

Utility Service/Land Use: 7-9-18
Item no.: 1

From: Claudia Ramos [mailto:Cjtramos@sbcglobal.net]
Sent: Wednesday, June 27, 2018 4:20 PM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

Planning Case P14-1033 & P14-1034 Warehouse project is wrong for the Northside's neighborhood, the Trujillo Adobe and will hurt Riverside's social capital. Elected leaders should look at the negative impacts this warehouse can do to this neighborhood and region.

Please support the property rights of the individual residents who call this home and invest in the Northside Specific Plan. Support creating a cultural center around the Trujillo Adobe, without warehouses and truck traffic.

--
Ms Claudia Ramos
Cjtramos@sbcglobal.net

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Samantha Molina [mailto:Owlsmoli@gmail.com]

Sent: Monday, July 02, 2018 9:07 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

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--

Ms Samantha Molina
Owlsmoli@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Marlene Pena [mailto:Marlenesal721@gmail.com]
Sent: Tuesday, July 03, 2018 5:24 AM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

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--

Ms Marlene Pena
Marlenesal721@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No. 1

From: Diana Ruiz [mailto:Jediruiz@rcrcd.org]

Sent: Wednesday, July 04, 2018 11:54 AM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

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Ms Diana Ruiz

Jediruiz@rcrcd.org

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No. 1

From: Mary Harris <Harris5450@sbcglobal.net>

Date: June 20, 2018 at 7:27:52 PM PDT

To: <rbailey@riversideca.gov>, <mgardner@riversideca.gov>, <asmelendrez@riversideca.gov>, <msoubirous@riversideca.gov>, <cconder@riversideca.gov>, <cmacarthur@riversideca.gov>, <jperry@riversideca.gov>, <sadams@riversideca.gov>, <cnicol@riversideca.gov>

Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

Planning Case P14-1033 & P14-1034 Warehouse project is wrong for the Northside's neighborhood, the Trujillo Adobe and will hurt Riverside's social capital. Elected leaders should look at the negative impacts this warehouse can do to this neighborhood and region.

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--

Ms Mary Harris

Harris5450@sbcglobal.net

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

From: Deborah ElkinsElkins [mailto:daelkins@gmail.com]

Sent: Thursday, July 05, 2018 7:52 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubierous, Mike <msoubierous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

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--

Ms Deborah ElkinsElkins
daelkins@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

July 5, 2018

Item No. 1

Councilman Chris Mac Arthur, Chair
Utility Services/Land Use/Energy Development Committee
City of Riverside
3900 Main Street
Riverside, CA 92522

Re: Center Street Commerce Center Project
Planning Cases P14-1033 & P14-1034

Dear Mr. Mac Arthur:

I am writing to request your committee's support of the community appeal of the Developmental Review Committee's approval of the Center St. Warehouse (Planning cases P14-1033 and P14-1034). This proposed project is not in compliance with the City of Riverside General Plan or current zoning. Moreover, the city is currently invested in a Northside Specific Plan process that would be worthless if this project proceeds.

The City of Riverside General Plan and the city zoning designate this property as BMP (Business Manufacturing Park). This designation establishes low-intensity and low-impact industrial, office and related uses, which could include small scale warehouses. As far as I can find out a small-scale warehouse is <200,000 sq. ft. as high-cube warehouses are defined as over <200,000 sq.ft. The proposed project is considerably more than that. Although the staff report says this project meets the zoning definition as it allows up to 400,000 sq.ft. I don't see how that can be a small-scale warehouse and the intention of the current zoning, I believe, is for small operations. Swan Foods and Fruit Growers cooperative are good examples of the kind of small-scale warehouse intended by the zoning.

The issue in this case is the Lot-line adjustment/Lot consolidation. Four parcels are involved here. Any one of them is zoned BMP and could be used for a small-scale warehouse, however, when all four parcels are combined to create a proposed 300000+ sq.ft. warehouse I believe the intent of the City's planning governance is being disregarded.

The City of Riverside General Plan, zoning code and related documents (of which there are many) represent a great deal of hard work, expertise, professional and public input and are the best tools we have to guide our city development. When we disregard our defined policy we undermine all that work. I have disagreements with zoning changes that have occurred over the last forty years in the Northside of Riverside. There are inconsistencies in many places

between the general plan and zoning. The City of Riverside Planning began a \$2million Northside Specific Plan last year that will hopefully address some of these discrepancies. Regardless, even without changes to the zoning this project does not fit the definition of BMP or even of Industrial zoning which allows limited warehouse and distribution. The consolidation of the four parcels scales this project out of what would be compatible with the general plan, the zoning code and the neighborhood.

The Riverside General Plan does not include the Northside as a business/industrial park in the Land Use-2 maps. The City of Riverside General Plan embodies a “a vision of a vital and self-contained City that builds upon its strengths rather than lets them erode. This vision celebrates and enhances Riverside's signature agricultural, hillside, historic and recreational assets.” This proposed project not only doesn't fit in with this vision is destroys it for the Northside community. Through the Northside Specific Plan process, the Neighborhood Visioning conducted in 2017, the 1991 community Plan, the General Plan 2025 Northside Addendum and more than 100 years of community neighborhood involvement through the Northside Improvement Association and other neighborhood groups, the community has repeated expressed the value we place on the natural resources and historical and cultural history of the community which is older than the state of California, County or City of Riverside.

There has been a lot of input during this process and I know the documentation you received was extensive. It's a lot to read I know. Unfortunately, the staff report and answers to previously received comments are disappointing. For example; I brought up the fact that the soils on this land could be considered prime farmlands by the USDA Soil Survey. They are not classified that way currently because they have not been in agricultural production for a number of years. The soil is still there, however, and the planning staff response was “The California Department of Conservation Division of Land Resource Protection and the City of Riverside General Plan designates the project site as urban and built-up land and other land. In addition, the project site is not designated or zoned for agricultural use according to the General Plan and Zoning Map. Therefore, the proposed project will not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.” This is all true and my complaint wasn't that we would be converting from that use. My point was that we could rezone, convert back to agricultural use and be brining Prime Farmland back before that resource is ruined forever by this proposed project. An emphasis on local agriculture has long had City support and this could be a major way of doing what we say we support. Denying the warehouse would also suppor the intent of the City of Riverside Carbon Action Plan which intends to reduce Greenhouse Gas emissions in our city. Taking land out of the natural cycle of growing plants, disturbing the soil and allowing a 62 dock truck facility will greatly increase carbon in our air.

You have seen and will hear a lot of discussion and input from people in this hearing process. Please give this the attention it deserves and listen to what the community has to say. Just because this project is consistent with standards and meets requirements doesn't mean it is the best thing for our city or even a good thing and certainly it's not good for our neighborhood or our city soccer playing children.

The people and City of Riverside in 2010 created the Seizing Our Destiny vision of growth in Riverside. This project doesn't fit in with that vision either. High quality jobs are a significant part of the vision for Riverside's future but this kind of warehouse operation does not provide that. SOD calls for making places and the Northside could be made into a place that attracted people from all over for the cultural and historic importance and development to enhance that placemaking could create a destination the City could be proud of. Another SOD pillar is collaborating for community. Please collaborate with the Northside neighbors and help us make our community an asset.

The CEQA and supporting NMD (mitigated negative declaration) are not adequate as there is no known end user identified so impacts cannot be accurately identified. Many respondents have shared how the documents estimate on the low side and don't represent all possible uses or even worse case possible uses. The staff report will say the documents are in compliance but they are not reporting true conditions especially as those are unknown at this time. Other respondents will show how reports, studies or analysis used for this MND are not adequate, not representative or not current. The argument that the project is surrounded by industrial uses is misleading. The project is surrounded by BMP zoning but very little of the use is compliant with the zoning. Most current operations have minimal footprints on the land. They are not paved and don't have permanent structures. As I mentioned Swan's and Fruit Growers are the only compliant uses currently.

We, the people of Riverside, depend on you to represent our best interests. I believe the people's interests should outweigh the business/developer interests particularly when these are not good for the neighborhood or the city. Please support the appeal and recommend that City Council overturn the Development Review Committee approval of this project.

Sincerely,

ERIN SNYDER
1645 Mathews St.
Riverside, CA 92507

Cc: Councilman Mike Gardner
Councilman Mike Soubirous
Senior Planner Brian Norton
City Clerk Colleen Nicol

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Katherine Wilson [mailto:kdw815@gmail.com]

Sent: Friday, July 06, 2018 9:53 AM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

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Please support the property rights of the individual residents who call this home and invest in the Northside Specific Plan. Support creating a cultural center around the Trujillo Adobe, without warehouses and truck traffic.

--

Ms Katherine Wilson
kdw815@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Subject:

Item No.: 1

From: chebert968@aol.com [mailto:chebert968@aol.com]

Sent: Sunday, July 08, 2018 3:22 PM

To: MacArthur, Chris <CMacArthur@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Norton, Brian <BNorton@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>

Subject: [External] Springbrook Heritage Alliance appeal

To whom it may concern. My name is Chris Hebert and I have lived for the past 30 years in the beautiful city of Riverside. My wife and I reside on Edelweiss Ave. just about a city block from Reid Park. When we first moved here, Riverside was a more quiet city. It is one of the reasons why we bought in this area. Having lived in the city of Inglewood, Ca. We were pleasantly surprised to see cows and horses being raised less than 5 minutes from our home.

