

Center Street Commercial Building Responses to Comments

July 26, 2018

Introduction

Comment letters were received by City Staff prior to the July 9, 2018 Utility Services, Land Use, and Energy Development Committee meeting. These comments have been evaluated by the environmental consultant and responses are summarized in Table 1.

Table 1 Comment Roster

ID	Commenting Individual/Entity	Date	Page
A	Connie Ransom	06/22/18	3
B	Sala Ponnoch	06/25/18	6
C	Sandra Trujillo-Langdon	06/25/18	13
D	Phillip Falcone	06/25/18	15
E	Sharon Trujillo-Kasner	06/26/18	18
F	Mary Valenzuela	06/26/18	21
G	Derek Trujillo	06/26/18	23
H	Walter Elliot	06/26/18	25
I	Donatella Galella	06/26/18	27
J	Robert Workman	06/26/18	29
K	Erin Edwards	06/27/18	31
L	Christopher Sutton	06/27/18	34
M	Samantha Molina	07/05/18	42
N	Marlene Pena	07/05/18	44
O	Claudia Ramos	07/05/18	46
P	Erin Snyder	07/05/18	48
Q	Karen Renfro, Springbrook Heritage Alliance	07/07/18	57
R	Chris and Robin Hebert	07/08/18	72
S	Peter Wohlgemuth	07/09/18	75
T	Richard Block	07/09/18	80

The following responses to comments include a summary statement to identify if the response will introduce “new significant information” under any of the four categories identified in Section 15088 et seq. of the California Environmental Quality Act (CEQA) Guidelines or if it does not introduce “new significant information.” The four general categories are:

- New significant impacts
- Significant increases in the severity of impacts
- Feasible alternatives or mitigation that would reduce significant impacts
- Identification of inadequacies in the analysis

Because an MND has been prepared and adopted for the project, the City has evaluated the comments submitted in light of the “fair argument” standard, pursuant to Public Resources Code §21080(d) and (e). In summary, a “Fair Argument” must be supported by significant evidence that may include fact, assumptions predicated on fact, and expert opinion. Fair Argument does not include argument, speculation, unsubstantiated opinions, or erroneous evidence. The comments that

were submitted generally focused on the issues of truck traffic, loss of open space and aesthetic character, land use, air quality modeling, and impacts to the Trujillo Adobe. These issues are summarized herein and detailed responses are provided in the body of this document.

The comments submitted do not invalidate the findings in the Initial Study or require additional analysis or mitigation to be incorporated. No new information, new impacts, or deficiencies are identified that have not been addressed by the Mitigated Negative Declaration and Mitigation Measures therein. Therefore, the MND remains the appropriate and reasonable determination as adopted by the Lead Agency. Responses to comments are provided herein.

Letter A: Connie Ransom

Dear Mayor and Council Members,

Thank you for taking the time to consider my concerns regarding the warehouse project under consideration in North Riverside. I oppose this project, and here are some of my concerns:

1. This project will impact the site of Riverside's oldest settlement - the Trujillo Adobe. Riverside has as history of preserving it's history, and efforts to save this important piece of history will be undermined by the warehouse project. A1
2. The Specific Plan for the North Riverside neighborhood has not been completed, and I have been in meetings where considerable thought has been given to developing Agrihoods and working on expanding the quality of life for these neighborhoods that sometimes get over looked. A2
3. You all know that the air quality and noise pollution and litht pollution is worse around warehouse projects. Why should the residents of these neighborhoods be ignored by turning it into an industrial area? A3
4. There are developers who would consider small(ish) housing projects (including low income) combined with historic sites and agriculture in North Riverside, but if the City allows warehouse creep, they will go elsewhere with their creative ideas. A4
5. Many of the residents here are working class and do not have the time, money knowledge to actively protest these intrusive projects, but their quality of life is ignored when making these decisions. A5

Please, let's start doing what you know if right for the people of Riverside - not just for the money this project might bring to a few people who probably do not even live here.

These neighborhoods are full of citizens who deserve the same consideration as those who live in Alessandro Heights, Hawarden Hills or Canyon Crest! Do the right thing for them, and let Riverside continue to be a beacon for doing what is right for it's citizens - no matter their wealth or neighborhood.

Regards,

Connie Ransom
[506 Via Zapata](#)
[Riverside, CA 92507](#)

Response to Comment A1

The project is proposed to be developed in accordance with the City General Plan and zoning code. Impacts to the Trujillo Adobe were analyzed and presented in the Initial Study and subsequent Responses to Comments. As described in the Responses to Comments, the proposed project will not harm the Trujillo Adobe and will not prevent or hinder preservation efforts. It was determined that the proposed project would have a less than significant impact on the structure.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment A2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code. The project development application was filed with the City in December 2014, nearly three years prior to beginning the Northside Specific Plan design process, which is anticipated to be approved and adopted by the City in 2019. Although the subject property is within the boundaries of the Northside Specific Plan, the Specific Plan is not yet in effect; thus, any development on the subject property would be required to comply with the regulations of the Zoning Code. As the site is zoned BMP – Business and Manufacturing Park, development of the site was analyzed for compliance with the land uses and standards permitted in the BMP Zone. The commenter also mentioned developing agrihoods in this neighborhood. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. This area would be incompatible with agricultural and residential uses.

CEQA does not require the Lead Agency to analyze possible Specific Plan impacts on the Project, if the Specific Plan has not yet been adopted. Undertaking an analysis presently would be speculative and misleading. CEQA does not require the Lead Agency to address uncertain environmental consequences that might result. *Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1058, or to speculate about potential future legal or regulatory developments. *Banning Ranch Conservancy v City of Newport Beach* (2012) 211 CA4th 1209, 1234 (EIR not required to "speculate as to or rely on proposed or draft plans" that might apply to project). The Specific Plan is in a conceptual stage and a Notice of Preparation for a Specific Plan EIR has not yet been prepared. There are numerous conceptual land uses being proposed in the Specific Plan area, and it would place an unreasonable burden on the Lead Agency or the Project applicant to address all possible Specific Plan impacts on the Project. *Riverwatch v County of San Diego* (1999) 76 CA4th 1428, 1450.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment A3

This comment does not identify any deficiencies in the environmental document, identify any substantial new information requiring revisions to the Initial Study/Mitigated Negative Declaration, or provide significant evidence concerning the project's environmental impacts. Air quality impacts to nearby sensitive receptors were analyzed and found to be below SCAQMD recommended thresholds for criteria pollutant emissions, including particulates. Noise impacts related to construction and operation of the proposed project were also analyzed and found to be less than significant. The proposed project will comply with all Zoning Code requirements for lighting and will provide required shielding to prevent light spillage onto neighboring properties. Moreover, there are no residential uses in the immediate vicinity of the proposed project. Impacts related to air quality, noise and light pollution will be less than significant.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment A4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The property is zoned BMP, which permits warehouses under 400,000 square feet as a matter of right. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment A5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter B: Sala Ponnech

3878 Pine Street
Riverside, CA 92501

June 25, 2018

RECEIVED

JUN 26 2018

City of Riverside
City Clerk's Office

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:

From the time that the City first circulated project documents for public comment, opponents have disputed the air quality and traffic projections put forward by the City's consultants. I want to focus in this letter on why the information used in the studies is faulty.

CalEEMod, the air pollution emissions modeling program used by the project consultants, provides default settings for projects for which there is no site-specific information. However, it will allow users to substitute data if they provide good reason. The studies commissioned for this project used truck trip generation and fleet mix figures from the ITE (Institute of Transportation Engineering) Trip Generation Manual, 9th Edition, 2012. ITE recognizes many types of land use but has been refining the data on what it calls high-cube warehouses. The definition of a high-cube warehouse is a facility of over 200,000 square feet, with a high degree of automation. Although Transition Properties claims there is no tenant yet for the Center Street building, the facility is very likely going to be a warehouse of some kind.

I believe these studies need to be revisited with updated information. That may change the previous findings that the project's operations will not significantly impact air quality. Some of the documents cited below were included in the Draft Initial Study/Mitigated Negative Declaration (IS/MND for short); others are discussed because they are relevant.

1. Warehouse Truck Trip Study Data Results and Usage, SCAQMD, July 25, 2014

B1

If the project consultants knew of this document, they did not pay attention to it.

SCAQMD recommended using ITE truck trip rates but criticized the 2003 Fontana Truck Trip Study for, among other faults, a 20% truck fleet mix. Therefore, using an 80/20 split is not appropriate for traffic analysis or emissions modeling. SCAQMD also claimed the "Fontana

study, by itself, is not characteristic of high cube warehouses.” (p. 10). Yet the project consultants continued to rely on the Fontana data.

2. Air Quality & Climate Change Assessment, MIG/Hogle-Ireland, June 2015.

B2

This document appears in Exhibit 7 of the Staff Report on the IS/MND.

Appendix A of the assessment (CalEEMod program output) shows the land use classification was unrefrigerated warehouse (without railroad spur). Page 1 of the appendix claims that the trip numbers and fleet mix proportions were per “SCAQMD recommendations” but did not provide the actual recommended figures. In responding to my letter of August 31, 2016, Pam Steele of MIG said the study used an “80/20 truck/passenger vehicle fleet mix”. She more likely meant the reverse—20% trucks and 80% passenger vehicles—but the point is that such a fleet mix is not in line with today’s warehousing reality.

3. Center Street Warehouse Project Traffic Impact Analysis, Kunzman Associates, January 2016

B3

Kunzman’s analysis was included in the project’s CEQA documents.

Although Kunzman used ITE Trip Generation Manual, 9th Edition, he also used the Fontana study despite SCAQMD’s qualms. Kunzman also used ITE data for the land use category “manufacturing” (see Table 2, page 32) while MIG had used the category “warehousing”. Using the incorrect land use category in traffic or air quality calculations could lead to underestimating environmental impacts.

4. Air Quality & Climate Change Assessment, MIG/Hogle-Ireland, March 2016.

B4

The IS/MND did not contain MIG’s 2015 assessment. MIG re-worked its report using the land use category “manufacturing” because City of Riverside believed it would provide the worst-case scenario for transportation impacts. In its revised Appendix A, MIG claims it used three “traffic studies”, including a SCAQMD recommendation, but there were no citations to documents listed in the References section.

