compliance with CEQA, and is adequate for this proposal;
- There are no substantial changes to the Program that would require major revisions of the Final PEIR for the Program, due to new significant environmental effects or a substantial increase in the severity of impacts identified in the Final PEIR; and
- There is no new information of substantial importance, which was not known at the time that the previous Final PEIR for the General Plan 2025 was circulated. Therefore:
 - The implementation of the amendments to the Raincross, Justice Center and Prospect Place Office Districts of the Downtown Specific Plan will not have one or more significant effects not previously discussed in the Final PEIR. The proposed amendments merely removes building height restrictions within the Raincross, Justice Center and Prospect Place Office Districts of the Downtown SP, subject to the approval of a CUP;

- There are no additional mitigation measures or alternatives related to the proposed amendment that would substantially reduce one or more of the significant effects identified in the previous Final PEIR; and
- There are no additional mitigation measures or alternatives which were rejected by the project proponent that are considerably different from those analyzed in the previous Final PEIR, which would substantially reduce any significant impact identified in the Final PEIR.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Planning Commission Workshop Staff Report – May 7, 2015
3. Downtown Specific Plan Districts
4. Proposed Changes to DSP Chapter 6 – Raincross District
5. Proposed Changes to DSP Chapter 7 – Justice Center District
6. Proposed Changes to DSP Chapter 9 – Prospect Place Office District
7. Proposed Changes to DSP Chapter 18 – Definitions
8. Map - DSP Existing Standards
9. Map - DSP Proposed Revisions
10. Seventh Addendum to the General Plan 2025 Program Environmental Impact Report

Report and Recommendations Prepared by:	David Murray, Senior Planner
Report and Recommendations Reviewed by:	Jay Eastman, Principal Planner
Report and Recommendations Approved by:	Ted White, City Planner



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P16-0124 (Downtown Specific Plan Amendment)

Specific Plan Amendment Findings consistent with Chapter 19.820 and pursuant to 19.810.

- a. The proposed Specific Plan Amendment is consistent with the General Plan 2025 and the intent and purpose of the Downtown Specific Plan (DSP) land use designation, as the changes to the specific plan facilitate the promotion of new high-density residential, office and commercial/entertainment uses, and the development of quality buildings that support a unique and vibrant environment of constant energy that is active and lively day and night;
- b. The Specific Plan Amendment does not result in any changes to the Downtown Specific Plan that result in nonconformance with California Government Code Section 65451;
- c. The proposed Specific Plan Amendment to allow higher buildings with the issuance of a conditional use permit, and to make changes related to floor area ratios that provide clarity and eliminate development barriers, will not have substantial adverse effects on the surrounding property or uses, and will be compatible with the existing and planned land use character of the surrounding area;
- d. The proposed Specific Plan Amendment to allow higher buildings with the issuance of a conditional use permit, and to make changes related to floor area ratios that provide clarity and eliminate development barriers, is substantially compatible with existing and proposed uses in the area, including factors relating to location, operation, building design, site design, traffic characteristics and environmental impacts;
- e. The proposed Specific Plan Amendment will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
- f. The proposed Specific Plan Amendment has been considered in relationship to the Program Environmental Impact Report (PEIR) certified for the City's General Plan 2025, and the amendment will not affect or otherwise be detrimental beyond the impacts already considered, evaluated and mitigated in the certified PEIR, as is detailed in the draft PEIR Addendum prepared for the proposed amendment.