The quiet serene landscape is what drew us to this area. The proximity of well rated schools, Freemont Elementary and North High school were also a plus as we raised 3 daughters here.

I am writing this to ask that you uphold the Springbrook Heritage Appeal. In the last 30 years we have lost a lot of what made this area beautiful. We no longer have the beautiful golf course which once graced Columbia Ave and Main Streets. Many ill planned housing projects are going up bunching houses so close together that no thought has gone into aesthetics or how they detract from the community. And now warehouses and stores wish to move into the community taking away the last remnants of our unique culture and history. We need to do all in our power to stop and preserve the areas outlined in the appeal. The traffic and pollution from diesel fuels is not needed or wanted here. Although Riverside engineers claim that all roads in the city support big rigs, you can see the type of wear and tear they place on our streets by looking at the deep ruts in the road at Columbia and Interchange streets as the big rigs turn left to access the 91 freeway.

Parents and school buses trying to ferry children to and from Freemont Elementary already contend with cars blocking Orange streets in both the morning and evenings. Adding more warehouse traffic would only exacerbate the problem and add to our already poor air quality.

Adding trails and heritage projects to the area could potentially bring in revenue for the city and promote knowledge and understanding of our diversity.

Instead of building a warehouse here, I would suggest that perhaps they move into one of the empty warehouses in Moreno Valley. We do not wish Riverside to experience some of the problems of warehousing and money laundering that has occurred in other areas of the country.

Respectfully,

Chris and Robin Hebert

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

From: Jennifer Ferguson [mailto:Jenobaga@gmail.com]

Sent: Sunday, July 08, 2018 3:45 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>

Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

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--

Ms Jennifer Ferguson
Jenobaga@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

From: Sharon Trujillo-Kasner [mailto:momkasner@gmail.com]

Sent: Sunday, July 08, 2018 10:47 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
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--

Mrs Sharon Trujillo-Kasner
momkasner@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

From: Sharon [<mailto:skasner@sbcglobal.net>]

Sent: Sunday, July 08, 2018 11:45 PM

To: Melendrez, Andy <ASMelendrez@riversideca.gov>; Zelinka, Al <azelinka@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>; Ramirez, Emilio <ERamirez@riversideca.gov>; Gettis, Erin <EGettis@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Anderson, Lynn <LAnderson@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Bailey, Rusty <RBailey@riversideca.gov>; Guzman, Rafael <RGuzman@riversideca.gov>; Norton, Brian <BNorton@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>

Subject: [External] Northside warehouse

Planning Case P14-1033 & P14-1034 Warehouse project is wrong for the Northside's neighborhood, the Trujillo Adobe and will hurt Riverside's social capital. Elected leaders should look at the negative impacts this warehouse can do to this neighborhood and region.

Please support the property rights of the individual residents who call this home and invest in the Northside Specific Plan. Support creating a cultural center around the Trujillo Adobe, without warehouses and truck traffic.

I am opposed to the warehouse! The city is in the middle of a 2.5 million dollar Master Plan for the Northside. So far none of the proposed visions include a monster warehouse, for good reasons. It is not the right location for such a building. There are millions of square feet of warehousing currently being built in areas near the Northside so this is NOT the only logical location for a monster warehouse.

The impact of the traffic, toxic exhaust, noise and other environmental issues have been brought to the City's attention hundreds of times since this project was proposed.

The proposed uses of the former golf course (police station, retail space, restored Springbrook Arroyo, cross country trail) and expanded parklands will improve the area making it a more desirable place to live and visit. The completion of the Spanish Town Cultural Center would be a wonderful addition to the neighborhood. When visitors come to Riverside to participate in an educational conference, a convention, or cross country meet, we can offer them sites to keep them here for several days with the Mission Inn, the Cheech Art Center and the Spanish Town Cultural Center.

Please invest in our city, not in a warehouse.

Thank you,
Sharon Trujillo-Kasner

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

From: Antoinette TRUJILLO [mailto:epicblue2u@gmail.com]
Sent: Monday, July 09, 2018 5:56 AM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubrou, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
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--

Ms Antoinette TRUJILLO
epicblue2u@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18
Item No.: 1

From: Emily Madera [mailto:Emilymadera71@gmail.com]
Sent: Monday, July 09, 2018 10:29 AM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
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--

Ms Emily Madera
Emilymadera71@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

From: Karen Renfro <k.a.renfro7@gmail.com>

Date: July 7, 2018 at 4:50:54 PM PDT

To: "MacArthur, Chris" <cmacarthur@riversideca.gov>, "Soubirous, Mike" <msoubirous@riversideca.gov>, "Gardner, Mike" <mgardner@riversideca.gov>

Cc: "Zelinka, Al" <azelinka@riversideca.gov>, "Geuss, Gary" <ggeuss@riversideca.gov>, "Nicol, Colleen" <cnicol@riversideca.gov>, "Guzman, Rafael" <RGuzman@riversideca.gov>, "Welch, David" <dwelch@riversideca.gov>, "Brenes, Patricia" <pbrenes@riversideca.gov>, "Norton, Brian" <bnorton@riversideca.gov>, "Murray, David" <dmurray@riversideca.gov>, Brian Mooney <bmooney@rickengineering.com>, Springbrook Heritage Alliance <info@springbrookheritagealliance.org>, Wohlgemuth Family <pjdnw@yahoo.com>, ponnech <ponnech@att.net>, erin snyder <epolcene@juno.com>, Nancy Melendez <nancy.melendez@icloud.com>, John Krick <john.krick@alvordschools.org>, Marisa Yeager <marisayeager@gmail.com>, Alexander King <avking@live.com>, Vicki Felmlee <info@tcsmsg.com>, "Leonard Trujillo" <lennytrujillo51@aol.com>, <danariversidechair@gmail.com>, <REGAFFAIRS@aol.com>, Sharon Mateja <smateja@earthlink.net>, Philip Falcone <philipjfalcone@gmail.com>, <ee.edwards12@gmail.com>, Irene Lozano <irenelo92501@yahoo.com>, Sharon Kasner <skasner@sbcglobal.net>, "Elaine Martinez" <mselaineous56@yahoo.com>, <mayberry31862@hotmail.com>, bruce.carver <bruce.carver@armoryband.org>, Riverside Woman's Club <rwomansclub@gmail.com>, Steve <riversidehistoricalsociety@gmail.com>, Riverside County Heritage Association <rivcoheritageassoc@gmail.com>, Sycamore Highlands Action Group <sycamorehighlands@yahoo.com>, Mark Acosta <macosta@scng.com>, Ryan Hagen <rhagen@scng.com>, City News <news@citynewsgroup.com>, Ardie Barnett <highgrovenews@roadrunner.com>
Subject: [External] CENTER STREET COMMERCE CENTER PROJECT FOR JULY 9, 2018 LAND USE COMMITTEE MEETING: SPRINGBROOK HERITAGE ALLIANCE APPEAL

SPRINGBROOK HERITAGE ALLIANCE

*Saving the treasures of the Springbrook Arroyo Watershed
for the benefit & pleasure of the people*

**RIVERSIDE - COLTON - HIGHGROVE - GRAND TERRACE
California, U.S.A.**

July 6, 2018

Councilman Chris Mac Arthur, Chairman
Riverside City Council Land Use Committee
City of Riverside
3900 Main Street
Riverside, California 92522
CC: Members of the Land Use Committee

CENTER STREET COMMERCE CENTER PROJECT
P14-1033 (DR) & P14-1034 (LLA)/Initial Study/Mitigated Negative Declaration

308,000 sq.ft., 45/47-ft. high, Warehouse/Manufacturing building with 62 loading docks & 404-628 parking spaces on 15.9 acres

Dear Mr. Chairman:

Springbrook Heritage Alliance is appealing the April 5 Riverside Planning Commission decision that upheld the Feb. 21 Developmental Review Committee approval of the warehouse project cited above to the full City Council. We ask the Land Use Committee to recommend that Riverside City Council uphold our Appeal.