At this point, three trip generation studies had been written for this project. The results are presented below:

MIG, June 2015	Kunzman, January 2016	MIG, March 2016
514.44 trips daily	1176.56 trips daily	1176.56 trip M – F
		458.92 Saturday
		190.96 Sunday

At first glance, it appears manufacturing generates more trips than warehousing. I do not know why Kunzman Associates assumed a factory would run full tilt seven days a week. My guess is that it may be preferable to over-estimate rather than under-estimate traffic if the purpose of

the analysis is to ensure smooth traffic flow and minimize delays. However, an air quality analysis must consider the types of vehicle making the trips because some will generate more pollutants than others.

6. Comments on the Center Street Commerce Building Project, SWAPE, September 30, 2016.

B5

Attorney Richard Drury's objections to the Initial Study for the Center Street project contained this letter as an attachment, but the attachment was not included in the exhibits attached to the December 2017 Staff Report. Richard Drury sent it to me and I have attached it because it is such a comprehensive review of the IS/MND's shortcomings and contains information from SCAQMD reviews of similar logistics projects.

To make a long story short, SWAPE's points regarding air quality analysis are:

- The "manufacturing" land use category does not provide the worst-case planning scenario.
- The worst-case scenario would be refrigerated warehousing. (It gets worse. See item 7 below).
- Use of the Fontana study is incorrect.
- CalEEMod's User's Manual cites an SCAQMD recommendation that lead agencies assume 40% of total trips will be truck trips when site-specific data is not available (as in the Center Street project).
- The IS/MND does not account for longer warehousing truck trips. 40 miles each way would be a conservative estimate.

7. High-cube Warehouse Vehicle Trip Generation Analysis, Institute of Transportation Engineering, October 2016.

B6

So far, this document has not been included in any discussion about the Center Street project's transportation issues. It is available online.

SCAQMD and the National Association of Industrial and Office Properties commissioned the study to help planners estimate traffic and air pollution at high-cube warehouses. ITE's definition of a high-cube warehouse is found on Page 1.

Table 5 (p. 13) shows weighted average rates for daily trips. They can range from 1.432 per 1000 square feet for a transload/short term storage facility to 10.638 per 1000 square feet for a parcel hub (although ITE included only one parcel hub in the study). Any air quality analysis claiming to present a "worst-case scenario" should use the highest trip rate(s) if the analyst does not know the facility's actual use.

As for fleet mixes at diverse types of warehouses, Table A1 (p. 23) shows weighted averages for the percentage of total daily vehicles for cars and trucks. Over all sites studied, the fleet mix was 67.8% cars and 32.2% trucks, not 80% cars and 20% trucks.

In conclusion, it appears the experts disagree. My hope is that you not allow this warehouse to be built in an area that lies within a region of California already severely impacted by air pollution, and in a location bordering on an area already housing logistics facilities.

Respectfully,



Sala Ponnech

Attachment: Comments on the Center Street Commerce Building Project, SWAPE, September 30, 2016.

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

Response to Comment B1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. Based upon discussions with the SCAQMD, the recommended car/truck (60%/40%) trip rates are for high-cube warehouse type projects. As shown in the approved scoping agreement (see Appendix B of the January 19, 2016 TIA), the Institute of Transportation Engineers, Trip Generation Manual, Land Use Code 140 for manufacturing was used to provide a conservative analysis. While the project was acknowledged as most fittingly being described as a High-Cube Warehouse based on the definition at the time, and the City of Riverside acknowledged it as such, the project was analyzed as manufacturing use to provide for a more conservative analysis. The use of Land Use Code 140 results in a higher estimate of trips than what would have resulted if the ITE Land Use Code for high cube warehouses had been used. As shown in Table 2 of the TIA, the project trip generation in car/truck splits by axle is 74.4%/25.6%; which accounts for more heavy truck traffic than is specified in the Fontana Truck Trip Generation Study.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment B2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. Project trip generation in the Air Quality/Climate Change Assessment is based on the project trip generation in the TIA (see Table 2 of the January 19, 2016 TIA) prepared for the project. As shown in Table 2 of the TIA, the project trip generation in car/truck splits by axle is 74.4%/25.6%; which accounts for more heavy truck traffic than is specified in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition, 2012, and the Fontana Truck Trip Generation Study. This is in line with accepted approaches for fleet mix and trip generation for warehousing. Table 2 of the TIA was included by reference, the modeling tables are included in the appendix of the Air Quality/Climate Change Assessment.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment B3

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, was released in late 2017; therefore, the 9th Edition was appropriately applied. Further, the Institute of Transportation Engineers, Trip Generation Manual, Land Use Code 140 for manufacturing was used to provide a conservative worst-case analysis. It should be noted that the manufacturing vs. warehousing (Land Use Code 150) trip generation rates are more than 2 times higher for the daily rate and more than 3 times higher during the AM/PM peak hours. While the “Manufacturing” land use category provides the worst-case scenario using traffic engineering modeling, the “Unrefrigerated Warehouse” land use category actually provides for a worst-case scenario using air quality modeling. The ITE land use designation for manufacturing is actually more impact intensive than the ITE land use designation for warehousing. However, in CalEEMod, the land use designation for warehousing is generates greater impacts than the land use designation for manufacturing. This is due to the fact that truck traffic impacts are more significant than impacts from actual manufacturing activities that may occur at a given facility. As such, the Initial Study/Mitigated Negative Declaration assumed a worst case scenario by assuming a manufacturing use for traffic impacts and a warehousing use for air quality and greenhouse gas impacts. Thus it is likely that the Initial Study/Mitigated Negative Declaration overestimated the Project’s traffic, air quality and greenhouse gas impacts.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment B4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. As mentioned above, the ITE land use category for manufacturing provides for a more conservative analysis of traffic impacts than the ITE land use category for warehousing. The Kunzman traffic report dated January 2016 used the appropriate land use designation of manufacturing to account for the worst-case traffic scenario by assuming an operation of 24 hour per day resulting in a worst-case scenario. In contrast, the MIG air quality report used the CalEEMod land use designation of “Unrefrigerated Warehouse”, instead of “Manufacturing” to account for the worst-case air quality scenario. The air quality modeling and analysis takes into account the types of vehicles making trips and in fact used the land use designation that would account for the worst-case emissions scenario from trucks. As such, both reports analyzed impacts properly.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment B5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. As mentioned above, the ITE land use category for “Manufacturing” provides for the worst-case traffic scenario using ITE modeling and guidelines, while the CalEEMod “Unrefrigerated Warehouse” land use category provides for the worst-case air quality scenario using CalEEMod modeling and SCAQMD guidelines. While the proposed project is speculative in nature, and does not currently have a future tenant, it is proposed to be used for distribution and fulfillment purposes and not for refrigeration purposes when a tenant is finally found. Moreover, Mitigation Measure AQ-1 was incorporated into the updated IS/MND stating that if a refrigerated use is proposed for future operation of the development, the applicant shall prepare a new Air Quality and Climate Change Assessment to analyze any new or increased potential impacts of a refrigerated use and determine the significance of potential impacts. Therefore, the use of the “Unrefrigerated Warehouse” land use category in CalEEMod was appropriate. As shown in the approved scoping agreement (see Appendix B of the January 19, 2016 TIA), the Institute of Transportation Engineers, Trip Generation Manual, Land Use Code 140 for manufacturing was used to provide a conservative analysis. While the City acknowledged that the project would likely be a High-Cube Warehouse based on the definition at the time, because no tenant was identified the project was analyzed as a manufacturing use as to provide for a worst-case analysis. As shown in Table 2 of the TIA, the project trip generation in car/truck splits by axle is 74.4%/25.6%; which accounts for more heavy truck traffic than is specified in the Fontana Truck Trip Generation Study. The TIA also relied on default ITE trip lengths; therefore, reliance on an arbitrary distance of 40 miles would be inappropriate. Also please refer to Response to Comment B4.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment B6

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, was released in late 2017; therefore, the 9th Edition was appropriately applied. The proposed development does not meet the definition of a high-cube warehouse distribution center (see

attachment). As shown in Figure 2 of the January 19, 2016 TIA, the proposed building does not have dock doors on both sides of the building (only south side). Kunzman originally provided a Traffic Exemption Letter to the City dated June 8, 2015, which analyzed the project as a “high-cube” warehouse. This letter concluded that the proposed project meets the City of Riverside traffic impact analysis exemption criteria (number 9), as the proposed project was projected to generate less than 50 peak hour trips during both the morning and evening peak hours. The City then requested that the project be analyzed as manufacturing and not high-cube. Thus, high-cube data is irrelevant to the analysis. Truck/auto splits are shown in Table 2 of the TIA. As shown in the footnote, they are from ITE and the City of Fontana, Truck Trip Generation Study. The trip generation rates and splits were approved by the City of Riverside. Light Industrial splits were utilized which is consistent with past manufacturing projects in the City. Moreover, as shown in Table 2 of the TIA, the project trip generation in car/truck splits by axle is 74.4%/25.6%, which accounts for more heavy truck traffic than is specified in the Fontana Truck Trip Generation Study. As previously mentioned, the project traffic analysis and project air quality analysis used the “Unrefrigerated Warehouse” and “Manufacturing” land use categories to provide for the worst-case scenario given their different modeling and guidelines. The use of the manufacturing land use in the traffic report and the warehousing land use in the air quality analysis do in fact analyze the worst-case scenario for their given resource impact area. Also please refer to Response to Comment B4.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter C: Sandra Trujillo-Langdon

From: Sandra Trujillo-Langdon <Santrujillo@gmail.com>
Date: June 25, 2018 at 8:42:50 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.

C1

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.

