



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

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### COMMISSIONERS

PRESENT: L. Allen (virtual attendee), R. Kirby, J. Parker, T. Ridgway, C. Roberts, J. Rush, R. Singh (virtual attendee), J. Teunissen and A. Villalobos

STAFF: M. Kopaskie-Brown, D. Murray, A. Beaumon, M. Taylor, N. Mustafa, C. Scully, M. Plinski, T. Sato, F. Andrade

Chair Kirby called the meeting to order at 5:30 p.m.

### ORAL COMMUNICATIONS FROM THE AUDIENCE

Chair Kirby asked for comments from the audience.

Malissa McKeith called in to request that the Planning Commission continue the hearing stating that the Commission and citizens deserve to hear staff responses. She indicated that staff is changing the rules so that the Commission will no longer review commercial property under 50,000 SF. She also commented on the process and the need for more time.

### PUBLIC HEARINGS

PLANNING CASE - PR-2021-001058 – GENERAL PLAN AMENDMENTS, SPECIFIC PLAN AMENDMENTS, ZONING TEXT AMENDMENTS, REZONING AND ENVIRONMENTAL IMPACT REPORT - CITYWIDE, ALL WARDS

Proposal by the City of Riverside to consider the Phase 1 Update of the General Plan 2025, consisting of the 6th Cycle Housing Element Update, an update of the Public Safety Element, and Environmental Justice Policies (collectively, the Update). The Update consists of: 1) an amendment to the General Plan 2025 (GP 2025) to replace the Housing Element, Housing Element Technical Report, and Public Safety Element in their entirety; to incorporate an Environmental Justice Policies appendix; and to make minor text amendments throughout the remainder of the GP 2025 for consistency; 2) an amendment to the Land Use Policy Map of the GP 2025 to change the land use designation of 346 parcels to accommodate future residential and mixed-use development consistent with the 6th Cycle Housing Element Update; 3) amendments to the Canyon Springs Business Park Specific Plan, Downtown Specific Plan, Hunter Business Park Specific Plan, La Sierra University Specific Plan, Magnolia Avenue Specific Plan,



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Riverside Marketplace Specific Plan, and University Avenue Specific Plan to accommodate future residential and mixed-use development consistent with the 6th Cycle Housing Element Update; 4) amendments to Title 19 (Zoning) of the Riverside Municipal Code including, but not limited to, Articles V (Base Zones and Related Use and Development Provisions), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Standards), IX (Land Use Development Permit Requirements/Procedures), and X (Definitions) that will: A) streamline and facilitate future residential and mixed-use development consistent with the 6th Cycle Housing Element Update; B) achieve compliance with recently adopted State legislation; and C) make other non-substantive technical and clarifying changes as necessary; 5) amendments to the Zoning Map to rezone 515 parcels totaling approximately 460 acres to accommodate future residential and mixed-use development consistent with the 6th Cycle Housing Element Update; and 6) a Draft Environmental Impact Report. The Update, including proposed General Plan Land Use amendments, Specific Plan amendments and zoning changes, affects all seven Wards of the City. The City of Riverside has prepared a Draft Environmental Impact Report for this project.

Matthew Taylor, Senior Planner, presented the staff report.

The commission took a 7 minute break. The Commission resumed, all members present, Commissioners Singh and Allen attending virtually.

Mr. Taylor continued with the presentation.

Mr. Taylor read for the record, corrections to the staff report:

- Appendix A: Opportunity site 11 reports the site will be upzoned when, in fact, it will be downsized.
- Site 138 at the corner of 11<sup>th</sup> Street and Victoria Avenue. This site has been developed with two single family homes and staff is requesting to omit the site.
- Site 192, Innovation District Area site. It has come to staff's attention that due to environmental contamination, there is a covenant on the site that restricts future residential development. Staff is recommending removal of the site from inventory but not from rezoning.
- Site 67, 5169 La Sierra, a small portion of this site has been excluded due to an error in parcel data. Staff is recommending that the entire site be rezoned, not excluding that small portion inadvertently excluded. No subsidized housing in this community.



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3900 MAIN STREET

Chair Kirby stated for the record that he wanted to personally thank the Planning Division, Dave Murray and Matthew Taylor for excellent work.

Chair Kirby opened the hearing to the public. Individual names were read from the speaker cards submitted they were asked to line up to speak. In intervals, he stated he would also call for those individuals calling in speak as well.

Public Comment.