The quarter-mile long Center Street Commerce Center Project is wrong for the 15.9-acre site at 3667-3705 Placentia Lane for many reasons, which we'll summarize as follows:

- It is fundamentally incompatible with existing land uses, including nearby parks and playing fields, residential-zones and small, independent businesses. The character of this long-established neighborhood is rural-residential with recreational open space on former agricultural properties. It is not primarily industrial, despite the relatively-recent zoning and development of properties in the immediate area around the project. *Northside Community Plan 1991*.
- It conflicts with the stated purpose of the pending \$2.5 million Northside Specific Plan, which is to protect the neighborhood from incompatible development. The NSP cannot carry out its goals if the warehouse is approved. www.NorthsidePlan.com
- It conflicts with the purpose of the Riverside General Plan 2025 Land Use and Urban Design Guidelines which are meant to *"ensure that the distinctive character of Riverside's neighborhoods is respected and reflected in all new development, especially infill development."* Guidelines for the Northside, while allowing small-scale and low-impact industrial and manufacturing uses in designated zones, also make it clear that its rare combination of open-space, recreational, single-family residential, and rural low-density charm are retained as new infill development is approved.
- The area around the proposed warehouse site has a history that goes back thousands of years. It has been a beloved homeland to thousands of people for a very long time. The presence of hot springs and the native artifacts on La Loma Hills point to the North End's role as a sacred place for local native tribal groups (to early 1800s?); and the establishment of Jurupa Rancho as part of the Mission San Gabriel holdings (ca. 1780s), connection to the Old Spanish Trail (1830s), Juan Bandini's land-grant of Jurupa Rancho (1838), establishment of La Placita de los Trujillos and Agua Mansa (1843-44), Bandini Donation land-grant to Genizaros from Abiquiu, NM (1845), Township of San Salvador (1852); Spanish Town (1870), Pellisser Ranch (1905), Northside Improvement Association (1912), Riverside Public Utilities holdings (1930), Springbrook Golf & Country Club (1930), Roquet Ranch (1940s), Reid Park (1960s), Ab Brown Sports Complex (1980), Santa Ana River Trails & Parkway (1990s), Spanish Town Heritage Foundation (2013), restoration of Mt. Rubidoux section

of Springbrook Arroyo (2015)...all point to the importance of the city's oldest neighborhood to our community and surrounding cities. *"Defending Eden: New Mexican Pioneers in Southern California 1830-1890"* by Joyce Carter Vickery (1977, UCR History Department and Riverside Municipal Museum); *"A Colony for California"* by Tom Patterson (Third Edition, 2013 Riverside Museum Press); *"Along the Old Roads"* by Steve Lech (2004); www.oldspanishtrail.org; www.osta-aguamansa.org; www.riversideca.gov/parks; www.riversidetamalefestival.com; www.ayso47.org; <https://www.facebook.com/NorthsideImprovementAssociation>; <https://www.facebook.com/springbrookheritagealliance>

- The warehouse project is not consistent with the National Historic Preservation Act of 1966 which says that sites which are not already listed on the Historical Register *but are eligible for the designation* are to be protected from damage. The Trujillo Adobe (1862), which is located a short distance from the warehouse site, is a city landmark and is eligible for the national register. It is currently the subject of a restoration, but cannot withstand the harmful effects of increased heavy truck traffic, vibration and air pollution. A large warehouse anywhere near this historic landmark would cause severe damage over time. Riverside City Council has the authority to ensure this site and others in the area are protected from such harm. NHPRA 1966 (16 USC470). <https://www.nps.gov/local-law/nhpa1966.htm> (amended 1992). See also Public Resources Code 21084.1
- The Riverside General Plan 2025 Public Safety Element map of Liquefaction Zones (Figure PS-2) shows the warehouse site is at high-risk for subsidence. People have known this at least since 1852, which is why the area has so much undeveloped open space.
- The permit applications, Initial Study and Mitigated Negative Declaration are not only incomplete, but filled with numerous factual errors, serious editorial and technical mistakes, omissions and irregularities that have not been corrected even after two years. Comments from our organization, our members, and supporters of the Northside neighborhood received boilerplate responses. As a result, most of the errata remains in the text of the Initial Study/MND. Until our comments have been properly addressed the City cannot make an intelligent decision regarding this case.
- An industrial project of this size should not be considered for approval without a complete and accurate Environmental Impact Report. It is impossible to know what the full extent of negative impacts to the community will be without one. Please refer to correspondence of 6-27-2018 from Christopher Sutton, who is representing us in this matter, regarding the CEQA requirements that apply to this project (see pages 1893-1894 of your agenda packet).

We have support of the 700 people who signed our petition against the warehouse which we submitted to the Planning Commission at the April appeal hearing. Most are current residents of the Northside, some are descendants of the original pioneers who established the early settlements, others have ties to the neighborhood because of family, friends, business, youth sports, nature, local history, archeology, and so

forth. And we have the support of many other individuals as well as organizations who have sent letters or spoke at the Planning Commission Hearing.

Springbrook Heritage Alliance has already addressed most of the issues listed above and others in our earlier letters to Planning staff, Developmental Review Committee, Planning Commission and this body (2-20-18; 3-21-18; 4-4-18; 4-12-18; 4-26-18). Letters submitted prior to this year are included in the December 2017 Responses to Comments section (ppg. 1067-1167). There is also a body of letters submitted during the public comment period after the August 2016 Draft Initial Study/MND was issued. We hope you will consider them all, as many include highly technical and critical analysis of the MND and initial studies.

Since the April 5 Planning Commission Appeal Hearing, several new issues relating to this project have come up. We think they should be addressed by the City Council:

Definition of Industrial-BMP Zone and Small-Scale Warehouse:

- On page 5 of your agenda packet, item "d." of the July 9, 2018 staff report for this case, it states that Title 19 of the Riverside Municipal Code permits warehouses up to 400,000 sq.-ft. in the BMP zone *"as a matter of right"*. No specific reference was cited and we couldn't find a code that applied. The closest we could get to a square-foot measurement of a warehouse footprint was the Riverside Good Neighbor Warehouse Guidelines, a document which apparently applies only to certain industrial projects larger than 400,000 square feet. These Guidelines say nothing about a maximum size for warehouses in the BMP zone. <https://riversideca.gov/planning/pdf/good-neighbor-guidelines.pdf>.
- However, Title 19 does say the purpose of the BMP zone is to provide *"low-intensity, low-impact industrial, office and related uses. Typical uses include research and development facilities and laboratories; administrative, executive and professional offices; small-scale warehouses, light manufacturing and support commercial."* But, there is no square-foot measurement given to define a maximum-size for a small-scale or light manufacturing facility. RMC 19.130.010
- The 2016 *Institute for Transportation Engineers*, which is the recognized industry authority nationwide on such matters, establishes a limit of 200,000 sq.-ft. for small-scale warehouses. Anything larger is defined as "high-cube", or large-scale. According to this standard, the 308,000 sq.-ft. Center Street Commerce Center Project proposed for the four parcels in the BMP zone at 3667-3705 Placentia Lane is *not* a small-scale warehouse and is therefore not consistent with the zoning or entitled to approval "as a matter of right". www.ite.org

Why does the staff report say the project needs a "consolidation" of parcels if the permit application is for a Lot Line Adjustment?:

- On page 26 of your agenda packet for today's meeting you will find the April 5, 2018 Planning Commission Memorandum for this case. In the "Project

Description/Background" section on page 27, paragraph 2 states *"the proposed project involves consolidation of four parcels into one parcel for the construction of a 308,000 square foot industrial warehouse building."*

- On January 23, 2015 Riverside's Community Development Department/Planning Division issued a Transmittal of Materials on Planning Cases P14-1033 & P14-1034 saying that Art Day of Transition Properties was applying for a Design Review and Lot Merger to construct *"an approximately 308,000 square foot warehouse and a Lot Merger to consolidate four contiguous parcels into one parcel..."*
- In August 2016 Riverside's Community and Economic Development Department/Planning Division issued an Intent to Adopt a Mitigated Negative Declaration for this same project. The request was for consideration of a *"Design Review and Lot Line Adjustment to consolidate four parcels into one..."*
- On page 26 of your agenda packet for today's meeting you will find the April 5, 2018 Planning Commission Memorandum for this case. On the first page, case numbers are given as *"P14-1033 (Design Review), P14-1034 (Lot Line Adjustment)."* On the next page, in the "Project Description/Background" section, paragraph 2 states *"the proposed project involves consolidation of four parcels into one parcel for the construction of a 308,000 square foot industrial warehouse building."*
- In Title 18 Subdivision Chapter of the Riverside Municipal Code, a Lot Merger is defined as *"the merger of two or more contiguous parcels under one ownership into one or more parcels so as to comply with parcel size and zoning standards. All procedures and process associated with the merger of lots shall done in conjunction with the applicable sections of the Subdivision Map Act of the State of California."* RMC 18.100.030 (C).
- In the same chapter, a Lot Consolidation is defined as *"the consolidation of any number of existing contiguous parcels into one parcel provided that no new street is created and no existing street or public service easement is extinguished. No tentative map, parcel map or final map shall be required as a condition to the approval of a lot consolidation. The lot consolidation shall be referenced in a deed which shall be recorded. No record of survey shall be required for a lot line adjustment [sic] unless required by Section 8762 of the Business and Professional Code (CGC 066412(d))."* RMC 18.100.030 (B).
- In the same chapter, a Lot Line Adjustment is defined as *"the adjustment of lot lines between four or fewer existing and adjacent parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not created, if the lot line adjustment is approved by the local agency or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, specific plan (SB983,2006) and zoning and building ordinances to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure or easements. No*

tentative map, parcel map or final map shall be required as a condition of a lot line adjustment. The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of surety shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code (California Government Code Sec. 66412(d))." RMC 18.100.030 (A)

- In Title 19 Zoning of the Riverside Municipal Code, a Lot Line is defined as "*a line defining an exterior boundary or lot.*" Period. No mention of eliminating property lines that are inside an exterior boundary or lot. RMC 19.910
- Instructions for Lot Line Adjustments given to applicants by the City of Riverside's Planning Division states: "*Lot Line Adjustments Permit applications will be conditionally accepted on the presumption that the information, material, and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.*" <https://www.riversideca.gov/planning/zoning.asp>
- It is clear from the City's Municipal Code that a Lot Line Adjustment is not supposed to be used for consolidating or merging parcels. But there may be a reason an LLA might be preferred over the other two permits: an LLA pretty much ties the City's hands if it is approved as it severely restricts the requirements and mitigations a City might impose as a condition of approval. Lot Consolidation and Lot Mergers do not.
- On Dec. 13, 2017 the City's Developmental Review Committee, an administrative committee composed of city staff assigned to the various planning cases, met in a closed session as is their custom and proceeded to approve the Center Street Commerce Center Project permit applications, Initial Study and MND even though it was not listed on the agenda. The decision was subsequently rescinded and the matter rescheduled for January, then postponed to Feb. 21, 2018. Again, the DRC met in closed session and approved the project. The DRC is an advisory body created by Council Ordinance, and the Riverside City Council is the duly-authorized legislative body for the City of Riverside. Therefore the DRC is covered by the Ralph M. Brown Act and all their meetings are illegal. California Government Code Section 54950 et seq.

