



# Utility Services/Land Use/ Energy Development Committee

*City of Arts & Innovation*

**TO: UTILITY SERVICES / LAND USE / ENERGY DEVELOPMENT COMMITTEE MEMBERS** **DATE: JULY 9, 2018**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT** **WARD: 1**

**SUBJECT: P14-1033 DESIGN REVIEW AND P14-1034 LOT LINE ADJUSTMENT – AN APPEAL, ON BEHALF OF THE SPRINGBROOK HERITAGE ALLIANCE, OF AN APPROVAL BY THE CITY PLANNING COMMISSION FOR THE CONSTRUCTION OF A 308,000 SQUARE FOOT WAREHOUSE BUILDING - LOCATED AT 3705-3667 PLACENTIA LANE - DIRECT SUBMITTAL**

## **ISSUE:**

An appeal by the Springbrook Heritage Alliance, of City Planning Commission approval of a proposal by Art Day of Transition Properties, L.P. for a Design Review to construct a 308,000 square foot warehouse building and a Lot Line Adjustment to consolidate four contiguous parcels into a single 15.9 acre parcel, located at 3705-3667 Placentia Lane.

## **RECOMMENDATION:**

That the Utility Services/Land Use/Energy Development Committee:

1. Recommend that the City Council uphold the decision of the City Planning Commission and determine that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record, and recommend City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program pursuant to CEQA Section 21081.6; and
2. Recommend denial of the appeal and uphold the City Planning Commission approval of Planning Cases P14-1033 (Design Review) and P14-1034 (Lot Line Adjustment), based on the findings outlined in the staff report and subject to the conditions of approval.

## **PLANNING COMMISSION DETERMINATION:**

On April 5, 2018, the City Planning Commission upheld the decision of the Development Review Committee, adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and denied the appeal by a vote of 4 ayes, 3 noes, and 0 abstentions.

## **BACKGROUND:**

The 15.9 acre site consists of four (4) contiguous parcels. The site is largely undeveloped with P14-1033 and P14-1034, Attachment 3 - Land Use Committee Report - July 09, 2018

the exception of vacant structures, located at 3667 Placentia Lane, that include: a single family residence, garage, metal barn, animal hutch and wooden shed, constructed during the mid-1920's. The site is generally bounded by Center Street, a partially improved arterial street to the north and Placentia Lane, a partially improved local street to the south. Surrounding land uses, include industrial uses to the north, west and east, and a sports complex to the south across Placentia Lane. The Trujillo Adobe is located approximately 940 feet east of the site.

## **DISCUSSION:**

### *Project Description:*

The proposed project involves a Lot Line Adjustment for the consolidation of four parcels into one parcel and Design Review for the construction of a 308,000 square foot industrial warehouse building. The warehouse building will consist of 20,000 square feet of office area and 288,000 square foot of warehouse area. A total of 62 dock doors are proposed along the south and west sides of the building. Eight-foot high tilt-up concrete walls are proposed along the south side of the site and portions of the east and west property lines to screen the truck loading dock areas. No tenant has been identified at this time. A total of 404 parking spaces are provided to serve this site. Vehicular access is provided from Center Street via two 40-foot wide, two-way driveways. No access from Placentia Lane is proposed.

### *Community Concerns:*

The following concerns are listed on the appeal letter and an overview of concerns about the Project expressed by the community and interested parties during the Planning Commission hearing. A response by Staff is provided with each concern:

#### APPEAL LETTER

- a. Concern: The project conflicts with the pending \$2.5 million Northside Specific Plan.

Response: Although the preparation of a Specific Plan is in process, it has yet to be adopted. It should be noted that the standards of the Specific Plan would not apply to the proposed project, as the project was submitted prior to the beginning of the Specific Plan process. The project, as proposed complies with the development standards of the Zoning Code, the regulating document that is currently in effect for the site.

- b. Concern: The project conflicts with long-held goals of property owners and residents of the surrounding community which have been City policy since 1991.

Response: This project complies with all applicable objectives and policies of the Northside Neighborhood provided in the City's General Plan 2025.

- c. Concern: The project violates current Riverside General Plan 2025 Northside Land Use Policy and Design Guidelines.

Response: The subject site has a General Plan Land Use designation of B/OP - Business/Office Park, which provides for industrial uses that do not create nuisances. The General Plan provides a broad statement regarding goals and policies for future development. Those policies and goals are implemented by the Zoning Code, which provides specific regulations, such as: permitted uses, and site development standards.

The development is consistent with General Plan preservation of industrial land and the redevelopment of older, underutilized properties. In addition, the project is consistent with the following objectives and policies of the Northside Neighborhood:

Objective LU-70: Provide a balanced community with sufficient office, commercial and industrial uses while preserving the single family residential preeminence of the community.

