



**PLANNING COMMISSION HEARING DATE: FEBRUARY 23, 2017
AGENDA ITEM NO.: 4**

PROPOSED PROJECT

<i>Case Number</i>	P16-0784 (Tentative Parcel Map)	
<i>Request</i>	To consider Tentative Parcel Map No. 37244 to subdivide a 3.70-acre parcel into two lots ranging in size from 1.59 to 2.11 acres.	
<i>Applicant</i>	Moshe Silagi, of MS Northgate, LLC	
<i>Project Location</i>	925-975 Marlborough Avenue, located at the northwest corner of Northgate Street and Marlborough Avenue	
<i>APN</i>	249-070-011	
<i>Project area</i>	3.70 acres	
<i>Ward</i>	1	
<i>Neighborhood</i>	Hunter Industrial Park	
<i>General Plan Designation</i>	B/OP – Business/Office Park	
<i>Specific Plan</i>	Hunter Business Park	
<i>Zoning Designation</i>	BMP-SP – Business and Manufacturing Park, Specific Plan (Hunter Business Park) Overlay Zone	
<i>Staff Planner</i>	Matthew Taylor, Assistant Planner, 951-826-5944, mtaylor@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. **DETERMINE** that this proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) review pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines; and
2. **APPROVE** Planning Case P16-0784 (Tentative Parcel Map No. 37244), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

SITE BACKGROUND

The project site consists of a vacant triangular-shaped parcel. The property is surrounded by light industrial and warehouse uses and the abandoned Burlington Northern Santa Fe (BNSF) rail right-of-way to the north, vacant industrially zoned land across Marlborough Avenue to the south, a business office park to the east across Northgate Street, and a Riverside County Flood Control District groundwater recharge basin, industrial uses, and the abandoned BNSF rail right-of-way to the west.

In November 2016, the Development Review Committee approved a Design Review with a Grading Exception (Planning Cases P16-0316 and P16-0698) to permit the construction of two multi-tenant light industrial buildings ranging in size from 20,416 to 42,629 square feet, which include up to 9,000 square feet of office space, 116 vehicle parking spaces, landscaping, screen walls, site perimeter fencing and a retaining wall ranging in height from four to 10 feet. This development is currently under construction, with occupancy expected by summer 2017. The developer of the project subsequently filed for this Tentative Parcel Map to facilitate the sale or lease of the individual buildings. Pursuant to the Development Standards of the Industrial Park District of the Hunter Business Park Specific Plan, industrial subdivisions with parcels less than 5 acres in area and less than 300 feet of street frontage require the approval of the City Planning Commission.

PROPOSAL

The applicant is requesting approval of a Tentative Parcel Map to subdivide the 3.70-acre site into two lots ranging in size from 1.59 to 2.11 acres. Parcel 1 will occupy the easterly 2.11 acres of the site and will have frontage on both Marlborough Avenue and Northgate Street. Parcel 2 is proposed for condominium purposes to allow airspace ownership of future tenant spaces. It will occupy the westerly 1.59 acres of the site with frontage on Marlborough Avenue. Both parcels will share a 30-foot, two-way driveway on Marlborough Avenue. Secondary access for Parcel 1 will be provided via a 40-foot, two-way driveway on Northgate Street, and for Parcel 2 via an additional 30-foot, two-way driveway on Marlborough Avenue.

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	Consistent	Inconsistent	N/A
<i>General Plan 2025</i> The proposed map is consistent with the underlying B/OP – Business-Office Park General Plan Land Use Designation, as well as the General Plan 2025 objectives and policies for the Hunter Industrial Park Neighborhood (Objectives LU-55 through LU-57).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Hunter Business Park Specific Plan</i> The proposed map is consistent with the goals and policies of the Hunter Business Park Specific Plan, and is consistent with	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