Property ownership does not grant anyone a right to violate the law or cause harm to neighboring properties, however they are zoned:

- The right to own private property is reciprocal, in that the rights of neighboring property owners are equal to one another and no property owner or developer has a Constitutional Right to cause harm to their neighbors.
- Riverside's Zoning laws reflect this principle of reciprocity. Title 19 says that the Purpose of zoning laws is "*to limit size of yards and population density; limit land use to appropriate level; conserve and stabilize property values; provide open spaces for light and air; reduce traffic congestion; prevent and fight fires; facilitate adequate provisions for infrastructure and other urban amenities; and promote the public health, safety and general welfare.*" RMC 19.020.010
- Property rights bring a responsibility to property owners and developers to follow local, state and federal laws applying to their real estate. The City of

Riverside has no obligation to enable a property owner or developer to violate these laws.

- The City of Riverside is not obligated to approve any development project simply because it appears to correspond with the current zoning. In the case of this warehouse project, even with the BMP zoning the warehouse could not be constructed without combining the four parcels at the site.
- The City of Riverside is not obligated to approve the permit application for the project because the City of Colton has approved a high-cube industrial facility to go in across Center from the warehouse site. If anything, it is all the more reason to deny the application.
- The City is not obligated to approve the permit application for this project even if the applicant submitted the appropriate form because the numerous inaccuracies and omissions have not been corrected. Failure to enforce the law could put the City in jeopardy if Council's decision is challenged in court.

The Center Street Commerce Center Project violates the intent of Riverside's zoning laws, fails to uphold its purpose on every count and does not comply with numerous local, state and federal laws.

Please consider the long-term consequences of your recommendation to the City Council. If the warehouse goes in, the people who live and work and play in Riverside's oldest and most historical neighborhood will be forced out by the negative impacts to the place they and their families have called home for generations. Their heritage is our heritage. Once lost, we will never get it back.

Thank you for considering our Appeal.

Respectfully yours,

Karen Renfro, on behalf of
Springbrook Heritage Alliance
P.O. Box 745
Riverside, California 92502-0745
(951)787-0617
k.a.renfro7@gmail.com
<https://www.facebook.com/springbrookheritagealliance>



Virus-free. www.avg.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

From: Victoria Santana <Vgsantana14@gmail.com>

Date: July 7, 2018 at 3:56:25 PM PDT

To: <rbailey@riversideca.gov>, <mgardner@riversideca.gov>, <asmelendrez@riversideca.gov>, <msoubirous@riversideca.gov>, <cconder@riversideca.gov>, <cmacarthur@riversideca.gov>, <jperry@riversideca.gov>, <sadams@riversideca.gov>, <cnicol@riversideca.gov>

Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

Planning Case P14-1033 & P14-1034 Warehouse project is wrong for the Northside's neighborhood, the Trujillo Adobe and will hurt Riverside's social capital. Elected leaders should look at the negative impacts this warehouse can do to this neighborhood and region.

Please support the property rights of the individual residents who call this home and invest in the Northside Specific Plan. Support creating a cultural center around the Trujillo Adobe, without warehouses and truck traffic.

--

Mrs Victoria Santana

Vgsantana14@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 7-9-18

Item No.: 1

July 9, 2018

To: Riverside City Council Utility Services/Land Use/Energy Development Committee

From: Friends of Riverside's Hills

Re: July 9, 2018 Committee Agenda Item 1 Cases P14-1033 and P14-1034

Honorable Chairman and Members of the Committee:

Friends of Riverside's Hills has previously sent comments opposing approval of this Center Street warehouse building project on a number of grounds. We now add a couple more reasons for opposing the approval of the project. We don't know whether or not others, in their vigorous and well-founded opposition to the project, have raised these issues. We have further issues of serious concern, but lacking time, we want to get this short list in now.

First, the City of Colton's list of comments and responses for the DEIR for the Roquet Ranch project in that city, contains a letter from the City of Riverside's Jay Eastman, AICP, Principal Planner, to Mario Suarez, City Colton Planning Division, dated Sept. 21, 2017. Mr. Eastman's letter, on City of Riverside Community Development Department Planning Division letterhead, (we incorporate herein by reference the City of Colton DEIR and FEIR, including comments, on the Roquet Ranch project), states "Riverside is in the midst of an effort that will create the Northside Neighborhood Inter-Jurisdictional Specific Plan (Northside SP). ... As it relates to the Northside SP effort, ... the Riverside Planning Division's primary concern is to ensure that the two adjacent and concurrent specific plan efforts are largely compatible and do not significantly impact each other, while also considering community concerns and impacts on Riverside residents."

Thus the City of Riverside, in the voice of expert Senior Planner Eastman, is concerned about a project on the Colton side impacting Riverside residents and being approved before completion of the Northside SP for Riverside, but the City, if it approves this Center Street project before it completes the Northside SP, will contradict itself regarding approving a significant project before completion of the Northside SP. So in effect, Mr. Eastman is offering expert testimony that consideration of the Roquet Ranch project is coming too soon and can conflict with achieving an adequate Northside SP. But of course the same applies to the

Center Street project: it is coming too soon and can conflict with achieving an adequate Northside SP. Also, Mr. Eastman's comments were on a DEIR, and the Northside SP is obviously in particular concerned with lessening environmental impacts, so, in addition to other planning concerns, this raises CEQA concerns.

In the cited letter, Mr. Eastman goes on to express concern about several impacts of the Roquet Ranch project, in particular on Traffic, with specific details on "Impacts at Main Street & Strong Street" and "Impacts at Orange Street & Center Street". Regarding on "Impacts at Main Street & Strong Street", Mr. Eastman states "... the [Roquet Ranch] DEIR identifies direct impacts to this intersection as significant and unavoidable". Regarding "Impacts at Orange Street & Center Street", Mr. Eastman states "Orange Street is shown as one of two access points for the project. The project is anticipated to route approximately 2,300 daily vehicle trips through the intersection of Orange Street and Center Street". The Roquet Ranch project was recently approved by the City of Colton City Council. Note that the intersection of Orange Street and Center Street is the major intersection closest to the Center Street project, and Colton's Roquet Ranch EIR shows Orange Street being punched through with major improvements to serve the Roquet Ranch project. Of course this huge increase in traffic going to and from the Roquet Ranch project will impact not only the Orange Street & Center Street intersection but also all the other intersections analyzed in the Center Street project traffic impact analysis. The Center Street project traffic impact analysis is out-of-date (dated Jan. 19, 2016) and deficient in failing to adequately address the extent of these expected impacts to intersections near the project (including all the intersections it analyzes) from traffic that will be going to and coming from the Roquet Ranch project.

Our City has thus expressed serious concern regarding a project in Colton. It needs to show more concern about this project in Riverside.

Thank you for your consideration.

Friends of Riverside's Hills, by its Legal Liaison Officer Richard Block

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Teri Lowder [mailto:Andyteri@hotmail.com]

Sent: Wednesday, July 11, 2018 10:07 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

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Please support the property rights of the individual residents who call this home and invest in the Northside Specific Plan. Support creating a cultural center around the Trujillo Adobe, without warehouses and truck traffic.