C2

--
Ms Sandra Trujillo-Langdon
Santrujillo@gmail.com

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

Response to Comment C1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment C2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter D: Phillip Falcone

June 25, 2018

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

RE: Center Street Commerce Center Project
Planning Cases P14-1033 (DR) & P14-1034 (LLA)
Initial Study/Mitigated Negative Declaration

Dear Mr. Mac Arthur and Committee Members:

I deeply regret the decision made by the Planning Commission on April 5, 2018 in regards to the Center Street Commerce Center Project. My reasons for regret are as follows, but not limited to:

1. First and foremost, as a member of the City of Riverside's Cultural Heritage Board I begin by observing the vast cultural and historical impacts to the immediate surrounding areas of the proposed site. D1
 - a) The 1862 Trujillo Adobe is only footsteps away from the proposed site. It is absolutely accurate that an increase in truck traffic and heavy machinery will perpetuate the degradation of an already extremely fragile structure.
 - b) The City of Riverside's Northside is the oldest neighborhood with a vast history. It is in the city's best interest to preserve that history and tell the story of the Northside. That unique history cannot be told without the preservation of open lands and public realms.
2. As a member of the Northside Improvement Association I find the City of Riverside's haphazard relationship with the Northside profoundly concerning. D2
 - a) The City of Riverside has created a bait and switch with the issuance of a \$2.5 million Northside Specific Plan still in the drafting stages and out for community review and feedback while allowing a large portion of Northside land to be developed prematurely.
 - b) Disregarding an in-progress specific plan to allow a developer to consolidate four parcels to build a monstrous 308,000 square foot warehouse will continue to sow seeds of distrust between the Northside and the City of Riverside.
3. Finally, as a resident of the City of Riverside I reject the current form of community and economic development. D3
 - a) The City of Riverside cannot continue to bend to the will of any developer. This city is much more than a place for developers to find cheap land and we must expect more from those coming to develop in our city.
 - b) Riverside residents have stated time and time again that we do not wish to see warehouse developments in our city. Warehouse projects are land intensive, job poor, and environmental hazards and are not welcome in the City of Riverside.

For the above reasons I, along with 702 of my Ward 1 neighbors that have signed petitions, sincerely ask that you vote against the development of the Center Street Commerce Center Project.

Respectfully,


Philip J. Falcone

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

Response to Comment D1

The project is proposed to be developed in accordance with the City General Plan and Zoning Code. The comment does not provide any significant evidence regarding the assertion that the Project will have impacts upon the Trujillo Adobe. Impacts to the Trujillo Adobe were analyzed pursuant to State and local standards and it was determined that the proposed project will not have an impact on the Trujillo Adobe. Chapter 10.56 (Restricted Use of Certain Streets) of the Municipal Code lists the City streets where trucks of a certain tonnage are prohibited. Both Center Street, which connects the project with I-215, and Main Street, which connects the project with SR-60, permit trucks of any tonnage except for Oversized loads on Center Street. Further, as shown in Table 17 (Construction Vibration Impacts) of the IS/MND, construction-related vibration impacts at the single-family home located approximately 640 feet to the northeast of the project site may be greatest from use of vibratory rollers (0.0031 PPV in/sec) during construction. The Trujillo Adobe is located approximately 932 feet to the northeast of the project site. At this distance, vibratory rollers will produce a PPV of 0.0019 in/sec, which is well below the threshold of 0.10 in/sec for historic and sensitive structures. Therefore, construction-related impacts to the Adobe will be negligible. In terms of operation-related impacts, namely vibration from heavy truck traffic along Center Street, the IS/MND shows that the recommended upper limit of vibration to which ruins and ancient monuments should be subjected is 0.08 PPV in/sec and that truck-related vibration levels of 0.006-0.019 PPV in/sec are unlikely to cause damage to buildings of any type, which would include buildings in the condition of the Trujillo Adobe (Source: California Department of Transportation. *Transportation and Construction Vibration Guidance Manual*. Appendix A: TAV-04-01-R0201, Page 14, Figure 2. September, 2013). The adobe structure is located approximately 80 feet from the center of the nearest lane on Center Street. According to Caltrans, the highest truck traffic vibrations generated on freeway shoulders, from the center of the nearest travel lane to the edge of the roadway (approximately 16 feet), is 0.079 PPV in/sec at highway speeds (55 mph). Further, according to Caltrans. At 80 feet from the center of the nearest travel lane on Center Street, and at speeds well below highway speeds (20-30 mph), the vibration level reaching the Adobe structure is estimated to be well below the upper limit of 0.08 PPV in/sec recommended for ruins and ancient monuments and within the range whereby vibration impacts from trucks on Center Street are unlikely to cause damage to buildings of any type. Given the distance of the Trujillo Adobe to the project site and Center Street, vibration impacts from construction and operation of the proposed project on the Trujillo Adobe will not occur. As such, the IS/MND appropriately found that the proposed project will not have a significant impact in relation to existing conditions in the project area.

Conclusion

No new or significant increase in the severity of an impact has been identified. This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment. The City did not violate CEQA because the IS/MND includes sufficient analysis of the environmental issues at hand.

Response to Comment D2

The application for the proposed project was accepted by the City in December 2014. The Northside Specific Plan design process did not begin until June 2017, nearly two and a half years after the proposed project was submitted for approval. The Northside Specific Plan is not yet a binding document and does not apply to the project area at this time. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur. Also please refer to Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment. The City did not violate CEQA because the IS/MND includes sufficient analysis of the environmental issues at hand.

Response to Comment D3

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter E: Sharon Trujillo-Kasner

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. E1

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. E2

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. E3

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. E4

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. E5

Please invest in our city, not in a warehouse.

Thank you,
Sharon Trujillo-Kasner

Response to Comment E1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment E2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Response to Comment E3

The application for the proposed project was accepted by the City in December 2014. The Northside Specific Plan design process did not begin until June 2017, nearly two and a half years after the proposed project was submitted for approval. The Northside Specific Plan is not yet a binding document and does not apply to the project area at this time. The Riverside General Plan 2025 Land Use and Urban Design Element includes a discussion of the objectives and policies that should guide the Northside Specific Plan design process (Pages LU-105-110). Consistent with neighborhood goals set forth in prior planning documents, this portion of the General Plan focuses on the “maintenance and improvement of major park and recreational facilities, preservation of long-established residential densities and enhancement of small yet economically successful commercial and industrial sites.” The proposed project is consistent with General Plan Policy LU-72.8, which requires the Plan to encourage appropriate industrial development opportunities. Moreover, the General Plan design guidelines for the Northside Specific Plan call for areas designated for buffer industrial, which the proposed project would provide. CEQA does not require the Lead Agency to analyze possible Specific Plan impacts on the Project. Undertaking an analysis presently would be speculative and misleading. CEQA does not require the Lead Agency to address uncertain environmental consequences that might result. *Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1058, or to speculate about potential future legal or regulatory developments. *Banning Ranch Conservancy v City of Newport Beach* (2012) 211 CA4th 1209, 1234 (EIR not required to “speculate as to or rely on proposed or draft plans” that might apply to project). The Specific Plan is in a conceptual stage and a Notice of Preparation for a Specific Plan EIR has not yet been prepared. There are numerous conceptual land uses being proposed in the Specific Plan area, and it would place an unreasonable burden on the Lead Agency or the Project applicant to address all possible Specific Plan impacts on the Project. *Riverwatch v County of San Diego* (1999) 76 CA4th 1428, 1450. This area of the Northside is not appropriate for residential development and the proposed warehouse would be consistent with surrounding uses and the General Plan and zoning code and no significant, unavoidable impacts will occur. Also please see Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment E4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and no significant, unavoidable impacts will occur, as identified in the project IS/MND and previous responses to comments.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment E5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter F: Mary Valenzuela

From: Mary VALENZUELA [mailto:Mvarela864@hotmail.com]
Sent: Tuesday, June 26, 2018 7:27 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

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.

F1

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.

F2

—
Ms Mary VALENZUELA
Mvarela864@hotmail.com

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim CE&D Director

Response to Comment F1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. Please reference prior responses to comments pertaining to the Trujillo Adobe. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment F2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter G: Derek Trujillo

From: Derek Trujillo [mailto:derek_trujillo@comcast.net]
Sent: Tuesday, June 26, 2018 7:49 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

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.

G1

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.

G2

—

Ms Derek Trujillo
derek_trujillo@comcast.net

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

Response to Comment G1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment G2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter H: Walter Elliot

From: Walter Elliot [mailto:Elliotone@icloud.com]
Sent: Tuesday, June 26, 2018 9:31 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

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.

H1

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.

H2

—
Ms Walter Elliot
Elliotone@icloud.com

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

1

Response to Comment H1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment H2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter I: Donatella Galella

From: Donatella Galella [mailto:donatellagalella@gmail.com]
Sent: Tuesday, June 26, 2018 10:27 AM
To: Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] RE: Center Street Warehouse

Dear Colleen Nicol,

I hope that this e-mail finds you well.

I'm writing to urge the Riverside city council to overturn the Planning Commission's decision regarding the Center Street Warehouse and instead uphold the Springbrook Heritage Alliance's appeal. We don't need more mediocre jobs and more air pollution. I have regularly received Google updates in the past week warning me about poor air quality in this area. I already have horrible allergies and need to take antihistamines every single day. Please do not approve this warehouse and do not exacerbate our current conditions.

11

Regards,
Donatella Galella
92506

Donatella Galella, PhD
Assistant Professor
Theatre, Film, and Digital Production
University of California, Riverside

"You're lecturing me about Asian representation?" -David Henry Hwang in *Soft Power*

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

1

Comment I1

This comment does not identify any significant evidence, deficiencies in the environmental document, or any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project was assessed against the standards / thresholds set by SCAQMD for air quality. An Air Quality/GHG and HRA were conducted as part of the CEQA process and findings were included within the MND. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts related to air quality will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter J: Robert Workman

From: Robert Workman [mailto:rworkman1@gmail.com]

Sent: Tuesday, June 26, 2018 10:48 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

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.

J1

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.

J2

—

Mr Robert Workman
rworkman1@gmail.com

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

1

Response to Comment J1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment J2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter K: Erin Edwards

June 27, 2018

Councilmember Chris MacArthur, Chair
City Council Land Use Committee
City of Riverside
3900 Main Street
Riverside, CA 92522

Dear Council Member MacArthur and members of the Council Land Use Committee,

I am writing to oppose the Center Street Warehouse, which comes before the Land Use Committee on July 9th.

In addition to the fact that this warehouse is inconsistent with the proposed Northside Specific Plan, I oppose the warehouse because of environmental concerns.

K1

The planned warehouse neighbors a soccer field where children play. It would violate the suggested 1,000-foot buffer between warehouses and playgrounds, causing increased health risks to the surrounding area.

K2

You don't have to tell mothers like me about the pollution caused by a warehouse and the resulting traffic; these are statistics that our kids live and breathe. Indeed, air pollution causes 9,200 premature deaths in California each year.

K3

In the last two weeks alone, Riverside has been on "orange" alert from the SCAQMD for a total of 10 days. This means that our air is "Unhealthy for Sensitive Groups," like my own baby.

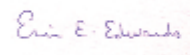
K4

Riverside's Northside is rich in history and full of families—many of whom have lived in Riverside for generations. If we build warehouses in this neighborhood, the air quality—which is already an issue—will just get worse.