the intended land uses and development standards for the Industrial Park District in which the project site is located.			
The Industrial Park District of the HBPSP allows for subdivision maps consisting of minimum one-acre parcels with a minimum 140 feet of street frontage, subject to the approval of the City Planning Commission. The proposed map is consistent with both of these standards.			
<i>Subdivision Code (Title 18)</i>			
The proposed Tentative Parcel Map is consistent with the development standards of the Subdivision Code.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Compliance with Citywide Design & Sign Guidelines</i>			
The associated industrial development on the project site was previously reviewed by the Development Review Committee (Planning Cases P16-0316 and P16-0698) and determined to be consistent with the Citywide Design & Sign Guidelines and the specific Architectural and Landscaping Design Concepts of the HBPSP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

<i>Development Standards</i>					
<i>Hunter Business Park Specific Plan</i>					
Standard		Proposed		Consistent	Inconsistent
		Parcel 1	Parcel 2		
<i>Lot Area</i>	1 acre	2.11 acres	1.59 acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Lot Width*</i>	140 feet	235 feet	393 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Lot Depth*</i>	100 feet	512 feet	280 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Minimum Frontage</i>	140 feet	211 feet	393 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Floor Area Ratio*</i>	1.5	0.46	0.29	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Standards derived from the Zoning Code for the BMP – Business and Manufacturing Park Zone (Title 19, Table 19.130.030 A – Development Standards for Industrial Zones) pursuant to Chapter III of the Hunter Business Park Specific Plan.

ANALYSIS

Tentative Parcel Map and Condominium Parcel

The proposed map allows for an industrial subdivision that is in compliance with Zoning Code, the Subdivision Code and the Hunter Business Park Specific Plan. The proposed map has been designed to complement the approved plot plan for the development of two multi-tenant light industrial buildings (Planning Cases P16-0316 and P16-0689), which will function as an industrial complex.

As noted earlier, the applicant proposes a “vertical subdivision” to further subdivide Parcel 2 for condominium purposes under this Parcel Map. The vertical subdivision would allow airspace ownership of individual suites within the multi-tenant building on that parcel. Staff supports the inclusion of the future condominium subdivision on this map, provided that a Master Property Association is established and Conditions, Covenants and Restrictions (CC&Rs) are prepared to adequately address mutual access, parking and site maintenance responsibility. Staff recommends a Condition of Approval requiring the establishment of an Association and the preparation of CC&Rs to be recorded on for both parcels governing maintenance of common facilities and landscaping and limiting outdoor storage to areas not visible from public rights-of-way.

Vehicular Access and Parking

As designed, each parcel would operate independently of the other with regard to access and parking with the exception of a proposed 30-foot-wide reciprocal access easement, straddling the proposed common interior lot line. Given that the development will function as a unified site, staff recommends the incorporation of reciprocal access throughout both parcels. Thus, a condition of approval is recommended requiring the provision of a reciprocal access agreement between both parcels. Such an agreement may be structured so as to allow for the elimination of access to the independent driveways on both Parcels 1 and 2 so long as access to the shared driveway is maintained.

Similarly, the proposed parcel map does not anticipate the need for either parcel to require shared parking with the other. However, as the approved development for the site is speculative in nature, future tenants will be subject to parking requirements based upon the proposed use or mix of uses for each tenant space, which are not known at this time. In order to prevent a parking deficit on either proposed parcel in the future, Staff recommends an additional condition requiring the provision of a reciprocal parking agreement between both parcels. The assignment of designated spaces to individual tenants or owners may be managed privately by the Master Property Association.

ENVIRONMENTAL REVIEW

The proposal is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15315 of the CEQA Guidelines (Minor Land Divisions).

NEIGHBORHOOD COMPATIBILITY

The project site is located within a developing industrial and business park neighborhood. The surrounding properties are developed with standalone industrial and warehouse buildings, small

manufacture and research park developments, as well as vacant land. The proposed map allows for subdivision of the subject site in a manner consistent with the surrounding development patterns, and is consistent with both the provisions and the stated vision of the Industrial Park District of the Hunter Business Park Specific Plan.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received.