### Opposition to the Project

Leslie Swor, Judy Pappas, Director of Valencia Gardens; Marie Buren, Laura Pope, Kevin Pope, Israel Bello, Jon Shardlow, Andrew Woodard, Tom Hunt, Dilip Sheth, Janis Ruth, Cindy Roth, Greater Riverside Chambers of Commerce; Ellie Jackson, Jim Buysse, Diana Gozzolo, Connie Decker, Randy Hord, Robert Klein, Nancy Magi, Doris Gale, Ella Uli, Claudia Rood, Pam Nasser, April Glatzel, Sandra Roy, Melissa Mckeith, CURE (reference her letter); Mary McDoniel, Frank Burn, Melanie Miller, Taylor Hollman, Molly Shah, Amber Bowen, Laura Channer, Joseph Myers, Stacie Ritter, Kathie Westley, Jason Hunter, President of Neighbors of the Wood Streets; Steve Ogilvie, Rachel York, Tricia Hord spoke in opposition to the proposal and identified concerns such as:

Reference was made to the Citywide Modernism Survey prepared by the Planning Division which identified properties constructed 1935-1975. Many of these sites identified in the survey are Structures of Merit, or sites eligible for the National Register. Opposition to this was voiced to the opportunity sites listed in the Modernism Survey and a request ensure historic preservation was considered.

Opposition to the rezoning of 3315 Van Buren. The property owners are in the process of obtaining a Minor Conditional Use Permit and have invested half a million dollars in site improvements. The site does not meet the criteria requirements stated by staff. Requests for removal of this site from rezoning were made.

Opposition to the rezoning of sites 111 and 67. Concerns regarding overflow parking, safety and the adjacent Gage Canal which should be preserved.

Opposition Sites 200 and 208. Concerns with safety, current understaffed fire and city services. Too close to 5 local schools in the area. Traffic congestion, too many traffic



*City of Arts & Innovation*

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accidents, water pressure and poor air quality. Community has not had time to evaluate the studies that 111 and 208 are beneficial to the community. Mistakes have been made and yes vote for a blanket change will alter and disrespect those of us who reside here. Many comments, no to 44 condos. There are homeless people that walk up to get to Central. More cars parked along the street create more opportunities for crime. More building will further pollute our area. The City and State are in a drought, more building will further tax our resources along with electricity.

Opposition to the project as the timeline seems to be accelerated with no real time for feedback.

Opposition to Rezoning site 87, 8527 Janet Avenue. Staff's decision to rezone this site is discriminatory. It is downzoning the property which will result in the loss of density from 29 to 17. The senior housing proposed here is much needed. There are inaccuracies in the staff report. This property is being downzoned not upzoned, it was listed in the Fifth Cycle and rezoned to R-3-1500. Downzoning is illegal and a detriment to standards set by the State to increase density. Current plans for the property zoned R-3-1500 has been designed for 100 units which meet zoning requirements. The proposed zone R-3-2500 would reduce the allowable units from 100 to 60 units. This is spot zoning. Remove the site.

That the Commissioner reject the Environmental Impact Report (EIR). Send a strong message to the City Council, these are arbitrary estimates. The current Housing Element was never intended to be completed before the General Plan.

Comment regarding the lack of community awareness regarding this proposal. The project is being rushed, slow down. Please stop.

Concerns regarding housing done by State mandate. SCAG can't possibly predict what the future holds in terms of supply and demand. Advise the City Council that the Housing Element must be revisited until questions have been addressed.

Request to remove opportunity site 112.

Do not agree with submitting to what the State says.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
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Comments against the rezoning of a subdivision plan west side of Palm Avenue between Beechwood and Highland Place. General Plan marked this a low density housing, but the developer was granted 8 variances and one modification to squeeze 7 residential lots on an acre. The project was dormant for 7 years, but the City Council granted the developer extensions. The two-story houses are totally out of character with the neighborhood. Obtain input from the neighborhood, urge the Commission not to allow this project to be rezoned.

Not here.

Concerns regarding high density housing significant impact to the Woods Streets. Concerned about the new low-income apartments behind 7-11 on Jurupa. Take into consideration how the neighborhood may change for the worst.

Concern over the impacts this may have in the unincorporated part of the County. In opposition to high density. Riverside does not have the infrastructure, and transportation. The zoning needs to be maintained until the infrastructure can be addressed. New developments will not solve homelessness.

Under RHNA you may request a delay and does not require a lawsuit. The EIR needs to be recirculated because there is a significant impact on water. Plan is premature and does not help the homeless.

There is no money to be made on below market housing. This is State mandated, but we can join other cities and push back. This can't be resolved by removing the protections of our existing housing.

The EIR evaluated several alternatives to their proposal in order to mitigate impacts. And offered an additional alternate proposal. The city's proposal accommodates potential housing at a 60% higher level than required by RHNA. This alternate mitigation strategy is to reduce the number of opportunity sites, particularly high density housing units in inappropriate single family residential areas. Such a strategy will immediately reduce the major impacts associated with the current proposal.

Frustrated that our City Manager, Assistant City Manager and City Planner are trying to shove this down our throats and do not live in our City. With regard to affordable housing, they do not require that to even be a part of the developer's application. Planning puts



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

every developer through hoops, Riverside charges too much money. Developers do not want to come here.