K5

As you consider the Center Street Warehouse next month, I respectfully ask you to vote against it.

Sincerely



Erin E. Edwards
Ward 1 Resident, First and Lime
ee.edwards12@gmail.com

Response to Comment K1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. CEQA does not require the Lead Agency to analyze possible Specific Plan impacts on the Project as the Specific Plan has yet to be adopted. The project development application was filed with the City in December 2014, nearly three years prior to beginning the Northside Specific Plan design process, which is initiated in June 2017. Although the subject property is within the boundaries of the Northside Specific Plan, the Specific Plan is not yet in effect; thus, any development on the subject property would be required to comply with the regulations of the Zoning Code. Undertaking an analysis presently would be speculative and misleading. CEQA does not require the Lead Agency to address uncertain environmental consequences that might result. *Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1058, or to speculate about potential future legal or regulatory developments. *Banning Ranch Conservancy v City of Newport Beach* (2012) 211 CA4th 1209, 1234 (EIR not required to "speculate as to or rely on proposed or draft plans" that might apply to project). The Specific Plan is in a conceptual stage and a Notice of Preparation for a Specific Plan EIR has not yet been prepared. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment A2

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment K2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The 1,000 foot buffer is simply a recommendation provided by SCAQMD, and is not a binding prohibition. Further, the City's guidelines merely state that if a project generates truck traffic within 1,000 of a park, a Health Risk Assessment must be conducted. A Health Risk Assessment was conducted for the proposed project. The Health Risk Assessment analyzed air quality impacts to the nearby Ab Brown Sports complex, and found that air quality impacts will be well below SCAQMD recommended thresholds for criteria pollutants and toxic air contaminants. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment K3

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The 1,000 foot buffer is simply a recommendation provided by SCAQMD, and is not a binding prohibition. Further, the City's Good Neighbor guidelines state that if a project generates truck traffic within 1,000 of a park, a Health Risk Assessment must be conducted. A Health Risk Assessment was conducted for the proposed project. The Health Risk Assessment analyzed air quality impacts to the nearby Ab Brown Sports complex, and found that air quality impacts will be well below SCAQMD recommended thresholds for criteria pollutants and toxic air contaminants. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment K4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project was assessed against the standards / thresholds set by SCAQMD for air quality. An Air Quality/GHG and HRA were conducted as part of the CEQA process and findings were included within the MND. The 1,000 foot buffer is simply a recommendation provided by SCAQMD, and is not a binding prohibition. Further, the City's guidelines merely state that if a project generates truck traffic within 1,000 of a park, a Health Risk Assessment must be conducted. A Health Risk Assessment was conducted for the proposed project. The Health Risk Assessment analyzed air quality impacts to the nearby Ab Brown Sports complex, and found that air quality impacts will be below SCAQMD recommended thresholds for criteria pollutants and toxic air contaminants. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment K5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter L: Christopher Sutton

LAW OFFICE OF
CHRISTOPHER SUTTON
586 LA LOMA ROAD
PASADENA, CALIFORNIA 91105-2443
TELEPHONE (626) 683-2500 • FACSIMILE (626) 405-9843
email: christophersutton.law@gmail.com

Wednesday, June 27, 2018
(Sent by email and U.S. Mail)

Councilman Chris Mac Arthur, Chairman
Land Use Committee
City of Riverside
3900 Main Street,
Riverside, California 92522

emailed to:	Senior Planner Brian Norton:	b.norton@riversideca.gov
	City Clerk Colleen Nicol:	cnicol@riversideca.gov
	Councilman Chris Mac Arthur:	cmacarthur@riversideca.gov
	Councilman Mike Soubirous:	msoubirous@riversideca.gov
	Councilman Mike Gardner:	mgardner@riversideca.gov

Re: Violation of California Environmental Quality Act ("CEQA")
Public Resources Code §§ 21000 et seq.;
Violation of California CEQA Guidelines, Title 14 C.C.R. §§ 15000 et seq.;
Planning Cases P14-1033 & P14-1034/Initial Study/Mitigated Negative Declaration
308,000 square foot (7.07 acres) three-story proposed Mega-Warehouse
Public Meeting set for July 9, 2018, at City Council Land Use Committee

Dear Members of the Land use Committee:

The California Environmental Quality Act ("CEQA") and the California CEQA Guidelines, Title 14 California Code of Regulations sections 15000 et seq. require that projects subject to public agency decisions adequately and honestly include a project description that includes all reasonably expected potential environmental and human health impacts before it can be decided whether or not an Environmental Impact Report ("EIR") should be prepared prior to the public agency consideration of the project.

In *McQueen v. Board of Directors of the Mid-Peninsula Regional Open Space District* (1988) 202 Cal.App.3d 1136, 1144-1147, the Court found a project description violated CEQA and the CEQA Guidelines by engaging in a "fallacy of division" by too narrowly defining the project and omitting some of the project's potential impacts. It cited CEQA Guidelines section 15004.

In addition, CEQA Guidelines Section 15004(c) requires:

"The environmental document preparation and review should be coordinated in a timely fashion with the existing planning, review, and project approval processes being used by each public agency. These procedures, to the maximum extent feasible, are to run concurrently, not consecutively."

The now-pending Northside Specific Plan and its now-pending EIR are being improperly disregarded in violation of CEQA Guideline 15004(c). This project could prevent the Northside Specific Plan from being implemented and undermine the land use goals in that Plan.

The proposed project before the Land Use Committee is a massive warehouse of 308,000 square feet of enclosed space - - - over seven acres of the enclosed area - - - and three stories in height. The project description illegally omits the thousands of diesel truck trips that will be required to deliver and retrieve goods from this mega-warehouse during its operation over many decades. This is an illegal disregard of the reasonably foreseeable potential environmental impacts of this massive warehouse. A full environmental impact is required.

CEQA Guidelines section 15378 defines a "project" as follows:

(a) "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

(1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700.

(2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

(3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

(b) Project does not include:

(1) Proposals for legislation to be enacted by the State Legislature;

(2) Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making (except as they are applied to specific instances covered above);

(3) The submittal of proposals to a vote of the people of the state or of a particular community that does not involve a public agency sponsored initiative. (Stein v. City of Santa Monica, (1980) 110 Cal. App. 3d 458; Friends of Sierra Madre v. City of Sierra Madre (2001) 25 Cal.4th 165);

(4) The creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

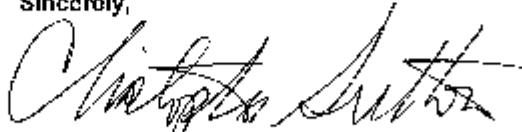
(5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

(c) The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term "project" does not mean each separate governmental approval.

(d) Where the lead agency could describe the project as either the adoption of a particular regulation under subdivision (a)(1) or as a development proposal which will be subject to several governmental approvals under subdivisions (a)(2) or (a)(3), the lead agency shall describe the project as the development proposal for the purpose of environmental analysis. This approach will implement the lead agency principle as described in Article 4.

Thus, the Project Description in the Initial Study and Mitigated Negative Declaration for this mega warehouse project violates the CEQA Guidelines and CEQA. A full and honest Project Description would include an estimate of the long-term impacts of thousands of continuous diesel truck trips to and from this massive warehouse. Such a description would lead to the unavoidable conclusion that a full EIR is required before the City Council can consider this project approval. As such, the Land Use Committee must recommend to the full City Council that this project be remanded to the Planning Commission and City Staff and that the proponents of this project must prepare a full EIR before any decision-making body of the City of Riverside may consider this project.

Sincerely,



Christopher Sutton
Attorney for Karen Renfro
and Springbrook Heritage Alliance

cc: City Clerk, City of Riverside

Response to Comment Letter L

The attached response letter from Allen Matkins Leck Gamble Mallory and Natsis, LLP addresses the comments found in Letter L.

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
1900 Main Street, 5th Floor | Irvine, CA 92614-7321
Telephone: 949.553.1313 | Facsimile: 949.553.8354
www.allenmatkins.com

Andrew Lee
E-mail: alee@allenmatkins.com
Direct Dial: 949 851 5484 File Number: 376839-00001/OC1187443

VIA EMAIL/U.S. MAIL

June 29, 2018

Councilman Chris Mac Arthur, Chairman
Land Use Committee
City of Riverside
3900 Main Street
Riverside, CA 92522

**Re: Transition Properties' Response to Appellant Karen Renfro's
Comments of June 27, 2018**

Dear Land Use Committee Members:

We represent Transition Properties, LP, the developer of the Center Street Commercial Building ("Project"). We write this letter to address a June 27, 2018 letter from Christopher Sutton, lawyer for appellant Karen Renfro, attacking the Project's Initial Study and Mitigated Negative Declaration ("MND"). Mr. Sutton contends that the Project's MND fails to comply with the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA") because the MND contains an inadequate project description. Specifically, Mr. Sutton alleges that the project description (1) is improperly narrow, (2) fails to include the City's ongoing effort to develop the Northside Specific Plan, and (3) fails to disclose the truck trips the Project will generate.

As detailed in this letter, all of appellant's arguments miss the mark. In addition to being *vague*, these arguments confuse the law and call for improperly speculative analysis.

1. The MND Fully Complies with CEQA

As brief background, the City has twice found the Project's MND to be fully compliant with CEQA. The Development Review Committee found compliance on February 21, 2018, and then the Planning Commission found compliance on April 5, 2018. These approvals were supported by the City's thorough review process, which included an additional 18 days of public review and comment beyond the 20 days mandated by CEQA. Planning Commission Memorandum, p. 2.

The MND and its *eight* supporting technical studies provide over *900 pages* of environmental analysis. Further, all studies were based on current and peer-reviewed standards and methodologies. For instance, concerning trip generations – which is the topic of appellant's *least-*

Councilman Chris Mac Arthur, Chairman

June 29, 2018

Page 2

vague criticism – the MND and its Traffic Impact Analysis utilized the Institute of Transportation Engineers' ("ITE") 9th edition *Trip Generation Manual*. MND, p. 84. ITE, an unbiased group of traffic engineers, produces the universally-accepted trip generation rates based upon extensive real-world data.