--

Ms Teri Lowder
Andyteri@hotmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Tracey Heidner [mailto:theidner@roadrunner.com]

Sent: Thursday, July 12, 2018 12:28 AM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
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Ms Tracey Heidner
theidner@roadrunner.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Maki Su [mailto:orange_dragon88131@hotmail.com]
Sent: Thursday, July 12, 2018 6:58 AM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
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Ms Maki Su
orange_dragon88131@hotmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Deborah Diaz de Leon [mailto:Debdiazdeleon@gmail.com]
Sent: Thursday, July 12, 2018 7:20 AM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubierous, Mike <msoubierous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

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--

Ms Deborah Diaz de Leon
Debdiazdeleon@gmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Subject:

From: Eileen Forbes [mailto:Eileenforbes@cox.net]

Sent: Thursday, July 12, 2018 12:58 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
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--

Ms Eileen Forbes
Eileenforbes@cox.net

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Eloise Davenport [mailto:scottandeloise@sbcglobal.net]
Sent: Thursday, July 12, 2018 2:36 PM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubierous, Mike <msoubierous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

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--

Mrs Eloise Davenport
scottandeloise@sbcglobal.net

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

From: Karen Renfro [<mailto:k.a.renfro7@gmail.com>]

Sent: Thursday, July 26, 2018 5:40 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Zelinka, Al <azelinka@riversideca.gov>; Geuss, Gary <GGeuss@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>

Cc: Christopher Sutton <christophersutton.law@gmail.com>; Wohlgemuth Family <pjdnw@yahoo.com>; erin snyder <epolcene@juno.com>; ponnech <ponnech@att.net>; Media-rhagen@scng.com <rhagen@scng.com>; Michael Cruz <macruz@scng.com>; City News <news@citynewsgroup.com>; highgrovenews@roadrunner.com; DANA CHAIR <danariversidechair@gmail.com>; Springbrook Heritage Alliance <info@springbrookheritagealliance.org>

Subject: [External] PERMIT PROCESS RE: CENTER STREET COMMERCE CENTER PROJECT P14-1033 & P14-1034/INITIAL STUDY/MND

July 23, 2018

The Honorable
William R. "Rusty" Bailey III,
Mayor of Riverside
3900 Main Street
Riverside, California 92522
CC: Riverside City Council Members

RIVERSIDE MUNICIPAL CODE AND CITY PLANNING POLICY
RELATING TO CENTER STREET COMMERCE CENTER PROJECT
P14-1033 (Design Review) & P14-1034 (Lot Line Adjustment)/Initial Study/Mitigated Negative Declaration

Honorable Mayor and Members of the Riverside City Council:

I am writing this letter as a citizen of Riverside, property owner and taxpayer, as an individual and not as spokesman of Springbrook Heritage Alliance, which is my usual role in the matter of the aforementioned case. That is due to time considerations, and not due to a lack of concern among our members and supporters.

At the July 9, 2018 meeting of the Riverside City Council's Land Use Committee discussion on the Appeal by SHA of the project cited above, Senior Planner Brian Norton made some statements about Planning Case P14-1034 (Lot Line Adjustment) that I believe should be addressed before Council considers the Appeal.

Transcription from the City's video of the questions posed by Councilman Mike Gardner (italics ours):
1:09.42 through 1:10:31 of the 7-9-2018 LUC Meeting, Agenda Item #1

Gardner: "Is this a lot line adjustment or a lot consolidation? Does it make a difference?"

Norton: "Our naming nomenclature puts it as a Lot Line Adjustment. However, we do consider it a consolidation as *properly identified* within the staff report as a consolidation of four lots into one."

Gardner: "Does it make a difference what we call it in terms of the city's ability to require appropriate mitigation or level of studies that are undertaken in reviewing the project?"

Norton: "No, the naming is interchangeable...it does not impact the mitigation measures or conditions."

Question about the staff report to the LUC on this case:

The staff report on Agenda Item #1 identifies the permit application as a "Lot Line Adjustment" in the Subject on p. 3, and then three more times in the text on pp. 3 & 4. It identifies the permit application as a "Lot Consolidation" twice in the text on pp. 5 & 6.

Whether it is *properly identified* as a "Lot Consolidation" in the staff report is a question that begs to be asked. Here's why:

The Riverside Municipal Code defines a Lot Line as "*a line defining an exterior boundary or lot.*" RMC 19.910

RMC Title 18 Subdivision describes three types of permits involving lots in three different types of cases: a Lot Line Adjustment, a Lot Consolidation and a Lot Merger.

18.100.030 (A). Lot Line Adjustment: "*an adjustment of lot lines between four or fewer existing and adjacent parcels, where land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not created, if the lot line adjustment is approved by the local agency or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, specific plan (SB983,2006) and zoning and building ordinances to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map, or final map shall be required as a condition of a lot line adjustment. The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of surety shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code (California Government Code Sec. 66412(d)).*"

18.100.030 (B). Lot Consolidation: "*the consolidation of any number of existing contiguous parcels into one parcel provided that no new street is created and no existing street or public easement is extinguished. No tentative map, parcel map or final map shall be required as a condition to the approval of a lot consolidation. The lot consolidation shall be referenced in a deed which shall be recorded. No record of survey shall be required for a lot line adjustment [sic] unless required by Section 8762 of the Business and Professional Code (CGC 066412(d)).*"

18.100.030 (C). Lot Merger: "*the merger of two or more parcels under one ownership into one or more parcels so as to comply with parcel size and zoning standards. All procedures and process associated with the merger*"

of lots shall be done in conjunction with the applicable sections of the Subdivision Map Act of the State of California."

18.260.010. "For the purpose of the Subdivision Code, certain words, phrases and terms used herein shall have the meaning assigned to them in this Article, except that definitions derived from State and Federal regulations that are referenced therein shall have the meaning contained in the referenced regulations."

It goes on to say that for General Terminology, one is to refer to 18.060.030 Rules & Interpretations which tell us that for definitions of terms in the Subdivision Code but not in the Title we may refer to the RMC, Building Code "or accepted dictionaries of the English language." It turns out that the City's own RMC Subdivision law will do nicely.

18.260.130. "L" Definitions:

Lot Consolidation *"means the merger of existing lots or parcels into fewer lots or parcels."*

Lot Line Adjustment *"means the modification of a boundary line or lines between two or more existing adjacent lots or parcels where no additional lots or parcels are created."*

These definitions are consistent with accepted industry standards published by the Institute for Local Government's own dictionary (see link below).

Definitions from the ILG Land Use and Planning Terms Handbook:
<https://www.ca-ilg.org/document/glossary-land-use-and-planning-terms>

Lot: *"a tract or piece of land having fixed boundaries."*

Lot Line: *"the adjustment of a line between two or more existing parcels where land taken from one parcel is added to an adjacent parcel and where a greater number of parcels than originally existed is not thereby created."*

It is clear from these definitions from both the City's own Subdivision law and a prestigious industry authority that the intention of the law is to make a distinction between a lot line adjustment and lot consolidation, that the law itself is very particular about the meaning of the words within its statutes and how they are interpreted.

It appears to me that contrary to what we heard at the LUC meeting, the Riverside Municipal Code is quite concerned with what the various permits are called, and how they are used. From these established facts I can only conclude that a lot line adjustment is not interchangeable with a lot consolidation or lot merger, and vice versa.

It is also apparent that there are greater restrictions placed on local agencies if a lot line adjustment is approved, and that an applicant may very well prefer to apply for that permit rather than either of the other two for that reason. It is also possible there is another reason entirely that we haven't heard about. If so, I would like to know what that is.

And it also appears to me that if the law spells out three different permit categories in its Subdivision section, there is a logical and reasonable purpose. Otherwise we would need only one permit category to handle all the cases.

Questions for your consideration:

1. If the term "lot line adjustment" in 18.100.030 (B) Lot Consolidation is a typographical error, why hasn't it been corrected?
2. If a lot line adjustment and lot consolidation are interchangeable and there is no difference in the City's ability to require appropriate mitigation or level of studies that are undertaken in reviewing of the project, where in the Riverside Municipal Code does it say so?
3. If a lot line adjustment and lot consolidation are interchangeable and there is no difference in the City's ability to require appropriate mitigation or level of studies that are undertaken in reviewing the project, what other reasons would there be for an applicant to apply for a lot line adjustment instead of a lot consolidation?
4. If it says so, when was the ordinance adopted that put it there and where can I find that ordinance in the public record?
5. If it doesn't say so, where did this policy come from and how long has it been operating?
6. If the permit in question is "*properly identified*" as a lot consolidation, why did the Applicant apply for a lot merger at one time and a lot line adjustment at another time--neither of which is appropriate to the case?
7. If a lot line adjustment is not the correct permit for this project, why wasn't this pointed out when the Applicant applied for a permit to combine the four parcels necessary for their project?
8. If City policy deviates from State and local Subdivision law, what is the basis for this inconsistency?
9. Was City Council and the Planning Commission aware of this policy before this case came up?
10. If a lot line adjustment is not the correct permit for this project, what happens if the Applicant has to reapply for the correct permit?

Conclusion:

These are just some questions that come to mind. I think City Council should ask the City Attorney for clarification because without it the case makes no logical or legal sense.

Thank you for your consideration of my request.