Opportunity site 124, 3755 Jurupa Avenue. This is an existing commercial site and the heart of the Wood Streets. Objection to this high density site in the middle of the neighborhood. Inclusionary housing is not inclusionary, it is exclusionary. Setting aside X-number of units at affordable rate, will make them less affordable to everyone else. No one wants high density, low-income housing in the middle low median.

Why are we identifying 31,000 units being rezoned when we only require 18,000? A buffer is understandable, but a 30% buffer is foolish. Consider the infrastructure, we do not have water.

The Woods streets already has an Accessory Dwelling Unit (ADU) issue, and do not have the sewer infrastructure to support it. We need a moratorium on housing units, not more density.

Listen to the citizens, safety and how the sites were evaluated is a concern.

Can this Commission exclude certain properties?

The City should fight the State, not the residents of the City.

Concerns regarding west side of Palm Avenue, between Beechwood and Highland place. Seven two-story homes on just over acre would great obstruct the view of Mount Rubidoux. The high density homes would stress city services including sewer, power, and an increase in traffic. Building this many homes would decrease the value of properties and the aesthetic of the neighborhood. It would create unnecessary safety risks.

In opposition to site 208 and site 211. these are on one of the most traveled areas in Riverside. Ingress and egress to site 208 is not signalized. In order to pick sites for RHNA, sites need to meet criteria. These sites do not met criteria. Remove these sites.

Remove Sites Stacie 26, 28, 29 and 30. Those should never be residential that is completely commercial area. The egress of housing on Van Buren would be ridiculous. To put it on Indiana as well would be ridiculous.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

Juan Munoz, asked that the requirement for local skill and workforce be added to the requirements.

Ron Sculio: Question regarding the Commercial property at Pine and Tequesquite. The property is currently Commercial but if it is rezoned, will they be allowed to expand in the future under the new proposed zoning?

### Support for the Project

Maribel Nunez, Elizabeth Ayala , Jeff Green Associate Director Inland Equity Community Land Trust. Spoke in support of the proposal and noted:

- Comment in support of the work done and supported the 18,000 RHNA numbers.
- This will be good for affordable housing and it is fully supported. The housing stock needs to be increased, stop the concentration of poverty, include mixed and inclusionary housing. We should not only consider the opportunity sites but additional priority co-ops, other innovative ideas. Please move forward with this proposal.
- This has not been sprung on the community, this is the 6<sup>th</sup> Cycle of the Housing Element. We need affordable housing. Not all of the homeless people are on drugs. We need affordable housing and need to get it built; we need to come together as a community to do what is necessary.
- Housing is a basic right and there shouldn't be contention to that. We need to appropriately plan for it. There are issues with infrastructure but we can make the changes necessary, this is a twofold approach. Additionally, our evolution should be sustainable, we must continue to implement and access of opportunity.

The public hearing was closed.

Commission discussion:

Commissioner Allen inquired if anything was being done to mitigate truck traffic coming down Central Avenue.

Mr. Taylor clarified that there have been numerous comments regarding a specific project on a specific site, this is not part of this action. He reiterated that any action taken by the Commission today does not constitute any action on any specific development





*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

project. He deferred to the Public Works Department representatives for a response regarding traffic.

Nathan Mustafa, Deputy Public Works Director, stated that they routinely receive requests on our arterial roadways where there be truck restrictions posted. We in the past relied on our Police Department in addition to posting electronic message signs to remind truck drivers of the restrictions in place along Central. He stated they have a project on Central Avenue that is funded through the Highway Safety Improvement Program that installs high friction surface treatment along the curves on Central Avenue which improves the grip on the roadway. Also, LED chevron signs were recently installed on Alessandro and Central to call attention to the curves on the road.

Commissioner Ridgway talked about Environmental Justice although believes it gets nebulous and lost. One of the things mentioned specifically was the rental burden. One of the ways to deal with the rental burden is obviously subsidies but the other way are these zone changes which are developed in such a way that affordable housing can be built for purchase. Are we including not only just making more rentals, are we including in the zoning changes that single family or purchasable housing is being made available in those environmental justice areas?

Mr. Taylor indicated that there can be for rent or for sale product, either one of them could be built, not specifying one or the other.

Commissioner Ridgway - that makes our job much more important when we get those properties in front of us. You spoke about using credits, sounds like existing zoning. You mentioned zoning for ADUs and credits for zoning that has already been adopted. Can you tell us how many of those 18,000, how many we are getting credit for? We are not really adding 18,000. Some of those are already there but you are using them under the RHNA.

Mr. Taylor agreed with Commissioner Ridgway. He did not have those numbers readily available but will provide them. Yes, sites already zoned for housing can be include in the inventory. We count potential development of those sites; at whatever density they are allowed towards the number we need to meet but we do not have to change the zoning on those sites. We have used those sites where we can, including some sites that were already zoned in the last cycle and have not been developed yet.