2. The MND's Project Description Fully Complies with CEQA

Appellant's sole criticism of the MND is that its project description is inadequate, but this complaint demonstrates no understanding of CEQA's actual standards for project descriptions. Under CEQA, an adequate project description must satisfy two benchmarks:

- **General Description.** The description must provide a "*general* description of the project's technical, economic, and environmental characteristics." CEQA Guidelines (14 C.C.R. 15000 et seq., "Guidelines"), § 15124, emphasis added. The description "*should not supply extensive detail* beyond that needed for the evaluation." *Ibid.*, emphasis added. Under this principle, courts have held that the description need only describe the project's main features, rather than all particulars. *Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20, 28.
- **Entire Project.** Because *project* is defined as "the whole of an action" (Guidelines, § 15378), the description must describe the *entire* project. The agency may not split a single large project into smaller ones in order to *piecemeal* environmental review or artificially narrow the description to minimize the project's impacts. See, e.g., *East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 281, 293. As such, the project description must necessarily describe all reasonably foreseeable future activities, phases, or elements of the project. See *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 396.

Here, the *MND's project description meets both of the above benchmarks*, and appellant completely fails to show why the following is inadequate to satisfy CEQA.

- **MND's Description.** The MND describes the Project as follows: a 308,000-square foot building; made of a concrete tilt-up construction; including 62 truck loading docks and up to 167 vehicle parking stalls and 237 truck trailer stalls; surrounded by 110,591 square feet of landscaping; on a 15.88 gross-acre lot; which is intended for commercial and light industrial uses as permitted under the City's applicable zoning. MND, p. 6. Additionally, while an end user is yet unidentified, making a possible description of the end user overly speculative, concerning traffic impacts, the City required the MND to assess the Project under a "manufacturing use providing a 'worst-case' scenario." MND, p. 66. Concerning air quality impacts, the City required the MND to assess the Project as a warehouse, because under the applicable version of CalEEMod at the time of MND preparation, warehouses generate greater air quality and greenhouse gas impacts than manufacturing uses. This

approach is fully consistent with CEQA. *Maintain Our Desert Env't v. Town of Apply Valley* (2004) 124 Cal.App.4th 430 (holding that identification of an end user in the project description is not required where the information is not needed to evaluate environmental impacts). The MND's level of detail adequately informs the public and the City Council of the Project's specific components.

- **MND Describes the Entire Project.** The MND's project description does not provide an *overly-narrow* or *piecemeal* view of the Project, nor does it neglect any reasonably foreseeable aspect of the Project. *The above description is the entire Project.* There are no additional plans to expand the Project in the future or build other phases of it.

Concerning appellant's specific criticisms, the MND's project description *suffers none of three defects* that appellant claims.

A. The MND's project description does not present and overly-narrow view of the Project

Mr. Sutton *fails to state a single reason* to support his belief that the MND's project description is overly narrow. All he offers is a citation to *McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136, which has no application to this Project. In that case, an agency claimed a CEQA exemption for a project it described as being merely the purchase of real property, when in reality the property contained toxic materials that required cleanup and the agency planned to remediate the property and use it in specific ways. See *id.* at pp. 1144, 1146-1147.

Here, the MND's project description engages in no such slight-of-hand strategy as was used in *McQueen*. The Project that is described in the MND is the Project the City approved. Further, there is no substantial evidence proffered which suggests that the allegedly inadequate project description underestimated the Project's environmental impacts.

B. The MND's project description is not required to include the City's in-progress Northside Specific Plan – a planning effort that is a wholly separate and independent project from this Project

Appellant vaguely asserts that the MND's project description improperly disregards the City's in-progress Northside Specific Plan ("Northside Plan"). But, appellant again *fails to offer a single reason* why inclusion of the Northside Plan – a wholly separate and nascent project – is required by CEQA in this Project's description. *It is not.*

Rather, inclusion of the Northside Plan in the MND's project description would be impermissibly speculative and would mislead the public and the City Council. CEQA does not require the lead agency to address uncertain environmental consequences that are "merely abstract or speculative" (*Sustainable Treasure Island v. City & County of San Francisco* (2014) 227 Cal.App.4th 1036, 1058) or to speculate about potential future legal or regulatory

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Councilman Chris Mac Arthur, Chairman
June 29, 2018
Page 4

developments. See *Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1145 (there is no "legislative or regulatory requirement under CEQA that a public agency speculate as to or rely on proposed or draft [] plans in evaluating a project").

Here, as City staff previously noted, the City started processing the Project before planning efforts even began on the Northside Plan. Planning Commission Memorandum, p. 5. Further, the City has only begun discussing a draft plan this month (at Workshop No. 3) and has not even prepared a Notice of Preparation for an environmental impact report. As such, it is highly likely that the Northside Plan will undergo a number of changes before it is finally approved. Because drafts of the Specific Plan presently propose numerous conceptual land uses, it would place an unreasonable burden on the City and on the Project applicant to address all possible Specific Plan impacts on the Project. See *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, 1450. This would be impossibly speculative. See *Berkeley Keep Jets Over the Bay Com. v. Board of Port Cmrs.* (2001) 91 Cal.App.4th 1344, 1361-1362 (finding a project EIR was not required to include in its project description potential, long-range, conceptual plans that if one day adopted would likely undergo revisions).

Additionally, appellant's citation to Guidelines section 15004(c) makes no sense as applied **to this Project**. Section 15004(c) merely states that the CEQA review process "should be coordinated" and "run concurrently, not consecutively" with processing the underlying project approvals. Guidelines, § 15004(c). That was done here, as the City conducted CEQA review concurrently with processing the Project's approvals. Mr. Sutton apparently confuses processing this Project's approvals concurrently with the Northside Plan's yet-to-be-commenced EIR. No such requirement exists.

C. The MND does not omit disclosure of truck trips

Mr. Sutton's final criticism is that the MND's project description "illegally omits the thousands of diesel truck trips" that will go to and from the Project. This bald, unsupported assumption is simply incorrect. First, Mr. Sutton wrongly contends that the MND's project description must include discussion of the estimated truck trips that the Project will generate. Truck trips to and from the Project are not the "Project" and thus do not require the City's discretionary approval; they are a consequence and potential environmental effect of the Project. As such, truck trips are discussed in the MND's sections pertaining to Evaluation of Environmental Impacts – specifically in regards to Air Quality, Greenhouse Gas Emissions, and Transportation and Traffic. MND, pp. 30, 53, 83.

Second, and more importantly, the MND **fully discloses the Project's anticipated truck trips** at full operation of the Project. Using the 9th edition *Trip Generation Manual*, the MND and supporting Traffic Impact Analysis disclose that the Project will generate approximately **301 truck trips per day**: two-axle trucks (99), three-axle trucks (54), and four-plus-axle trucks (148). Traffic Impact Analysis, Table 2, p. 32. Combined with passenger car trips, the Project would generate

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Councilman Chris Mac Arthur, Chairman

June 29, 2018

Page 5

1,576 passenger-car-equivalent daily trips. MND, p. 84. These figures are a projection of the daily trips that the Project will generate throughout its life. Further, the MND found that the emissions that the Project would generate overtime would not create significant negative impacts to human health (MND, p. 37) or the City's ability to meet state-mandated greenhouse gas targets for 2020 and 2050. MND, p. 56. In short, the MND fully discloses the Project's potential truck trips and their effects.

3. Conclusion

For the above-stated reasons, appellant's appeal should be rejected for lack of merit, and the Planning Commission's approval should be affirmed.

Additionally, Transition Properties respectfully requests that this letter be put in the administrative record for this matter.

Very truly yours,



Andrew Lee

AL:slp

Letter M: Samantha Molina

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

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

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.

M1

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.

M2

—
Ms Samantha Molina
Owlsmoli@gmail.com

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

Response to Comment M1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. Please reference previous responses pertaining to impacts to the Trujillo Adobe. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment M2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. CEQA does not require the Lead Agency to analyze possible Specific Plan impacts on the Project. Undertaking an analysis presently would be speculative and misleading. CEQA does not require the Lead Agency to address uncertain environmental consequences that might result. *Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1058, or to speculate about potential future legal or regulatory developments. *Banning Ranch Conservancy v City of Newport Beach* (2012) 211 CA4th 1209, 1234 (EIR not required to "speculate as to or rely on proposed or draft plans" that might apply to project). The Specific Plan is in a conceptual stage and a Notice of Preparation for a Specific Plan EIR has not yet been prepared. There are numerous conceptual land uses being proposed in the Specific Plan area, and it would place an unreasonable burden on the Lead Agency or the Project applicant to address all possible Specific Plan impacts on the Project. *Riverwatch v County of San Diego* (1999) 76 CA4th 1428, 1450. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter N: Marlene Pena

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

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

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.

N1

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.

N2

—
Ms Marlene Pena
Marlenesal721@gmail.com

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

Response to Comment N1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment N2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter O: Claudia Ramos

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.

O1

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.

O2

—
Ms Claudia Ramos
Cjtramos@sbcglobal.net

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

Response to Comment O1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C1, because this Comment is identical to Comment C1.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment O2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment C2, because this Comment is identical to Comment C2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter P: Erin Snyder

July 5, 2018

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.

P1

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.

P2

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.

P3

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

P4

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.

P5

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 support 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.

P6

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.

P7

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.

P8

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.

P9

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.