Respectfully yours,

Karen Renfro
3064 Lime Street
Riverside, California 92501
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k.a.renfro7@gmail.com

From: Karen Renfro [<mailto:k.a.renfro7@gmail.com>]

Sent: Tuesday, July 31, 2018 4:44 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; Zelinka, Al <azelinka@riversideca.gov>; Geuss, Gary <GGeuss@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
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Subject: [External] REQUEST FROM SPRINGBROOK HERITAGE ALLIANCE FOR CHANGE OF DATE FOR CITY COUNCIL APPEAL HEARING ON CENTER STREET WAREHOUSE PROJECT

July 31, 2018

The Honorable
William R. "Rusty" Bailey III,
Mayor of Riverside
3900 Main Street
Riverside, California 92522

CC: Members of the Agenda Committee

RE: REQUEST FOR CHANGE OF DATE FOR THE RIVERSIDE CITY COUNCIL APPEAL HEARING ON CENTER STREET COMMERCE CENTER WAREHOUSE

Honorable Mayor and Members of the Council Agenda Committee:

Springbrook Heritage Alliance, Appellant in the Appeal of the Planning Commission's July 9 approval of the Center Street Commerce Center Project (P14-1033 & P14-1034/Initial Study/MND), is requesting a change from Aug. 14 to Aug. 28 because our attorney is unable to represent us on that day due to a conflict in his schedule.

We also would like to have the hearing scheduled for the Council's evening session to enable interested parties to attend without having to take time off from work, school and other obligations.

Thank you for considering our request. Please feel free to contact me if you have questions.

Respectfully yours,

Karen Renfro, Spokesman
Springbrook Heritage Alliance
(951)787-0617 voice only, no text
k.a.renfro7@riversideca.gov

From: Karen Renfro [mailto:k.a.renfro7@gmail.com]

Sent: Tuesday, July 31, 2018 5:48 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Zelinka, Al <azelinka@riversideca.gov>; Geuss, Gary <GGeuss@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>; Guzman, Rafael <RGuzman@riversideca.gov>; Welch, David <DWelch@riversideca.gov>; Brenes, Patricia <PBrenes@riversideca.gov>; Norton, Brian <BNorton@riversideca.gov>; Anderson, Lynn <LAnderson@riversideca.gov>; Arreola, Frank <FArreola@riversideca.gov>; Diaz, Sergio <SDiaz@riversideca.gov>; Moore, Michael <MMoore@riversideca.gov>; Martinez, Kris <KMARTINEZ@riversideca.gov>; Cruz, Adolfo <AdCruz@riversideca.gov>; Christmas, Erin <EChristmas@riversideca.gov>; Peterson, Robyn <RPeterson@riversideca.gov>
Cc: Wohlgemuth Family <pjdnw@yahoo.com>; ponnech <ponnech@att.net>; erin snyder <epolcene@juno.com>; Christopher Sutton <christophersutton.law@gmail.com>

Subject: [External] RIVERSIDE CITY COUNCIL AUG. 14, 2018 APPEAL BY SPRINGBROOK HERITAGE ALLIANCE OF CENTER STREET COMMERCE CENTER PROJECT:

SPRINGBROOK HERITAGE ALLIANCE

*Saving the treasures of the Springbrook Arroyo Watershed
for the benefit & pleasure of the people*

**RIVERSIDE - COLTON - HIGHGROVE - GRAND TERRACE
California, U.S.A.**

July 31, 2018

The Honorable
William R. "Rusty" Bailey III,
Mayor of Riverside
3900 Main Street
Riverside, California 92522
CC: Members of the Riverside City Council

CENTER STREET COMMERCE CENTER PROJECT
P14-1033 (DR) & P14-1034 (LLA)/Initial Study/Mitigated Negative Declaration
308,000 sq.ft., 45/47-ft. high, Warehouse/Manufacturing building with 62 loading docks & 404-628 parking spaces on 15.9 acres

Honorable Mayor and Members of the Riverside City Council:

As you know, Springbrook Heritage Alliance is appealing the April 5 Riverside Planning Commission decision that upheld the Feb. 21 Developmental Review Committee approval of the Center Street Commerce Center project cited above to Riverside City Council.

We oppose this project because we believe it is wrong for the location, both within the several parcels adjacent to the site and within the predominantly single-family residential area immediately surrounding the site. This area extends from Columbia Avenue north to La Loma Hills and La Cadena Drive to the Santa Ana River, once known as the village of La Placita de los Trujillos (est. 1843), part of the Township of San Salvador (1852),

later as Spanish Town (1870), and now as Northside (1912). Riverside's first neighborhood is also the earliest permanent residential neighborhood in Southern California east of Los Angeles. And this entire vicinity, and beyond, would be adversely and irrevocably affected by a high-cube warehouse.

On July 9 the Council's Land Use Committee voted to recommend that you uphold our Appeal. We are gratified for this recommendation and believe it is more than justified given the many aspects of this case that have not been fully examined.

At that meeting, the Applicant continued to maintain that they have adequately addressed all the issues we raised. But, this is not true. There are many old issues that have never been addressed and a growing number of new ones that have never even been acknowledged. In this letter we wish to address some of both. Other issues have been or will be addressed in separate letters from our attorney Christopher Sutton, and members and friends of our Alliance. We hope you will take the time to read them.

Why we think the quarter-mile long high-cube Center Street Commerce Center is wrong for the site at 3667-3705 Placentia Lane:

- It is fundamentally incompatible with existing land uses, including nearby parks and playing fields, residential-zones and small, independent businesses. Although there are some small small-scale industrial operations to the north and east of the project site, the character of this long-established neighborhood is rural-residential with recreational open space on former agricultural properties. It is not primarily industrial, despite the relatively-recent zoning and development of properties in the immediate area around the project. The *Northside Community Plan of 1991*, adopted by the City of Riverside and the County of Riverside, establishes this and recommends that the neighborhood's rural-residential character be respected and its heritage preserved. <https://www.riversideca.gov/planning/northside/pdf/3-3-16%20Comment%20-%20Renfro.pdf>
- It conflicts with the stated purpose of the pending \$2.5 million Northside Specific Plan, which is to protect the neighborhood from incompatible development. The draft NSP is to be presented at a community meeting on Aug. 22. At the request of the neighborhood and friends of the Northside, it does not show any kind of Industrial or Business-and-Manufacturing Park zones in the Santa Ana River flood plain below Orange Street. But, if the warehouse is approved, the wishes of the people who live here will have to be ignored in favor of developers whose projects would be welcomed elsewhere and a new plan showing yet another dime-a-dozen Industrial Park drawn up for public review. www.NorthsidePlan.com
- It conflicts with the purpose of the Riverside General Plan 2025 Land Use and Urban Design Guidelines which are meant to *"ensure that the distinctive character of Riverside's neighborhoods is respected and reflected in all new development, especially infill development."* Guidelines for the Northside, while allowing small-scale and low-impact industrial and manufacturing uses in designated zones, also make it clear that its rare combination of open-space, recreational, single-family residential, and rural low-density charm are retained as new infill development is approved. There is no provision in these guidelines for high-cube warehouses for the Northside.
- The area around the proposed warehouse site has a history that goes back thousands of years. It has been a beloved homeland to thousands of people for a very long time. The presence of hot springs and certain native artifacts on La Loma Hills point to the North End's role as a sacred place for local native tribal groups including Cahuilla, Tongva, Serrano and Luiseno (to the early 1800's); and the establishment of Jurupa Rancho as part of the Mission San Gabriel holdings (ca. 1780s), connection to the Old Spanish Trail (1830s), Juan Bandini's land-grant of Jurupa Rancho (1838), establishment of La Placita de los Trujillos and Agua Mansa (1843-44), Bandini Donation land-grant to Genizaros from Abiquiu, NM (1845), Township of San Salvador (1852); Agua Mansa Pioneer Cemetery (1854), Spanish Town (1870), Pellisser Ranch (1905), Northside Improvement Association (1912), Riverside Public Utilities holdings (1930), Springbrook Golf & Country Club (1930), Roquet Ranch (1940s), Reid Park (1960s), Ab Brown Sports Complex (1980), Santa Ana River Trails & Parkway (1990s), LPGA-Certified Riverside Golf Course (2000s); Spanish Town Heritage Foundation (2013), restoration of Mt.