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## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

Commissioner Ridgway stated that it is important for people to understand this. We are not simply creating 18,000 new, some of that is already sitting on the shelf. We talk about everyone's concern that we are packing the city to the gills with another 24,000 houses. We can understand that it is not going to happen overnight and may not ever happen. During the previous cycle how many units were developed? How many actually got built in the last six years?

Mr. Taylor responded that approximately 2,500 – 3,000 units were built. The RHNA allocation for the last cycle was approximately 10,000.

Commissioner Ridgway stated that it is important the citizenry know this. To know that we had to have 10,000 and ended up with 24,000. Someone mentioned continuing this meeting and pushing it off to give additional time to evaluate the final EIR. The process of the Final EIR with answers the questions they felt weren't answered still has to be reviewed by the City Council.

Anthony Beaumon, Deputy City Attorney, clarified that the way this works is Planning Commission is a recommending body for the EIR adoption. This is a function of State Law. State Laws says that only an elected body can certify the EIR because they want the people who are doing this to be accountable to the citizens. Here in Riverside instead of having the final EIR prepared in advance of the Planning Commission, the Planning Commission receives the Draft EIR and gets all the comments. The responses to comments are not finalized until prior to the City Council meeting. A Final EIR includes the draft EIR plus any errata or changes and the responses to comments. It is only finalized right before Council because according to CEQA comments can be dropped up until the last minute.

Commissioner Ridgway stated that he wanted to be sure that nothing the Commission can do or would do will have any effect over that. One of the major concerns is infrastructure improvements and what is not there. Is he correct in understanding that when a builder does a development of a certain size, they are required to make those improvements, be it street, sewer, water, etc. We will have some of those improvements done by virtue of these projects happening.

Mr. Taylor replied that we do require projects to cover the costs of improvements to systems needed to serve the project directly such as extending/upsizing sewer lines, in addition to development impact fees collected to fund more systemic upgrades.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Commissioner Ridgway stated that the Planning Commission saying no, doesn't do anything. City Council will still need to review it. He asked the City Attorney to talk the Commission through the Cure document, page 4.

Mr. Beaumon stated that the comment states the City can avail itself of a one-year extension under Government Code, Section 65583F2, but it kind of ignores the nuts and bolts. The only way to do that is if the City claims its infrastructure is deficient due to financial or regulatory constraints. The City would have to say that our infrastructure is not up to snuff because we do not have the money, or our regulations are preventing us from doing that. If you cannot make that finding, then you do not get the one-year delay. The State Housing & Community Development (HCD) department has indicated this is not a path cities are going down. Only one or two have done so and it did not work out for them because they could not make those findings. Those findings are very serious, and nobody is doing this.

Commissioner Ridgway inquired what were the consequences if we say we are not going to do it?

Mr. Taylor clarified that the one-year extension would only apply to the adoption of the rezoning program, it does not move the October 15 deadline for adopting the Housing Element. There are a few risks associated with not choosing to adopt a compliant Housing Element by the deadline. Eligibility for certain state funding opportunities such as grants used to fund things like fund affordable housing, climate adaptation products, transportation projects. A good example of this is the Transformative Climate Communities Grant the City was awarded a couple of years ago. \$31,000,000 was awarded to the Eastside Neighborhood to do drought tolerant landscape replacements, install solar panels, build 64 units of affordable housing, transportation improvements, beautify some alleyways. All of this was done through collaborative effort by a community that was awarded a grant by the State that we were only eligible for because we had a Certified Housing Element. Those are opportunities we could lose. The other thing to be aware of is that not having an adopted Certified Housing Element by the deadline, does expose the city to significant litigation. The City could be sued by a third party or the State itself. If that were the case, the Court could order that the City complete the Housing Element during a certain timeframe. The Court could issue penalties where the City loses its ability to issue permits of any kind. This has happened to City in the past, during the last Housing Element update, which was four years late, the



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

City was sued because it did not have a compliant Housing Element. In addition, when you don't adopt a compliant Housing Element on time, you have to update more frequently. We would have to go through this process every four years instead of every eight years. We are still every four years because we are still in trouble from the last time.

Commissioner Ridgway noted then that this has happened already. The Commission kept hearing 18, 34, and 31. Does this packet give me 31,000 or 24,000? The 31,000 simply comes from the impact to the EIR. The number doesn't exist in the actual sites. The argument that we are 60% over is invalid, is that correct?

Mr. Taylor responded affirmatively. The two different numbers you see are the potential development from the same set of sites looked at two different ways. One way is the more conservative/realistic development capacity (24,000) which basically says given the trends we have observed, we can expect these sites will develop 75% of the maximum number of units they could accommodate. On the other hand 31,500, which is the number in the EIR, is the potential development from all 208 sites developing to 100% maximum. This has to be evaluated for CEQA because it is the worst case scenario, however, it is not a realistic development scenario.