Policy LU-72.8: Encourage appropriate industrial development opportunities.

Policy LU-74.5: Land use interfaces between residential and commercial or industrial properties should receive special design consideration to protect the scenic integrity of the residential neighborhood.

It should be noted the Northside Neighborhood is comprised of 1,422 acres and contains: a mixture of single family residential, primarily located along the southern and easterly portion of the neighborhood; industrial uses located along the northerly and westerly portion of the neighborhood; commercial uses along Main Street; and open space/park land centrally located. The proposed 15.9 acre subject site is located in the northerly portion of the neighborhood and with the exception of the Ab Brown Soccer Complex to the south is surrounded by industrial uses. The proposed subject site represents 0.01 percent of the overall size of the Northside Neighborhood.

The proposed project was analyzed for compliance with the standards of the Industrial Design Guidelines found in the Citywide Design Guidelines. The site has been designed consistent with Site Design standards for controlled site access, service areas located on the rear and sides of the building, convenient visitor parking, screening of outdoor storage/docks and landscaped setbacks. Building elevations reflect a modern concrete tilt-up industrial style design, which includes; a varied roof line, articulated walls, spandrel glass, score lines and reveal lines. Office segments located on the west and east ends of the building, fronting Center Street include additional architectural enhancements such as large storefront glazing systems. Elevations reflect a neutral color palette comprised of various colors of gray, white and blue. All roof mounted equipment will be screened from the public right-of-way with the use of parapets.

- d. Concern: The project violates the Riverside Municipal Code, among other issues it is not a "small-scale" warehouse.

Response: The project was reviewed for consistency with development standards of Title 19 of the Riverside Municipal Code. The project site is zoned BMP – Business and Manufacturing Park Zone where warehouse uses up to 400,000 square feet are permitted as a matter of right. Additionally, the project, as proposed, meets all the development standards of the BMP Zone.

- e. Concern: The project violates Federal, State and Local laws governing historical and archeological sites, including the Public Resources Code 21084.1 requirement for a full EIR if actual or potential sites may be harmed.

Response: Pursuant to CEQA standards a Historical/Archeological Resources Report was prepared for the subject site. The Resources report conducted: a records search through the Eastern Information Center (EIC) of the site; a historical search utilizing U.S. General

Land Office's (GLO) land survey plat maps and U.S. Geological Survey's (USGS) topographical maps; as well as a field survey of the project area for identification of all existing buildings and to identify any potential surface archaeological features or artifacts that may be present.

While the Cultural Resources report does not identify any adobe structures on the site, it does discuss existing on-site structures, which were constructed during the 1920s or later. It should be noted that the Trujillo Adobe, a City Landmark, was constructed in 1862 and located approximately 940 feet to the east of the proposed subject site, at the intersection of Orange Street and Center Street. The Adobe is located outside the project boundaries and will not be modified or otherwise disturbed by construction or operation of the proposed building. As part of the environmental assessment under CEQA, a vibration analysis for off-site truck traffic travelling within proximity of the Trujillo Adobe structure was conducted as part of the Noise Study. It concluded that vibrations associated with truck traffic on the adobe were below thresholds and complied with the Caltrans Transportation and Construction Vibration Guidance Manual.

- f. Concern: The Initial Study is incomplete and the MND violates CEQA, a full EIR is required to correct these flaws.

Response: The MND and technical studies were prepared in compliance with all applicable local and State regulations, including the CEQA Guidelines.

- g. Concern: The CEQA-required assessment of Cumulative Effects of pending development in the area of the project—including the NSP, Roquet Ranch and others—is missing.

Response: Cumulative effects were analyzed under the Air Quality and Climate Change Assessment. The proposed project is consistent with the Air Quality Management Plan (AQMP) and with growth assumptions and would not exceed applicable thresholds for short- and long-term emissions.

- h. Concern: The NSP is required by CEQA to prepare an EIR, but it will serve no purpose if the Project is not also required to prepare a full EIR so the two documents can be evaluated together.

Response: Based on the prepared MND and technical studies, impacts related to the development can be mitigated to less than significant levels. Therefore, the preparation of an EIR is not warranted.

- i. Concern: The property owners have no entitlement to a lot merger to facilitate a single large-scale warehouse; and as current zoning allows them to build separate small-scale BMP projects on the separate smaller-sized parcels.

Response: The proposed Lot Consolidation was reviewed for consistency with Title 18 (Subdivision Code) and Title 19 (Zoning Code) of the Municipal Code. The Subdivision Code allows for any number of existing contiguous parcels to be consolidated into one parcel provided that no new streets are created and no existing street or public service easement is extinguished. Additionally, the proposal to consolidate parcels complies with the minimum lot standards of the Business and Manufacturing Park (BMP) Zone of the Zoning Code. As previously indicated, the current zone allows warehouse uses up to 400,000 square feet as a matter of right.