Rubidoux section of Springbrook Arroyo (2015), and so on...all point to the importance of the city's oldest neighborhood to our community and surrounding cities. *"Defending Eden: New Mexican Pioneers in Southern California 1830-1890"* by Joyce Carter Vickery (1977, UCR History Department and Riverside Municipal Museum); *"The Old Spanish Trail"* by Leroy R. Hafen & Ann W. Hafen (University of Nebraska Press, 1993; Arthur H. Clarke Company, 1954); *"A Colony for California"* by Tom Patterson (Third Edition, 2013 Riverside Museum Press); *"Along the Old Roads"* by Steve Lech (2004); *Roquet Ranch Project Draft Environmental Impact Report SCH No. 2016061056, City of Colton, California Aug. 6, 2017*; <http://keepersofindigenouways.org>; www.oldspanishtrail.org; www.osta-aguamansa.org; www.riversideca.gov/parks; www.savethetrujilloadobe.org; www.ayso47.org; <https://www.facebook.com/NorthsideImprovementAssociation>; <https://www.facebook.com/springbrookheritagealliance>

- The warehouse project is not consistent with the National Historic Preservation Act of 1966 which says that sites which are not already listed on the Historical Register *but are eligible for the designation* are to be protected from damage. The Trujillo Adobe (1862), which is located a short distance from the warehouse site, is a designated as a historical landmark by the City of Riverside (2015), and recognized by the county and state as historically significant. That means it is eligible for the national register and deserves to be protected from damage by man and nature. It is currently the subject of a restoration, but cannot withstand the harmful effects of increased heavy truck traffic, vibration and air pollution. A large warehouse anywhere near this historic landmark would cause severe damage over time. The Adobe is related to the Agua Mansa Pioneer Cemetery (1854) in Colton, and California State Landmark #121. It is also recognized by the National Park Service as having a geographical and historical connection to the Old Spanish National Historic Trail (2017). The Pellissier Ranch (1905) and artifacts on La Loma Hills may also be eligible. They are located relatively close to one another, and could become part of a historical park of significance to Riverside and San Bernardino counties. Riverside City Council has the authority to ensure this site and others in the area are protected from such harm. NHPRA 1966 (16 USC470). <https://www.nps.gov/local-law/nhpa1966.htm> (amended 1992). See also Public Resources Code 21084.1. <http://www.sbcounty.gov/museum/branches/agua.htm>
- The Riverside General Plan 2025 Public Safety Element map of Liquefaction Zones (Figure PS-2) shows the warehouse site is at high-risk for subsidence. People have known this at least since 1852 when the Church of San Salvador sank into the ground when the roof was put on. The unstable soil even includes vernal pools and an underground channel for the Santa Ana River--which is why the area has so much undeveloped open space.
- The permit applications, Initial Study and Mitigated Negative Declaration are not only incomplete, but filled with numerous factual errors, serious editorial and technical mistakes, omissions and irregularities that have not been corrected even after two years. These have been pointed out in our earlier letters beginning with the Initial Study/MND published in Aug. 2016. Although some mistakes were corrected in the November 2017 edition, all comments from our organization, our members, and supporters of the Northside neighborhood received boilerplate responses. We do not accept boilerplate responses as valid for obvious reasons. Meantime, most of the errata still remains in the text of the Initial Study/MND. Until our comments have been properly addressed the City cannot make an intelligent decision regarding this case.
- Because of these and other reasons, an industrial project of this size should not be considered for approval without a complete and accurate Environmental Impact Report. It is impossible to know what the full extent of negative impacts to the community will be without one. Please refer to correspondence of 6-27-2018 from Christopher Sutton, who is representing us in this matter, regarding the CEQA requirements that apply to this project (see pages 1893-1894 of the July 9, 2018 Land Use Committee agenda packet--these will be included in the Riverside City Council Appeal Hearing).

We have support of the 700 people who signed our petition against the warehouse which we submitted to the Planning Commission at the April appeal hearing. Most are current residents of the Northside, some are descendants of the original pioneers who established the early settlements, others have ties to the neighborhood because of family, friends, business, youth sports, nature, local history, archeology, and so forth. And we have

the support of many other individuals as well as organizations who have sent letters or spoke at the Planning Commission Hearing.

Springbrook Heritage Alliance has already addressed most of the issues listed above and others in our earlier letters to Planning staff, Developmental Review Committee, Planning Commission and this body (2-20-18; 3-21-18; 4-4-18; 4-12-18; 4-26-18). Letters submitted prior to this year are included in the December 2017 Responses to Comments section (ppg. 1067-1167). There is also a body of letters submitted during the public comment period after the August 2016 Draft Initial Study/MND was issued. We hope you will consider them all, as many include highly technical and critical analysis of the MND and initial studies.

Since the April 5 Planning Commission Appeal Hearing, several new issues of critical importance relating to this project have come up. We think they should be addressed by the City Council:

Definition of Industrial-BMP Zone and Small-Scale Warehouse:

- On page 5 of your agenda packet, item "d." of the July 9, 2018 staff report for this case, it states that Title 19 of the Riverside Municipal Code permits warehouses up to 400,000 sq.-ft. in the BMP zone "*as a matter of right*". No specific reference was cited and we couldn't find a code that applied. The closest we could get to a square-foot measurement of a warehouse footprint was the Riverside Good Neighbor Warehouse Guidelines, a document which apparently applies only to certain industrial projects larger than 400,000 square feet. These Guidelines say nothing about a maximum size for warehouses in the BMP zone. The staff report for the July 9 Land Use Committee did not specify where the citation is even though we have been asking for it for some time. <https://riversideca.gov/planning/pdf/good-neighbor-guidelines.pdf>.
- However, Title 19 does not support the above assertion. It says the purpose of the BMP zone is to provide "*low-intensity, low-impact industrial, office and related uses. Typical uses include research and development facilities and laboratories; administrative, executive and professional offices; small-scale warehouses, light manufacturing and support commercial.*" But, because there is no square-foot measurement given to define a maximum-size for a small-scale or light manufacturing facility, it does not actually provide the necessary limit in the law for enforcing this purpose. It could mean city staff is being instructed to use industry guidelines. RMC 19.130.010
- The 2016 *Institute for Transportation Engineers*, which is the recognized industry authority nationwide on such matters, establishes a limit of 200,000 sq.-ft. for small-scale warehouses. Anything larger is defined as "high-cube", or large-scale. According to this standard, the 308,000 sq.-ft. Center Street Commerce Center Project proposed for the four parcels in the BMP zone at 3667-3705 Placentia Lane is *not* a small-scale warehouse and is therefore not consistent with the zoning or entitled to approval "as a matter of right". www.ite.org

Why does the staff report say the project needs a "consolidation of parcels" if the permit application is for a Lot Line Adjustment?:

- On page 26 of your agenda packet for today's meeting you will find the April 5, 2018 Planning Commission Memorandum for this case. In the "Project Description/Background" section on page 27, paragraph 2 states "*the proposed project involves consolidation of four parcels into one parcel for the construction of a 308,000 square foot industrial warehouse building.*"
- On January 23, 2015 Riverside's Community Development Department/Planning Division issued a Transmittal of Materials on Planning Cases P14-1033 & P14-1034 saying that Art Day of Transition Properties was applying for a Design Review and Lot Merger to construct "*an approximately 308,000 square foot warehouse and a Lot Merger to consolidate four contiguous parcels into one parcel...*"
- In August 2016 Riverside's Community and Economic Development Department/Planning Division issued an Intent to Adopt a Mitigated Negative Declaration for this same project. The request was for consideration of a "*Design Review and Lot Line Adjustment to consolidate four parcels into one...*"

- On page 26 of your agenda packet for today's meeting you will find the April 5, 2018 Planning Commission Memorandum for this case. On the first page, case numbers are given as "**P14-1033** (Design Review), **P14-1034** (Lot Line Adjustment)." On the next page, in the "Project Description/Background" section, paragraph 2 states *"the proposed project involves consolidation of four parcels into one parcel for the construction of a 308,000 square foot industrial warehouse building."*
- In Title 18 Subdivision Chapter of the Riverside Municipal Code, a Lot Merger is defined as *"the merger of two or more contiguous parcels under one ownership into one or more parcels so as to comply with parcel size and zoning standards. All procedures and process associated with the merger of lots shall done in conjunction with the applicable sections of the Subdivision Map Act of the State of California."* RMC 18.100.030 (C).
- In the same chapter, a Lot Consolidation is defined as *"the consolidation of any number of existing contiguous parcels into one parcel provided that no new street is created and no existing street or public service easement is extinguished. No tentative map, parcel map or final map shall be required as a condition to the approval of a lot consolidation. The lot consolidation shall be referenced in a deed which shall be recorded. No record of survey shall be required for a lot line adjustment [sic] unless required by Section 8762 of the Business and Professional Code (CGC 066412(d)).* RMC 18.100.030 (B).
- In the same chapter, a Lot Line Adjustment is defined as *"the adjustment of lot lines between four or fewer existing and adjacent parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not created, if the lot line adjustment is approved by the local agency or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, specific plan (SB983,2006) and zoning and building ordinances to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map or final map shall be required as a condition of a lot line adjustment. The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of surety shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code (California Government Code Sec. 66412(d))."* RMC 18.100.030 (A)
- In Title 19 Zoning of the Riverside Municipal Code, a Lot Line is defined as *"a line defining an exterior boundary or lot."* Period. No mention of eliminating property lines that are inside an exterior boundary or lot. RMC 19.910
- Instructions for Lot Line Adjustments given to applicants by the City of Riverside's Planning Division states: *"Lot Line Adjustments Permit applications will be conditionally accepted on the presumption that the information, material, and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received."* <https://www.riversideca.gov/planning/zoning.asp>
- It is clear from the City's Municipal Code that a Lot Line Adjustment is not supposed to be used for consolidating or merging parcels. But there may be a reason an LLA might be preferred over the other two permits: an LLA pretty much ties the City's hands if it is approved as it severely restricts the requirements and mitigations a City might impose as a condition of approval. Lot Consolidation and Lot Mergers do not.
- We question the designation of a LLA as the permit of choice for this project. A reading of the State's Subdivision law on Lot Lines and Lot Line Adjustments indicates that although four separate smaller parcels may be involved in a LLA, a LLA cannot combine them into one larger parcel so they can accommodate a project that would otherwise be too big for them.
- On Dec. 13, 2017 the City's Developmental Review Committee, an administrative committee composed of city staff assigned to the various planning cases, met in a closed session as is their custom and proceeded to approve the Center Street Commerce Center Project permit applications, Initial Study and MND even though it was not listed on the agenda. The decision was subsequently rescinded and the matter rescheduled for January, then postponed to Feb. 21, 2018. Again, the DRC met in closed session

and approved the project. The DRC is an advisory body created by Council Ordinance, and the Riverside City Council is the duly-authorized legislative body for the City of Riverside. Therefore the DRC is covered by the Ralph M. Brown Act and all their meetings are illegal. California Government Code Section 54950 et seq.