Mary Kopaskie-Brown, City Planner, added that the 75% is not something staff is assuming. This is something we have actually done a study on with the assistance of WRCOG. A study was made to identify, given recent developments, what types of percentage are we seeing of the maximum allowed density on a site. We were making sure we weren't just picking a number out of the air but that it was based on something. We do have the number now for the number of parcels with no zone change. It is 175 parcels that are resulting in 7, 237 units requiring no zone change.

Commissioner Ridgway pointed out then that we are not changing 18,000, we are changing 11,000. We are getting credit for the roughly 7,000 which is already there.

Commissioner Singh thanked Mr. Taylor for his efforts in preparation for this meeting. He noted that majority of areas are proposed moderate and low income. He inquired whether these were random or if there was a rationale for selecting the sites.

Mr. Taylor noted that the Commissioner may be referring to the exhibit showing the average household income of the various census tracts with the opportunity sites inventory overlaid on that. The observation is correct, the distribution of opportunity sites



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

does coincide with somewhat with some of the low and moderate income census tracts. This is mainly a function of the other criteria we looked at when identifying sites. You want to put the people and homes where the stuff is. It so happens that the concentration like the amenities, parks, schools, community centers, shopping, jobs and activity centers are more closely located with our lower and moderate tracts than the higher income census tracts which have far fewer resources nearby.

Commissioner Singh asked how confident staff is that these sites would develop within eight years.

Mr. Taylor explained that staff has to be reasonably confident that any one of these sites would yield housing development within the planning period, otherwise we could not get credit from the State towards our RHNA for them. We do not necessarily expect that all 208 will develop within the next eight years which is why we have identified a 30% buffer. Because if not all the sites develop over the next eight years, we are still on track to meet our 18,548 minimum. He noted that if the City does not meet its RHNA during the planning period, we are not penalized. This is an objective; it is a goal that we need to meet and demonstrate that we can accommodate for but it is not a performance measure. He corrected his earlier statement and noted that the Fifth Cycle RHNA for the City was 8,283.

Commissioner Singh asked what kind of partnerships were identified.

Mr. Taylor stated that the Commissioner may be referring to the Environmental Justice Policy for the Education Element. The policies and actions do not necessarily go as far as naming specific partners. This is a document that is expected to last a decade and if one of those entities changes its names, goes away, or we bring someone new in, staff would need to update the plan.

Commissioner Villalobos thanked Mr. Taylor. He expressed his concern regarding the low barrier navigations center by right in mixed use zones. This is important because if you look at the opportunity sites we are rezoning everything mixed-use, but they confirmed that this was state law SB 101. He asked what the transit area does to the zoning.

Mr. Taylor explained that this is a function of Zoning Code already in place. Mixed-Use Village and Mixed-Use-Urban, if located within half mile of Magnolia Avenue/Market or University Avenue Corridor, the density is higher. This is already in the Code. The only reason you see MU-U-TA or MU-V-TA (transit area designation) is to differentiate between



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

the maximum potential zoning on those sites in that area. It is not an overlay zoning district or new zone; it is just how we keep track of which sites in that area could potentially have higher density.

Commissioner Villalobos asked about Affirmatively Furthering Fair Housing (AFFH). These were just statements in the Safety Element. What specifically is informing the Commission's decisions when it comes to zoning changes. With AFFH, there are statements such as not putting lower income housing next to freeways. There isn't much more than that. What else is the Commission doing, what specific actions.

Mr. Taylor responded that the Commissioner may be referring to the meaningful actions for AFFH. This section of the plan identifies the actions developed and related them to various fair housing issues that we need to address as part of the AFFH section. He provided a few examples for the Commission. Actions are commitments that various city departments do.

Commissioner Villalobos referred to the Pope's property. He asked how the change in zoning would affect a site currently vacant versus non-vacant? What if someone purchased a vacant lot and the zone was changed? If the owner of a non-conforming use sells the property can the use continue?

Mr. Taylor stated that if a property has a development on it, and the zone is changed so that the type of development currently on the site is no longer allowed, then you are basically legally non-conforming. You can continue doing what you are doing forever if it was legally established. You can also expand and change it somewhat. Where there is nothing there, there is nothing to grandfather in. If the zone is changed, the property owner will have to comply with the new zone. If the owner of a non-conforming use sells the property, it runs with the land they do not have to do anything.

Commissioner Villalobos noted that the speaker Ms. McDoniel stated that the plan will remove existing protections of our current housing stock.

Mr. Taylor stated that he is not sure what the caller meant by that statement. Title 20 will continue to apply to all projects.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

Commissioner Villalobos thanked Malissa McKeith for the massive amounts of documents. There were some good questions, one of them was about the water. Assumes staff are drafting a response, but would like to know more information.