P10

Sincerely,

ERIN SNYDER
1645 Mathews St.
Riverside, CA 92507

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

Response to Comment P1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project site is consistent with the Zoning Code. It is zoned Business and Manufacturing Park (BMP). The BMP zone implements the Project site's "land use category[y] of the General Plan." (Section 19.130.010) The BMP zone generally permits a "... wide variety of industrial, manufacturing, and support uses ..." in "... a district for low-intensity and low-impact industrial, office, and related uses," including "small-scale warehouses." (Section 19.130.010(A)). Specifically, the BMP zone permits, as a matter of right, "Warehousing & Wholesale Distribution Centers" as long as the use occurs in a building less than 400,000 square feet in size. (Section 19.150.020, A, Permitted Uses Table.) The BMP zone prohibits residential or heavier industrial uses that generate odors (e.g. animal slaughtering, fat rendering, wood distillation), noise (e.g. gravel excavation, automobile wrecking), dust or smoke (e.g. petroleum refining, steel mills, sand excavation), and other causes of nuisance (Sections 19.130.025(A)(1) through (24)) in implementing the policies of the General Plan. The project application was filed with the City in December 2014, nearly three years prior to the beginning of the Northside Specific Plan design process. The fact that a Specific Plan is in the design process for the project area does not invalidate the approval of the proposed project. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. This area would be incompatible with agricultural and residential uses. CEQA does not require the Lead Agency to address uncertain environmental consequences that might result. *Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1058, or to speculate about potential future legal or regulatory developments. *Banning Ranch Conservancy v City of Newport Beach* (2012) 211 CA4th 1209, 1234 (EIR not required to "speculate as to or rely on proposed or draft plans" that might apply to project). The Specific Plan is in a conceptual stage and a Notice of Preparation for a Specific Plan EIR has not yet been prepared. There are numerous conceptual land uses being proposed in the Specific Plan area, and it would place an unreasonable burden on the Lead Agency or the Project applicant to address all possible Specific Plan impacts on the Project. *Riverwatch v County of San Diego* (1999) 76 CA4th 1428, 1450. The Riverside General Plan 2025 Land Use and Urban Design Element includes a discussion of the objectives and policies that should guide the Northside Specific Plan design process (Pages LU-105-110). Consistent with neighborhood goals set forth in prior planning documents, this portion of the General Plan focuses on the "maintenance and improvement of major park and recreational facilities, preservation of long-established residential densities and enhancement of small yet economically successful commercial and industrial sites." The proposed project is consistent with General Plan Policy LU-72.8, which requires the Plan to encourage appropriate industrial development opportunities. The project area is not appropriate for residential development. The project is proposed to be developed in accordance with the City General Plan and Zoning Code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur. Also please see Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The General Plan sets the guidelines for implementation through the City's Zoning Code (Municipal Code Title 19) where the City adopted regulatory standards for site development. The Project is consistent with the General Plan because it utilizes an older, underutilized site to add to the City's industrial land where "logically and physically possible to do so" while not creating any nuisances due to odor, dust, or noise (General Plan Land Use and Urban Design Element, Policies LU-25.4, LU-72.8, and p. LU-141.) The Project is also consistent with the General Plan because it is fully consistent with the Zoning Code, which was adopted concurrently with the General Plan and made to be consistent with it, such that the Zoning Code does "not support densities beyond those permitted by the General Plan." (General Plan EIR, pp. 3-1, 3-11, 5.9-41.) The Zoning Code provides concrete regulations "to implement the goals and policies of the City [] General Plan." (Section 19.030.020.) Under the Zoning Code, the project site is zoned Business and Manufacturing Park (BMP). The BMP zone implements the Project site's "land use category[y] of the General Plan." (Section 19.130.010) The BMP zone generally permits a "... wide variety of industrial, manufacturing, and support uses ..." in "... a district for low-intensity and low-impact industrial, office, and related uses," including "small-scale warehouses." (Section 19.130.010(A)). Specifically, the BMP zone permits, as a matter of right, "Warehousing & Wholesale Distribution Centers" as long as the use occurs in a building less than

400,000 square feet in size. (Section 19.150.020, A, Permitted Uses Table.) The BMP zone prohibits residential or heavier industrial uses that generate odors (e.g. animal slaughtering, fat rendering, wood distillation), noise (e.g. gravel excavation, automobile wrecking), dust or smoke (e.g. petroleum refining, steel mills, sand excavation), and other causes of nuisance (Sections 19.130.025(A)(1) through (24)) in implementing the policies of the General Plan. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. This area would be incompatible with agricultural and residential uses. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment

Response to Comment P3

Please reference response to comments P1 and P2 above. This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project meets the Subdivision Code for lot consolidations. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The application for the proposed project was accepted by the City in December 2014. The project meets the Subdivision Code for lot consolidations. All impacts associated with the lot consolidation are analyzed in the Initial Study/Mitigated Negative Declaration, and whether the action is a Lot Line Adjustment or a consolidation does not change the analysis of conclusions of the Initial Study/Mitigated Negative Declaration. The Northside Specific Plan design process did not begin until June 2017, nearly two and a half years after the proposed project was submitted for approval. The Northside Specific Plan is not yet a binding document and does not apply to the project area at this time. The Riverside General Plan 2025 Land Use and Urban Design Element includes a discussion of the objectives and policies that should guide the Northside Specific Plan design process (Pages LU-105-110). Consistent with neighborhood goals set forth in prior planning documents, this portion of the General Plan focuses on the “maintenance and improvement of major park and recreational facilities, preservation of long-established residential densities and enhancement of small yet economically successful commercial and industrial sites.” The proposed project is consistent with General Plan Policy LU-72.8, which requires the Plan to encourage appropriate industrial development opportunities. This area of the Northside is not appropriate for residential development and the proposed warehouse would be consistent with surrounding uses and the General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The LU-2 Map in the General Plan the commenter refers to indicates Major Business Parks within the City. Not all BMP Zoned property is within a Major

Business Park, nor is there a requirement for it to be so. The application for the proposed project was accepted by the City in December 2014. The Northside Specific Plan design process did not begin until June 2017, nearly two and a half years after the proposed project was submitted for approval. The Northside Specific Plan is not yet a binding document and does not apply to the project area at this time. The Riverside General Plan 2025 Land Use and Urban Design Element includes a discussion of the objectives and policies that should guide the Northside Specific Plan design process (Pages LU-105-110). Consistent with neighborhood goals set forth in prior planning documents, this portion of the General Plan focuses on the “maintenance and improvement of major park and recreational facilities, preservation of long-established residential densities and enhancement of small yet economically successful commercial and industrial sites.” The proposed project is consistent with General Plan Policy LU-72.8, which requires the Plan to encourage appropriate industrial development opportunities. (Please also see Response to Comment P2.) Moreover, the General Plan design guidelines for the Northside Specific Plan call for areas designated for buffer industrial, which the proposed project would provide. This area of the Northside is not appropriate for residential development and the proposed warehouse would be consistent with surrounding uses and the General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P6

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. 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. Moreover, the City does not have the authority to make such a designation. The Climate Change analysis in the MND found that the emissions that the Project would generate over time would not create significant negative impacts to human health (MND, p.37) or the City’s ability to meet state-mandated greenhouse gas targets for 2020 and 2050. The project is proposed to be developed in accordance with the City General Plan and zoning code and as shown in the project AQ/Climate Change Analysis, Traffic Impact Analysis, and IS/MND no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P7

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P8

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The “Seizing Our Destiny” document is not a binding document. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P9

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. CEQA does not require the identification of an expected tenant or end user for the project. *Maintain Our Desert Environment v Town of Apple Valley* (2004) 124 CA4th 430. At this time, the project applicant does not know who may acquire or lease the project when it is completed. The MND analyzed the proposed warehouse building as an anticipated manufacturing use providing a “worst-case” scenario due to the greater heavy-truck trips this type of use typically generates. Therefore, concerning traffic impacts, the MND assumed a manufacturing use because under the ITE Land Use Codes, a manufacturing use would generate more passenger-vehicle trips and less truck trips than a warehouse use. Concerning air quality impacts, the MND assumed a warehouse use because it generates higher numbers of truck trips and the potential for higher air quality impacts. Thus, a worst-case scenario for traffic impacts was assessed using the warehousing land use. The proposed building is a speculative shell that has the potential to accommodate a breadth of uses permitted by the BMP Zone including warehousing, manufacturing, and office. As is documented in the Initial Study, the proposed building will not result in significant impacts to the environment including those related to odors, dust, smoke, noise, or vibration. The proposed project is notably permitted, by right, in the BMP zone and by extension is consistent with the General Plan because it will:

1. Accommodate a variety of manufacturing, office, or warehousing uses (General Plan Land Use and Urban Design Element Page LU-141);
2. Not generate nuisance or other impacts (General Plan Land Use and Urban Design Element Page LU-141);
3. Be located in an existing industrial area on a currently underutilized site (General Plan Land Use and Urban Design Element Policy LU-25.4); and
4. Be physically developable on the site pursuant to City zoning requirements (General Plan Land Use and Urban Design Element Page LU-145).

There are different approaches and assumptions that can be used in projecting the impacts of a development project on the environment, which include the use of computer modeling programs that utilize default inputs. CEQA requires that the project analysis consider only reasonable assumptions supported by significant evidence in estimating the impacts of a project in order to avoid speculative analysis and conclusions that can be wrought from use of unsubstantiated claims or excessively “worst-case” scenarios. The environmental analysis is required to represent a project as accurately as is feasible for the sake of full disclosure of anticipated impacts. Because the proposed building is speculative in nature, actual tenants are not known; therefore, default output settings were used to analyze different uses including unrefrigerated warehouse and manufacturing. The Initial Study/Mitigated Negative Declaration discloses the use of default model input parameters and their assumptions. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment P10

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter Q: Karen Renfro, Springbrook Heritage Alliance

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.

Q1

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

Q2

Q3

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. Q4
- 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.cvs047.org; <https://www.facebook.com/NorthsideImprovementAssociation>; <https://www.facebook.com/springbrookheritagealliance> Q5
- 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 Q6

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 Liquifaction 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. Q7
- 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. Q8
- 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). Q9

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> Q10
- 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 Q11
- 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 Q12

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."* Q13
- On January 23, 2015 Riverside's Community Development Department/Planning Division issued a Transmittal of Materials on Planning Q14

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..."* Q15
- 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."* Q16
- 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). Q17
- 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). Q18
- 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* Q19

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 Q20
- 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> Q21
- 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. Q22
- 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. Q23

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. Q24
- 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. Q25
- 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. Q26
- 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. Q27
- 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. Q28

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>

Response to Comment Q1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The project is proposed to be developed in accordance with the City General Plan and zoning code. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. This area would be incompatible with residential uses. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. A Health Risk Assessment was conducted for the proposed project. The Health Risk Assessment analyzed air quality impacts to the nearby Ab Brown Sports complex, and found that air quality impacts will be well below SCAQMD recommended thresholds for criteria pollutants and toxic air contaminants. The comment does not include significant evidence regarding any environmental impact. The General Plan and zoning designations both authorize warehouses and similar uses. The project application was filed with the City in December 2014, nearly three years prior to the beginning of the Northside Specific Plan design process. The fact that a Specific Plan is in the design process for the project area does not invalidate the approval of the proposed project. Moreover, the commenter does not provide any evidence of how the Northside Specific Plan could not carry out its goals if the proposed project were constructed. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q3