- The matter of the Lot Line Adjustment vs. Lot Consolidation was brought up at the July 9 Land Use Committee meeting. We are surprised with the response from Senior Planner Brian Norton to Councilman Mike Gardner's questions, as they are not consistent with local and state laws regarding Subdivisions. These points are addressed in a separate letter dated July 23, 2018 that you should have received last week. We understand that this letter is included in your agenda packet. It seems to us that these issues should be cleared up before Council considers the warehouse project.

Property ownership does not grant anyone a right to violate the law or cause harm to neighboring properties, however they are zoned:

- The right to own private property is reciprocal, in that the rights of neighboring property owners are equal to one another and no property owner or developer has a Constitutional Right to cause harm to their neighbors.
- Riverside's Zoning laws reflect this principle of reciprocity. Title 19 says that the Purpose of zoning laws is *"to limit size of yards and population density; limit land use to appropriate level; conserve and stabilize property values; provide open spaces for light and air; reduce traffic congestion; prevent and fight fires; facilitate adequate provisions for infrastructure and other urban amenities; and promote the public health, safety and general welfare."* RMC 19.020.010
- Property rights bring a responsibility to property owners and developers to follow local, state and federal laws applying to their real estate. The City of Riverside has no obligation to enable a property owner or developer to violate these laws.
- The City of Riverside is not obligated to approve any development project simply because it appears to correspond with the current zoning. In the case of this warehouse project, even with the BMP zoning the warehouse could not be constructed without combining the four parcels at the site, even if the separate parcels are zoned for it.
- The City of Riverside is not obligated to approve the permit application for the project because the City of Colton has approved a high-cube industrial facility to go in across Center from the warehouse site. Our City's policies cannot be based on what neighboring jurisdictions are doing. If anything, it is all the more reason to deny the application.
- The City is not obligated to approve the permit application for this project even if the applicant submitted the appropriate form because the numerous inaccuracies and omissions have not been corrected. Failure to enforce laws that are intended to protect the public could put the City in jeopardy if Council's decision is challenged in court.

Warehouses are not the highest-and-best use of the old La Placita neighborhood:

- Because of the high risk of liquefaction, and the wonderful history of this neighborhood, it would be possible to establish a land use policy that would allow an economic renaissance based on that heritage. We have a proposal to do that, called *Springbrook Heritage Parklands & Walking Trails*.
- This plan would connect the places we love by a network of crushed granite walking trails and already established paved sidewalks in the entire Springbrook Arroyo Watershed. This area takes in portions of Riverside, Colton, Highgrove and Grand Terrace, Blue Mountain, Reche Peak, Box Springs Mountain Wilderness Park, Mt. Rubidoux, the Santa Ana River Parkways and La Loma Hills.
- Instead of large-scale industrial and large-scale business improvement parks in the flood-plain, we propose establishing existing publicly owned facilities as permanent parks, to be used as they are now without a lot of improvements. This is to retain the rural atmosphere and preserve the scenery for organizations that appreciate a natural setting in an urban environment. There are many opportunities

for Riverside to be the HQs for sports and cultural organizations that would be lost to us if the warehouse goes in here.

- We will be sending you our proposal via email in the next few days.
- For more information, see our Parklands proposal at <https://www.facebook.com/springbrookheritagealliance>

The Center Street Commerce Center Project violates the intent of Riverside's zoning laws, fails to uphold its purpose on every count and does not comply with numerous local, state and federal laws.

Please consider the long-term consequences of your recommendation to the City Council. If the warehouse goes in, the people who live and work and play in Riverside's oldest and most historical neighborhood will be forced out by the negative impacts to the place they and their families have called home for generations. Their heritage is our heritage. Once lost, we will never get it back.

Thank you for considering our Appeal.

Respectfully yours,

Karen Renfro, on behalf of
Springbrook Heritage Alliance
P.O. Box 745
Riverside, California 92502-0745
(951)787-0617
k.a.renfro7@gmail.com
<https://www.facebook.com/springbrookheritagealliance>

From: Wohlgemuth Family [<mailto:pjdnw@yahoo.com>]

Sent: Tuesday, July 31, 2018 4:30 PM

To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>

Subject: [External] Proposed Center Street Commerce Center Warehouse Project

Honorable Mayor and Riverside City Councilmen,

Please join me in opposing the proposed Center Street Commerce Center Warehouse project and affirm the recommendation of the Land Use Committee. See attached letter for more detail.

Peter M. Wohlgemuth
686 Forest Park Drive
Riverside, CA 92501

Rusty Bailey, Mayor & Riverside City Council
City of Riverside
3900 Main Street
Riverside, California 92502

Re: Planning Cases P14-1033 and P14-1034 to build a 308,000 sq. ft. warehouse on Center Street in the Northside Neighborhood

Dear Mike Gardner, Andy Melendrez, Mike Soubiroux, Chuck Conder, Chris MacArthur, Jim Perry, and Steve Adams,

The Riverside City Council should affirm the recommendation of the Land Use Committee and oppose the proposed Center Street Commerce Center Project, thereby overturning the Planning Commission's project approval, for the following reasons:

- The project would violate the Riverside 2025 General Plan provisions LU-72 (providing for steady change and improvement on the Northside to an upgraded model community) and LU-74 (to preserve and promote the lower density charm of the Northside Community). A giant warehouse is not in the best interests of a revitalized Northside.
- Although the landowners do have the right to develop their land, this does not mean they can do so to the detriment of the surrounding community. With proper mitigation, the proposed project could just as easily be a toxic waste dump. A warehouse has only slightly less onerous consequences.
- The Mitigated Negative Declaration supporting this project has many internal inconsistencies, errors of fact, and glaring omissions that cast doubt on the accuracy and the veracity of the report as a whole. For instance, the proposed project site is in the 100-year floodplain of the Santa Ana River, the proposed project is within 100 feet of existing water supply wells (both Garner 'B' Well and Garner 'D' well), and the MND's own map shows the area to be in a zone of moderate to high liquefaction potential in the event of a seismic disturbance (all too common here in southern California).
- The MND report mentions several subsequent compliance plans that will be generated as part of this project (a Stormwater Runoff Management Plan, a Noise Mitigation Plan, and a Storm Water Pollution Prevention Plan). In large part, the MND is based on the performance of these yet unformulated plans. However, this is circular reasoning and these compliance plans should be included as part of the report in order to justify a determination of a Mitigated Negative Declaration.

- Appendix 3 in the updated CEQA document, purporting to show critical Soils Information (including infiltration rates), is still blank. This renders the mandatory Water Quality Management Plan null and void.
- The design storm that the project percolation basin is calculated to contain would be exceeded nearly every year on the proposed project site (assuming they got the infiltration rates right).
- Some of the data presented in the MND report are actual measurements, but some are derived from model outputs. In both cases, there is no way to independently verify the accuracy and/or authenticity of these values. If models are used, there is no way to know if input parameters truly reflect the onsite conditions or if the model outputs are reasonable. The sources and assumptions surrounding all of these values should be stated explicitly so decision makers will know that the numbers were not just fabricated.
- All of the issues surrounding the MND (some of them fatal) argue powerfully that a full-blown Environmental Impact Report should be required for this proposed project.

Meanwhile, the Northside Specific Plan is hovering on the horizon. Considering these foregoing points, a decision on this proposed project should be postponed until the impending Northside Specific Plan is finalized. It makes much more sense to develop the Northside Neighborhood in accordance with a Specific Plan with community engagement than piecemeal on a project-by-project basis.

Thank you.

Peter M. Wohlgemuth
686 Forest Park Drive
Riverside, CA 92501

From: epolcene@juno.com [<mailto:epolcene@juno.com>]

Sent: Tuesday, July 31, 2018 1:58 PM

To: Gardner, Mike <MGardner@riversideca.gov>; Zelinka, Al <azelinka@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>

Cc: k.a.renfro7@gmail.com

Subject: [External] Center St. Warehouse appeal to City council

City of Riverside representatives,

i just received a public hearing notice for the Springbrook Heritage Alliance Warehouse appeal.

I note that the hearing is scheduled for 3pm on Aug 14. An afternoon meeting is very difficult for those of us who work to be able to attend. I would like to request that the hearing be rescheduled to the evening.

Additionally, I would like to know what the appellants rights to a rescheduling request might be? I know that Christopher Sutton the attorney for Springbrook heritage Alliance is unavailable that afternoon. Can we request rescheduling based on that?

Thanks for your assistance,

Erin Snyder

"Teachers open the door, you enter by yourself."

- Old Chinese Proverb