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 Division Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Recommended Conditions of Approval
2. Aerial Photo/Location
3. Existing General Plan Map
4. Existing Specific Plan/Zoning Map
5. Approved Development Plans (for reference only)
6. Tentative Parcel Map No. 37244

Prepared by: Matthew Taylor, Assistant Planner
Reviewed by: Ted White, City Planner
Approved by: Rafael Guzman, Community Development Director



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 1 – RECOMMENDED CONDITIONS OF APPROVAL

CONDITIONS & GENERAL INFORMATION NOTES

Case Number: P16-0784 (Tentative Parcel Map)

Meeting Date: February 23, 2017

CONDITIONS

- **Planning**

Prior to Map Recordation:

1. A Master Property Association (MPA) shall be established for both parcels, including the future airspace condominium units on Parcel 2, subject to the approval of the Planning Division and the City Attorney, for the purpose of establishing maintenance and use standards for the project.
2. The applicant shall prepare and record Covenants, Conditions, and Restrictions (CC&Rs) subject to approval of the Planning Division and City Attorney's Office. The CC&Rs shall contain the following conditions and restrictions:
 - a. The MPA shall be responsible for the maintenance of all landscaped areas, manufactured slopes, and retaining walls;
 - b. The MPA shall be responsible for maintaining the retaining wall along the northwest boundary of the site free of graffiti, vandalism and the accumulation of trash and debris;
 - c. Provide for a reciprocal parking and access agreement between proposed Parcels 1 and 2, subject to the review and approval of the Planning Division and the City Attorney; and
 - d. Outdoor storage shall be limited only to those areas not visible from the public right of way and shall comply with the development and operational standards of the Zoning Code.

Standard Conditions:

3. There is a thirty-six-month time limit in which to satisfy the conditions and record this map. Six subsequent one-year time extensions may be granted by the Development Review Committee or designee upon request by the applicant. Application for a one-year time extension must be made prior to the expiration date of the map. No time extension may be granted for applications received after the expiration date of the map.
4. Within 30 days of the approval of the project by the City, the developer shall execute an agreement, approved by the City Attorney's Office, to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to

attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this subdivision, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the Developer/subdivider of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.

- **Public Works**

Contact Jeff Hart at 951- 826-5875 or jthart@riversideca.gov with questions regarding the following Public Works – Engineering conditions:

Prior to Map Recordation:

5. A "FINAL MAP" shall be processed with the Public Works Department and recorded with the County Recorder. The "FINAL MAP" shall be prepared by a Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California and shall comply with the State Subdivision Map Act and Title 18 of the Riverside Municipal Code. All applicable checking and recording fees are the responsibility of the applicant;
6. Right-of-Way corner cutback at Northwest corner of Northgate Street and Marlborough Avenue per Public Works Specifications.

- **Fire Department**

Contact Lisa Munoz at 951-826-5480 or lmunoz@riversideca.gov with questions regarding the following Fire Department conditions:

Prior to Map Recordation:

7. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
8. A Fire Protection Water Service Agreement shall be recorded with both parcels for the sharing of private hydrants.
9. Any required fire hydrants shall be installed and operational prior to Fire Department release of permit.
10. Fire Department access shall be maintained at all times with no barriers in between parcels blocking access.

- **Public Utilities- Electric**

Contact Summer Ayala at 951-826-2129 or sayala@riversideca.gov with questions regarding the following Public Utilities Electric Division conditions:

11. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.
12. Blanket Public Utility Easement required on all parcels.
13. The provision of utility easements, water, street lights and electrical underground and/or overhead facilities and fees in accordance with the rules and regulations of the appropriate surveyor.

14. Provisions for electrical Utility equipment to provide power to the site is the responsibility of the developer. Please make sure that all clearances are maintained and location of the equipment is approved by the Utility.
15. Developer is responsible for all trenching, installation of conduit and sub-structures required to provide power to the site.
16. Plot existing electrical distribution facilities on the original site plan.