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The Riverside General Plan 2025 Land Use and Urban Design Element includes a discussion of the objectives and policies that should guide the Northside Specific Plan design process (Pages LU-105-110). Consistent with neighborhood goals set forth in prior planning documents, this portion of the General Plan focuses on the “maintenance and improvement of major park and recreational facilities, preservation of long-established residential densities and enhancement of small yet economically successful commercial and industrial sites.” The proposed project is consistent with General Plan Policy LU-72.8, which requires the Plan to encourage appropriate industrial development opportunities. The proposed project also fulfills the Specific Plan’s vision of maintaining a balance of land uses, including Buffer Industrial in the Northside Neighborhood. In the specific proximity of Center Street, heavy industrial uses currently occupy the entire north side of the street and a few parcels on the south side of the street. The area between Center Street and Placentia Lane provides a natural buffer between heavy industrial uses to the north and existing and future planned residential developments to the south and southeast. Moreover, the proposed development would be consistent with General Plan Policy LU-72.6., which requires the Plan to complete roadway improvements needed to ensure access to the Northside Neighborhood to meet the needs of residential, commercial, and other users. CEQA does not require the Lead Agency to analyze possible Specific Plan impacts on the Project. Undertaking an analysis presently would be speculative and misleading. CEQA does not require the Lead Agency to address uncertain environmental consequences that might result. *Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1058, or to speculate about potential future legal or regulatory developments. *Banning Ranch Conservancy v City of Newport Beach* (2012) 211 CA4th 1209, 1234 (EIR not required to “speculate as to or rely on proposed or draft plans” that might apply to project). The Specific Plan is in a conceptual stage and a Notice of Preparation for a Specific Plan EIR has not yet been prepared. There are numerous conceptual land uses being proposed in the Specific

Plan area, and it would place an unreasonable burden on the Lead Agency or the Project applicant to address all possible Specific Plan impacts on the Project. *Riverwatch v County of San Diego* (1999) 76 CA4th 1428, 1450. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur. Also please see Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impact. The Project is consistent with the General Plan because it utilizes an older, underutilized site to add to the City's industrial land where "logically and physically possible to do so" while not creating any nuisances due to odor, dust, or noise (General Plan Land Use and Urban Design Element, Policies LU-25.4, LU-72.8, and p. LU-141.) The Project is also consistent with the General Plan because it is fully consistent with the Zoning Code, which was adopted concurrently with the General Plan and made to be consistent with it, such that the Zoning Code does "not support densities beyond those permitted by the General Plan." (General Plan EIR, pp. 3-1, 3-11, 5.9-41.) The Zoning Code provides concrete regulations "to implement the goals and policies of the City [] General Plan." (Section 19.030.020.) (Please also see Response to Comment P2.) The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impact. As shown in the project Cultural Resources Study, the project site does not contain any historic or cultural resources. The proposed project will have no impact on the nearby Trujillo Adobe or the ability of the city to develop a Spanish Town in the future. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q6

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impact, but rather consists of unsubstantiated opinion. The Cultural Resources Report prepared for the project did not identify any on-site Cultural Resources. The proposed project will have no impact on the nearby Trujillo Adobe or the ability of the city to develop a Spanish Town in the future. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q7

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impact. The Riverside General Plan EIR indicates that the project is located within an area with moderate to high liquefaction potential. However, the project Geotechnical Investigation/Geotechnical Infiltration Report determined that the potential for liquefaction at the site is considered to be low, due to the very dense granular soils below a historic groundwater depth of 30 feet. The proposed project would be subject to standard California Building Code (CBC) measures to provide for sound structural design that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. Therefore, based on the determination of the geotechnical report that on-site conditions are not susceptible to liquefaction and with adherence to CBC requirements, project impacts will be less than significant.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q8

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. This comment does not constitute substantial evidence regarding any environmental impact. Correction to errors and missing information have been included in the Final IS/MND. This document is available at the City Planning Department. It should be noted that CEQA does not require formal response to public comments on an IS/MND, and only requires formal responses in the form of an Errata when there is an Environmental Impact Report. All public comments have been sufficiently addressed at this time. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q9

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The Initial Study/MND fully analyzed the project and found that environmental impacts that were identified can be mitigated to a less than significant level. The comment does not constitute substantial evidence regarding any environmental impact. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur. Because of this, a full Environmental Impact Report is not necessary because no potentially significant environmental impacts have been identified that need further evaluation. Also please refer to the Response to Letter L.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q10

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. This comment does not constitute substantial evidence regarding any environmental impact. The General Plan sets the guidelines for implementation through the City's Zoning Code (Municipal Code Title 19) where the City adopted regulatory standards for site development. The project site is located in the Business and Manufacturing Park Zone (BMP) and is consistent with the General Plan by permitting a "... wide variety of industrial, manufacturing, and support uses ..." in "... a district for low-intensity and low-impact industrial, office, and related uses" including "small-scale warehouses." (Section 19.130.010(A)). Specifically, the BMP zone permits, as a matter of right, "Warehousing & Wholesale Distribution Centers" as long as the use occurs in a building less than 400,000 square feet in size. (Section 19.150.020, A, Permitted Uses Table.) (Please also see Response to Comment P2.) The Zoning Codes specifically prohibits residential or heavier industrial uses that generate odors (e.g. animal slaughtering, fat rendering, wood distillation), noise (e.g. gravel excavation, automobile wrecking), dust or smoke (e.g. petroleum refining, steel mills, sand excavation), and other causes of nuisance (Sections 19.130.025(A)(1) through (24)) in implementing the policies of the General Plan. Table 19.150.020 A of the City Zoning Code specifies permitted uses in all City zones; in the BMP Zone, manufacturing (indoor), warehousing and wholesale distribution centers are permitted, meaning no Conditional Use Permit or other discretionary approval is required, i.e., these uses are permitted as a matter of right. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. This area would be incompatible with residential uses. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q11

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. This comment does not constitute substantial evidence regarding any environmental impact. The General Plan sets the guidelines for implementation through the City's Zoning Code (Municipal Code Title 19) where the City adopted regulatory standards for site development. The project site is located in the Business and Manufacturing Park Zone (BMP) and is consistent with the General Plan by permitting a "... wide variety of industrial, manufacturing, and support uses ..." in "... a district for low-intensity and low-impact industrial, office, and related uses" including "small-scale warehouses." (Section 19.130.010(A)). The Zoning Codes specifically prohibits residential or heavier industrial uses that generate odors (e.g. animal slaughtering, fat rendering, wood distillation), noise (e.g. gravel excavation, automobile wrecking), dust or smoke (e.g. petroleum refining, steel mills, sand excavation), and other causes of nuisance (Sections 19.130.025(A)(1) through (24)) in implementing the policies of the General Plan. Table 19.150.020 A of the City Zoning Code specifies permitted uses in all City zones; in the BMP Zone, manufacturing (indoor), warehousing and wholesale distribution centers (400,000 square feet or less) are permitted, meaning no Conditional Use Permit or other discretionary approval is required, i.e., these uses are permitted as a matter of right. (Please also see Response to Comment P2.) The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. This area would be incompatible with residential uses. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q12

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The City of Riverside approved the

scoping agreement included in Appendix B of the January 19, 2016 TIA. The Institute of Transportation Engineers, Trip Generation Manual, Land Use Code 140 for manufacturing was used to provide a “conservative” analysis. It should be noted that the manufacturing vs. warehousing (Land Use Code 150) trip generation rates are more than 2 times higher for the daily rate and more than 3 times higher during the AM/PM peak hours. Further, the BMP zone implements the Project site's "land use category[y] of the General Plan." (Section 19.130.010) The BMP zone generally permits a “. . . wide variety of industrial, manufacturing, and support uses . . .” in “. . . a district for low-intensity and low-impact industrial, office, and related uses," including "small-scale warehouses." (Section 19.130.010(A))”. Specifically, the BMP zone permits, as a matter of right, "Warehousing & Wholesale Distribution Centers" as long as the use occurs in a building less than 400,000 square feet in size. (Section 19.150.020, A, Permitted Uses Table.) The Project's size is well below what is allowed by right in the BMP zone. (Please also see Response to Comment P2) The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comments Q13 through Q21

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impact. Rather, the comment merely quotes from various City documents. No further response is necessary. Although consolidations, lot-line adjustments and lot mergers definitions are found in different subsections of the City Subdivision Code (Section 18.100.030(A)-(C)), they all are subject to the same processing provisions and are interchangeable. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur. Also please see Response to Comment P4.

Conclusion

No new or substantial increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q22

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. Although the definitions of "consolidations", "lot-line adjustment" and "lot merger" are found in different subsections of the City Subdivision Code (Section 18.100.030(A)-(C)), they all are subject to the same processing provisions and are interchangeable. Although all three processes are ministerial in nature, the City has discretionary approval authority over the project due to the need for Design Review approval. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur. Also, please see Response to Comment P4.

Conclusion

No new or substantial increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q23

The City DRC meeting is comprised of City members and is not subject to the Brown Act. No violations of the Brown Act were made in the course of approval by the Development Review Committee. In addition, the Project development

applications were considered by the City Planning Commission, the City Utility Services/Land Use/Energy Development Committee of the City Council, and the entire City Council, in connection with the appeal filed by the Commenter's group.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q24

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The appellant has not shown in any way that the proposed project will infringe on the property rights of neighboring property owners. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q25

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The appellant has not shown in any way that the proposed project will infringe on the property rights of neighboring property owners. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q26

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The appellant has provided no evidence that the project proponent have violated any local, state, or federal law applying to real estate, or any environmental impact. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q27

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The General Plan sets the guidelines for implementation through the City's Zoning Code (Municipal Code Title 19) where the City adopted regulatory standards for site development. The project site is located in the Business and Manufacturing Park Zone (BMP) and is consistent with the

General Plan by permitting a “. . . wide variety of industrial, manufacturing, and support uses . . .” in “. . . a district for low-intensity and low-impact industrial, office, and related uses (Section 19.130.010(A))”. The Zoning Codes specifically prohibits residential or heavier industrial uses that generate odors (e.g. animal slaughtering, fat rendering, wood distillation), noise (e.g. gravel excavation, automobile wrecking), dust or smoke (e.g. petroleum refining, steel mills, sand excavation), and other causes of nuisance (Sections 19.130.025(A)(1) through (24)) in implementing the policies of the General Plan. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. Table 19.150.020 A of the City Zoning Code specifies permitted uses in all City zones; in the BMP Zone, manufacturing (indoor), warehousing and wholesale distribution centers (400,000 square feet or less) are permitted, meaning no Conditional Use Permit or other discretionary approval is required, i.e., these uses are permitted as a matter of right. This area would be incompatible with residential uses. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment Q28

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. Correction to errors and missing information have been included in the Final IS/MND. This document is available at the City Planning Department. The City has complied with CEQA law in recognizing that no potentially significant impacts will occur as a result of the proposed project. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter R: Chris and Robin Hebert

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.