Michael Plinski, Riverside Public Utilities, stated that the commenter is correct. We have existing ground water rights for extraction up to 86,000 acre feet. In 2020, our demand was 81,000 acre feet which is 5,000 acre feet of additional production rights and the comment is correct. He stated that through state process we are required to prepare Urban Water Management Plans that look out 20-25 years in advance. This specific EIR is relying on the 2015 Urban Water Management Plan. In the Plan we build on in addition to our existing ground water rights. In there we identify 27,000 acre feet of new local resource projects. That would be primarily around storm water capture of bunker hill and recycle water use here. The thought there is to grab as much of the rainwater as we can put it into the ground water aquifer. On top of that Utilities made investments in the 1980s to tie into imported water from the state water project. We have an agreement in place to purchase 21,700 acre feet of imported water at our discretion. The City has not needed to purchase imported water in more than a decade. In addition, an updated Urban Water Management Plan was adopted in 2020. This draft EIR was notified prior to the adoption of the 2020 Water Management Plan which is why they are using the 2015 plan.

We will buy imported water from Western Municipal Water District who purchases from Metropolitan Water District, who gets it from the State of California Department of Water Resources. Back to reliability, what Metropolitan has done, they have invested heavily into storage programs and ground water banking projects. They have been able to store water for when it is not available. In metropolitan's 2020 Management Water Management Plan, they state they have sufficient water through 2025 to meet all of their agencies' needs and on top of that they can also weather a one-year or multi-year drought because of their investments. They also analyze climate change and they still feel they have the ability and have put it in writing in their 2020 Water Management Plan.

Commissioner Villalobos referenced Ms. McKeith's statement that as the environmentally superior alternative, the City can only reject alternative 4 if it is truly infeasible. Essentially, we can't reject it because it is superior.

Mr. Beaumon stated that this was not correct. CEQA requires that you look at a reasonable range of alternatives. "No project alternative", is almost always going to be





*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

environmental superior and you don't have to pick that. The Criteria for selecting means it has to achieve most or all of the project objectives while avoiding one or more of the significant impacts and it has to be feasible. Based on those criteria, the EIR selected the alternative and the others were rejected for reasons in the EIR. The commenter omitted some of the criteria for selecting an alternative. It has to meet most or all of the project objectives. The objects are spelled out in introductory section of the EIR. It has to reduce one or more of the significant impacts and has to be feasible.

Mr. Taylor added that the commenter states that alternative 4 was identified as the environmentally superior alternative but based on the EIR, it is alternative 3 and the project that were identified as the environmentally superior project.

Debra Leight, consultant, stated that related to alternative 3. It is an alternative with more focused growth. It is the same as the project but the location of where housing is located is in more focused sites. There would be few sites with higher dense uses. Based on the fact that there would be fewer sites, that meant there would be less on the ground impacts. It did reduce those and that is why it was determined to be environmentally superior. Alternative 4 is called the limited opportunity sites alternative. This is focused on just meeting the RHNA numbers and not exceeding the RHNA numbers. In effect, it did not meet the objectives because the objective allowed for the larger buffer which is what is needed to insure the RHNA obligation was met. It also did not reduce the environmental impacts that were disclosed, at least not in the manner that would cause it to be environmentally superior. It would also have additional land use impacts by not meeting the RHNA obligations. That is the difference between alternative 3 which is a focused alternative that was environmentally superior versus alternative 4 which was called the limited opportunity site because it had less on the ground impacts, but it also did not meet the criteria for environmentally superior alternative.

Mr. Taylor noted that both the project and alternative 3 are considered environmentally superior because they have the same amount of impact.

Ms. Leight explained that alternative 3, in terms of criteria, met the project objectives, meaning it met the criteria and was determined to be feasible. You could meet the objectives and complete the project's objectives by implementation, and it would reduce the environmental impacts. That is why it was determined to be environmentally superior because it you would reduce some of the environmental impacts. In some cases, there were reduced impacts in comparison to the proposed project.





*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

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Mr. Taylor clarified the statement content of the comment letter. The letter does identify the EIR's conclusion that alternative 3 and the project are environmentally superior but disputes that conclusion and states that they believe alternative 4 is environmentally superior which the EIR analysis does not confirm.

Commissioner Villalobos asked what the main things are they need to agree on to move forward. There has been a lot of concern with the growth in the City and the RHNA numbers. He was thinking of Riverside over next 50-100 years. If you think of growth in general, the City is going to grow. We have to start moving this ball toward how we are going to manage that growth. Another thing that seems to be driving our documents in our previous cycle to the current plan and in many other cities all over the world, is climate change. The third issue he is in agreement with are smart growth principles. He did not think anything in this plan is that drastic. Mixed uses means we can walk to places. A lot of research shows these are good principles to rely on going forward. Another issue Riverside is dealing with is affordability. The average 3-bedroom home is \$515,000. This is a problem and if this trend continues, he did not know what it will look like. He is concerned about adding density but the trend we are on now is not sustainable and we have to make changes. The final piece is that these are the situations we are dealing with, so what do we do from here and what our restrictions to development: we have airport influence areas which can't be built in, high fire and flood zones, and protected space. Our open space only becomes more valuable as our density grows. We have historic districts of which he is an absolute proponent of. Last thing, this is a step that we should take, whether just the way it is or with changes, but this is not the solution. No one should expect this to be the solution. He thought this plan was well put together and that it was a good plan and makes sense. The next question will be the particular opportunity sites that are bad.