- j. *Concern:* The Planning Commission decision upheld a decision of the City's Zoning Administrator who is not independent but on the city's payroll and that decision was made in a regularly-scheduled, noticed meeting of the Development Review Committee, a permanent staff committee created by an ordinance of the Riverside City Council and therefore governed by the Ralph M. Brown Act, but was closed to the public in violation of Sections 54952 to 54953.

*Response:* The Development Review Committee is not a legislative body subject to the Brown Act as it is neither a legislative body nor a governing body. Development Review Committee was created in connection with Streamline Riverside and is composed solely of staff members from various City departments. The Riverside Municipal Code explicitly gives Development Review Committee the authority over activities that required determination of compliance with applicable zoning provisions, such as design review and lot consolidation applications. Prior to Development Review Committee, projects such as this one were handled administratively by the Zoning Administrator. The various departments were routed plans for the project and would send in their individual conditions and changes. With the creation of Development Review Committee, these comments are now handled at the same time so as to streamline and make for a more efficient process.

**PUBLIC COMMENTS AT PLANNING COMMISSION:**

- a. *Concern:* Potential Damage to the City/County Landmark Trujillo Adobe, including truck traffic vibration.

*Response:* The MND assessed ground borne vibrations from passing trucks along Center Street on the Trujillo Adobe. Based on the Caltrans thresholds for historic structures, truck traffic on Center Street will not result in structural damage due to operational-related ground borne vibration.

- b. *Concern:* Health risks for those using the Ab Brown Soccer Field and the cross country runners using the gold course.

*Response:* A Health Risk Assessment was completed for this project to estimate health risks from project-generated diesel particulate matter (DPM). The results of the HRA indicate the maximum exposed individual resident cancer risk (MEIR) is 2.87 in one million and the maximum exposed individual worker (MEIW) is 1.09 in one million, both below the threshold set by SCAQMD of 10 in one million. For non-cancer risks, the SCAQMD threshold of significance is a non-cancer index of 1.0. The results of the HRA indicate the hazard index will be 0.0071. As indicated above, none of the cancer or non-cancer thresholds are exceeded as a result of the Project for those within the proposed Project vicinity.

- c. *Concern:* Soil is prime farm land.

*Response:* 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.

- d. *Concern:* Hydrology and water run-off.

*Response:* Consistent with the Santa Ana Regional Water Quality Boards MS4 Permit, the project prepared a preliminary Water Quality Management Plan for the project, assessing the treatment of on-site run-off in a proposed infiltration trench located on the southeast portion of the project site. As conditioned and consistent with the MS-4 permit, a Final Water Quality Management Plan and a Storm Water Pollution Prevention Plan (SWPP) will be required to be submitted and approved prior to issuance of grading permits.

e. *Concern:* Geotechnical Report findings.

*Response:* A Geotechnical Engineering Investigation was prepared for the project by NorCal Engineering. The report concluded that the project, as proposed, is acceptable for the subject site and is safe from excessive settlements under anticipated design loading and conditions.

f. *Concern:* The Traffic Impact Analysis did not calculate a percentage of heavy vehicles to be used in the projects calculations or include a percentage of existing heavy vehicles on the roadways.

*Response:* The percentage of heavy vehicles generated by the project was included within the Traffic Impact Analysis. Additionally, the applicant prepared a Sensitivity Test to assess heavy vehicle trips at intersections within proximity to the project (Attachment 6). The City's Traffic Engineering Staff has reviewed the Sensitivity Test and determined that the test results did not alter the findings of the Traffic Impact Report.

A petition in opposition to the project was provided to Staff and the Planning Commissioners at the Planning Commission hearing on April 05, 2018. The petition, indicates inconsistencies with the General Plan and Zoning, concerns with truck traffic, air quality, noise, water quality, and impact to the neighborhoods unique identity and heritage. In addition, Staff received two letters as of the writing of this report, one in support and one in opposition to the project with concerns related to provisions of the General Plan and Zoning Code. No additional analysis is needed. Comments received have been adequately addressed by the MND, technical studies and responses in both the Planning Commission Staff Report and Lan Use Committee Staff Report.

## **FISCAL IMPACT:**

There is no impact to the General Fund, since all project costs are borne by the applicant.

Prepared by: David Welch, Interim Community & Economic Development Director  
Certified as to  
availability of funds: Adam Raymond, Chief Financial Officer/City Treasurer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Gary G. Geuss, City Attorney

### **Attachments:**

1. City Planning Commission Conditions
2. City Planning Commission Minutes – April 05, 2018
3. City Planning Commission Report and Exhibits – April 05, 2018
4. Planning Commission Appeal Letter

5. Presentation
6. Heavy Vehicle Sensitivity Test
7. CPC Petition and Comment Letters
8. LUC Comment Letters