R1

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.

R2

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.

R3

R4

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.

R5

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

R6

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.

R7

Respectfully,

Chris and Robin Hebert

Response to Comment R1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment R2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment R3

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment R4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. Impacts related to traffic and air pollution have been analyzed and do not exceed recommended thresholds. There are streets in the City where trucks are prohibited, trucks on Center Street are not restricted. Given the existence of industrial uses along Center Street and Main Street to the west of the project site, trucks will continue to utilize those streets. The condition of local roadways is the responsibility of the City and not the project proponent. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment R5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project Traffic Impact Analysis shows that all roadways and intersection affected by the proposed project will continue to operate at acceptable levels of service, including during the peak AM and PM hours. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment R6

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment R7

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project proponent is permitted by right to develop the property with the proposed light industrial use. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter S: Peter Wohlgemuth

Chris MacArthur, Chairman
Riverside City Council, Land Use Committee
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 Land Use Committee,

The Land Use Committee and the Riverside City Council should oppose the proposed Center Street Commerce Center Project and overturn 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. S1
- 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. S2
- 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). S3
- 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, these compliance plans should be included as part of the report in order to justify a determination of a Mitigated Negative Declaration. S4

- 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. S5
- 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. S6
- 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. S7

Meanwhile, the Northside Specific Plan is 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. S8

Thank you.

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

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

Comment S1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The Northside Specific Plan design process did not begin until June 2017, nearly two and a half years after the proposed project was submitted for approval. The Northside Specific Plan is not yet a binding document and does not apply to the project area at this time. The Riverside General Plan 2025 Land Use and Urban Design Element includes a discussion of the objectives and policies that should guide the Northside Specific Plan design process (Pages LU-105-110). Consistent with neighborhood goals set forth in prior planning documents, this portion of the General Plan focuses on the “maintenance and improvement of major park and recreational facilities, preservation of long-established residential densities and enhancement of small yet economically successful commercial and industrial sites.” The proposed project is consistent with General Plan Policy LU-72.8, which requires the Plan to encourage appropriate industrial development opportunities. Moreover, the General Plan design guidelines for the Northside Specific Plan call for areas designated for buffer industrial, which the proposed project would provide. CEQA does not require the Lead Agency to analyze possible Specific Plan impacts on the Project. Undertaking an analysis presently would be speculative and misleading. CEQA does not require the Lead Agency to address uncertain environmental consequences that might result. *Sustainable Treasure Island v City & County of San Francisco* (2014) 227 CA4th 1036, 1058, or to speculate about potential future legal or regulatory developments. *Banning Ranch Conservancy v City of Newport Beach* (2012) 211 CA4th 1209, 1234 (EIR not required to “speculate as to or rely on proposed or draft plans” that might apply to project). The Specific Plan is in a conceptual stage and a Notice of Preparation for a Specific Plan EIR has not yet been prepared. There are numerous conceptual land uses being proposed in the Specific Plan area, and it would place an unreasonable burden on the Lead Agency or the Project applicant to address all possible Specific Plan impacts on the Project. *Riverwatch v County of San Diego* (1999) 76 CA4th 1428, 1450. This area of the Northside is not appropriate for residential development and the proposed warehouse would be consistent with surrounding uses and the General Plan and zoning code and no significant, unavoidable impacts will occur. Also please see Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Comment S2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The commenter claims that “with proper mitigation, the proposed project could just as easily be a toxic waste dump,” yet provides no evidence to support this claim. Moreover, the commenter provides no evidence as to how the proposed project is a detriment to the surrounding community. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Comment S3

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. Gardner Well D is located in excess of 220 feet to the proposed warehouse building and over 150 feet from any paved areas on the project site, such as vehicle parking or drive aisles. Riverside Public Utilities only restricts placement of wells within proximity to septic leach lines. In addition, the project is required to meet all requirements for water treatment through WQMP standards. According to FEMA maps, the project site is located in Zone X of “Other Areas”, which denotes areas determined to be outside the 0.2% annual chance floodplain. As such, the proposed project is not within a 100-year floodplain and does not place any structures (including housing) within the Santa Ana River that would impede or redirect flood flows. The project will be required to adhere to NPDES requirements for drainage and will not impact nearby water wells. The Riverside General Plan EIR indicates that

the project is located within an area with moderate to high liquefaction potential. However, the project Geotechnical Investigation/Geotechnical Infiltration Report determined that the potential for liquefaction at the site is considered to be low, due to the very dense granular soils below a historic groundwater depth of 30 feet. The proposed project would be subject to standard CBC measures to provide for sound structural design that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. Therefore, based on the determination of the geotechnical report that on-site conditions are not susceptible to liquefaction and with adherence to CBC requirements, project impacts will be less than significant. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Comment S4

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. Compliance plans are required to be submitted and approved to the City prior to issuance of construction permits. Data within the report has been correctly cited. These compliance plans are available, or will be made available, at the City, and are not required to be included in the IS/MND. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur. Also please see Response to Comment S3.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Comment S5

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. Infiltration rates and soil information will be included in the Final WQMP, which must be submitted to the City and approved prior to issuance of grading permits. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Comment S6

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The environmental analysis is required to represent a project as accurately as is feasible for the sake of full disclosure of anticipated impacts. Because the proposed building is speculative in nature, actual tenants are not known; therefore, as permitted under CEQA default output settings were used to analyze the proposed project where project-specific information was not available. The Initial Study/Mitigated Negative Declaration makes all reasonable good faith efforts to disclose the use of default model input parameters and their assumptions, as is required under CEQA Guidelines. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Comment S7

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. Because of this, a full Environmental Impact Report is not necessary because no potentially significant environmental impacts have been identified that need further evaluation. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Comment S8

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The Riverside General Plan 2025 Land Use and Urban Design Element includes a discussion of the objectives and policies that should guide the Northside Specific Plan design process (Pages LU-105-110). Consistent with neighborhood goals set forth in prior planning documents, this portion of the General Plan focuses on the “maintenance and improvement of major park and recreational facilities, preservation of long-established residential densities and enhancement of small yet economically successful commercial and industrial sites.” The proposed project is consistent with General Plan Policy LU-72.8, which requires the Plan to encourage appropriate industrial development opportunities. Moreover, the General Plan design guidelines for the Northside Specific Plan call for areas designated for buffer industrial, which the proposed project would provide. The application for the proposed project was accepted by the City in December 2014. The Northside Specific Plan design process did not begin until June 2017, nearly two and a half years after the proposed project was submitted for approval. The Northside Specific Plan is not yet a binding document and does not apply to the project area at this time. This area of the Northside is not appropriate for residential development and the proposed warehouse would be consistent with surrounding uses and the General Plan and zoning code and no significant, unavoidable impacts will occur. The project is proposed to be developed in accordance with the City General Plan and zoning code and no significant, unavoidable impacts will occur. Also please see Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Letter T: Richard Block

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."

T1

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

T2

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

T3

Response to Comment T1

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project is proposed to be developed in accordance with the City General Plan and zoning code. The project application was filed with the City in December 2014, nearly three years prior to the beginning of the Northside Specific Plan design process. The fact that a Specific Plan is in the design process for the project area does not invalidate the approval of the proposed project. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. The City of Colton has not expressed any desire to re-zone the area to the north of Center Street to anything other than industrial uses. This area would be incompatible with the residential uses proposed in the conceptual Northside Specific Plan. All environmental impacts associated with the proposed project, including Air Quality, Noise, Water Quality and Traffic, will be less than significant or less than significant through incorporation of mitigation measures. Also please see Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment T2

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The project is proposed to be developed in accordance with the City General Plan and zoning code. The project application was filed with the City in December, 2014, nearly three years prior to the beginning of the Northside Specific Plan design process. The fact that a Specific Plan is in the design process for the project area does not invalidate the approval of the proposed project. The immediate project vicinity is comprised of light industrial uses such as auto towing and wrecking, construction equipment staging, distribution and fulfillment services, and truck trailer storage. The City of Colton has not expressed any desire to re-zone the area to the north of Center Street to anything other than industrial uses and has recently approved a new warehouse development in the immediate area. This area would be incompatible the residential uses proposed in the conceptual Northside Specific Plan. Based upon the exhaustive and comprehensive analysis included in the Initial Study/Mitigated Negative Declaration and all accompanying technical studies prepared by various experts, all environmental impacts associated with the proposed project, including Air Quality, Noise, Water Quality and Traffic, will be less than significant or less than significant through incorporation of mitigation measures. Also please see Response to Comment A2.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.

Response to Comment T3

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the Initial Study/Mitigated Negative Declaration. The comment does not constitute substantial evidence regarding any environmental impacts. The comment does not provide any evidence as to why the project Traffic Impact Analysis is out-of-date. The project Traffic Impact Analysis, performed by Kunzman Associates, shows that under existing conditions the intersection of Iowa Avenue/I-215 NB Ramps (NS) at La Cadena Drive (EW) - #9 currently operates at an unacceptable Level of Service during the AM and PM peak hours, and will continue to do so with or without the proposed project. Based upon City of Riverside standards established in its General Plan a significant impact would occur at a study intersection when the addition of project-generated trips causes either peak hour Level of Service to degrade from acceptable Level of Service (A through D) to unacceptable Level of Service (E or F) or if the proposed project results in increases in peak hour delay by ten seconds for LOS A through B, eight seconds for LOS C, five seconds for LOS D, two seconds for LOS E, and one second for LOS F. Based on these thresholds, as shown in

Table 20 of the project TIA, the proposed project does not further degrade study area intersections under Opening Year 2017 With Project traffic conditions, including the intersection of Center Street and Orange Street.

The Traffic Impact Analysis for the Roquet Ranch Specific Plan, performed by Urban Crossroads and dated November 30, 2016, was prepared after the Center Street project TIA was completed and, therefore, included the Center Street project in their cumulative analysis. The Roquet Ranch TIA identifies and mitigates impacts created by the Roquet Ranch project. There is no requirement for a previous project (e.g. the Center Street project) to redo its TIA when a subsequent project is proposed. The commenter does not provide evidence of significant impacts to intersections in the area, and the project TIA fully addressed cumulative traffic impacts to local intersections.

Conclusion

No new or significant increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration are required as a result of this comment.