Commissioner Parker stated that the issue of water was addressed by Public Utilities, but he wondered if staff could address the energy issue as well.

Tray Sato, Riverside Public Utilities – Electric, stated that Riverside Public Utilities does plan for the future and for its energy supply. We do this in the Integrated Resources Plan which was adopted in 2018. They are in the process of developing a new plan. Energy planning is also done statewide. We plan for a lot of growth in the State of California with state agencies all the way through the California independent state system operator. We do have in all of those cases the ability to plan for additional electricity load. We also have



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

the Riverside Transmission Reliability Project coming in that is expected to be operational in 2026 which will give us more access into the regional grid to bring in sufficient electricity to serve any of this new growth should it occur, that is examined as part of EIR. She asked if there was a specific question.

Commissioner Parker noted that Ms. Sato had mentioned something a couple of weeks ago about the 2026 timeframe for the additional connection to the grid.

Ms. Sato stated that the housing units, using the analysis of the full 31,000 housing units, we would be looking at 79 megawatts of additional load, if we achieve full build out. The Riverside Transmission Liability Project which will provide us with additional interconnection with the statewide grid will provide us with approximately 560 megawatts of additional capacity which will more than sufficiently provide us with the ability to bring in electricity to meet that load plus any other load that may occur in the city through industrial or commercial or any other type of development that may occur moving forward.

Commissioner Parker referred to the comments regarding congestion on Van Buren. He asked if someone could address what might be planned if the units along Van Buren are built in Ward 4.

Mr. Mustafa stated that there is a planned project on Van Buren in the general area of discussion. The project falls primarily in the County. They are working to fund the project in the long term, not the immediate future, but there are plans to widen Van Buren. In the March JPA, east of Barton, that section was recently modified and widened.

Commissioner Rush thanked the members of the community, especially those that stuck around. With regard to Commissioner Villalobos' question regarding the vacant properties. He stated those property owners could request variances or a zone change?

Mr. Taylor stated that the City is legally prohibited by the State to grant variances for the use of a property. The property owner could apply to have the property rezoned again if the zoning for that site changed as staff proposed. They would have to go through the process, they would not be precluded from doing so.

Ms. Kopaskie-Brown added that provided the use was allowed in the proposed zone.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Commissioner Rush asked if down zoning was prohibited by law.

Mr. Beaumon responded that the comment regarding down zoning being prohibited by law was an incomplete representation. It is true that you are not allowed to down zone and stop there. That section of government which is Section 66300i, says you can down zone as long as you also up zone an equivalent number. That is a particularly poor example when you look at what is before you today. This is all upzoning. It is upzoning 24,000 units and downzoning one parcel. This is the farthest part of down zoning.

Ms. Kopaskie-Brown added that the project as a whole is an upzoning. You do not look at the individual site because the overall net is an upzoning. Even though one site in particular may be downzoned, the overall increase balances it out.

Mr. Beaumon addressed an inquiry of spot zoning. He stated that spot zoning is when you specifically zone one parcel to that parcel's benefit and do not treat other parcels similarly. It is meant to avoid preferential treatment. Once again, this effort is citywide, over 200 parcels, it is comprehensive and part of a uniform program. This is kind of the opposite of spot zoning. You are not spot zoning one parcel for one reason, you are zoning over 200 parcels.

Commissioner Rush asked if it would be the same if it were to the detriment of a property.

Mr. Beaumon stated it could be but once again it has to be focused on one property, this is 200 properties.

Commissioner Roberts asked for clarification, Mr. Taylor had stated that part of the Housing Plan has already been submitted to the State.

Mr. Taylor responded affirmatively. The Draft Housing Element and all of the pieces were submitted to HCD back in May. As part of the process, HCD has to review it at least once. We received comments in July and made additional revisions and submitted again for a second review to HCD, which is still pending

Commissioner Roberts referred to a comment, HEEJ 7.1, that says you are going to conduct an inventory of existing housing in environmental justice communities. Has this been completed? Wouldn't we want to know this before the Commission decided where opportunity sites or where other zoning issues might be.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Mr. Taylor replied that this is an action. It is a future implementation action we are committing ourselves to take if the Plan is adopted.

Ms. Kopaskie-Brown stated that this was a detailed inventory of the housing, so we know where the environmental justice communities are. What this is saying, now that we know where these opportunity sites are, now that we know where housing will go; we will go in to inventory those sites to see if there are other redevelopment opportunities within those. We will then be able to address some of the concerns within those communities.

Mr. Taylor stated that there are also environmental justice actions proposed related to housing condition. The purpose of doing an inventory assessment like that would be to try to get a good understanding of where the inadequate housing conditions are and where the existing housing stock is in poor quality. We can then target city programs that help people rehabilitate homes and similar in those particular environmental justice areas.

Commissioner Roberts asked what the rationale was for removing senior housing as a separately regulated residential area.

Ms. Kopaskie-Brown explained that currently per the Code senior housing is allowed in R-1 zones through a Minor Conditional Use Permit. Because we want to be as equitable as we can to all multi-family housing, we are recommending elimination of this provision so that multi-family housing would not be allowed for anyone in the R-1 Zones.

Commissioner Roberts referred to the changes in what the planning commission reviews as it applies in the Mixed-Use zones. A lot of these proposed changes are in the Mixed-Use zones which would then take it out of the purview of the commission.

Mr. Taylor explained that they were trying to strike balance by maintaining the Planning Commission's purview over larger developments that could potentially have more impacts. The current Code requires the site plan review permit process for any development larger than 10,000 sq.ft. which is really quite small. Staff's intent is to incentivize and streamline the development of the opportunity sites, especially the smaller sites. Staff has recommended 50,000 sq ft or 100 units, whichever is greater but if the commission wishes, they can recommend a different threshold for that review.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Chair Kirby noting the commission would move on to pulling sites from the list.

Ms. Kopaskie-Brown stated that staff has kept a list of the sites discussed today by the public. Staff will ask each commissioner to request which sites they are interested in discussing and put together a comprehensive list. She addressed the two speakers who talked about a development on Palm and Beechwood. That site is not part of the Housing Element and is not being considered tonight as part of this project. She noted that the sites brought up by the public tonight were: 26, 28, 29, 30, 31, 67, 87, 107, 111, 112, 120, 124, 137, 140, 159, 192 and 208.

Chair Kirby inquired if there were any other sites the Commission is interested in pulling.

Commissioner Parker requested 85 be pulled.

Commissioner Ridgway requested Site 107 and Site 30, 3314 Van Buren.

Mr. Taylor reiterated that the Commission can recommend that sites be removed from the rezoning list. That would not necessarily have an affect on the project that is currently proposed on that site that is not under consideration tonight.

Commissioner Roberts requested Sites 164 and 103 be pulled. She is concerned with anything close to the freeway.

Commissioner Allen requested Sites: 25, 27, 34, 36, 39, 49, 53, 57, 62, 78, 80 and 87 be pulled.

Commissioner Villalobos requested Sites: 19, 22, 130 and 170 be pulled.

Commissioner Teunissen requested Site 70 be pulled.

Ms. Kopaskie-Brown announced that they would go through each of the sites identified in numerical order for the Commission's review:

Site 19 – Park Sierra, currently single family and proposed R-4 - adjacent to Kaiser

Commissioner Villalobos stated he wasn't concerned with the site but the whole block. There are not a lot of amenities close by and everything north



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

of this is high density multi-family. Concerned about stacking even more, not a great idea at this location.

Mr. Taylor inquired if it was all of the sites including that are located along that street including the ones fronting Magnolia or just the side street.

Commissioner Villalobos stated just the side street and suggested mixed-use could add some quality, more concerned about the R-4. Maybe all mixed-use, he would be more open to that.

It was the consensus of the Commission was for mixed-use.

Site 22 – Raley Drive, Ward 7, currently zoned R-1-1 ½ acre and proposed R-3-1500 multi-family, nearby La Sierra University.

Commissioner Villalobos R-1-1/2 acre to R-3-1500 too big of a jump. Commissioner Singh suggested omitting.

Consensus was to omit from the inventory site.

Site 25 – This is a group of 10 parcels that are currently zoned MU-village and proposing MU-Urban, entire block of Magnolia between Polk and Van Buren

Mr. Taylor requested clarification and whether all of the parcels were recommended for removal. There are 10 parcels currently zoned Mixed-Use Village and being proposed for Mixed-Use Urban. It is the entire block of Magnolia between Polk and Van Buren.

Commissioner Allen stated he did not have a problem with this site and rescinded his request. Keep the site on the inventory list.

Consensus was to keep the site on the inventory list.

Site 26 – Van Buren adjacent to Van Buren Drive-in, current zone R-4. There is no change proposed. This site was rezoned in the fifth cycle

The consensus was to keep the site on the inventory.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Site 27 – off of Polk Street, several parcels currently zoned single family and proposed MU-Village. Use consistent with the General Plan designation.

Commissioner Allen stated it was too much high density in one area and requested to pull the site.

Commissioner Teunissen agreed with Commissioner Allen, very problematic ingress and egress.

The consensus was to omit this site from the inventory list.

Site 28 – site is currently vacant, off of Harrison south of Magnolia current zoning R-1 and proposed zoning R-4

Consensus was to keep the site on the inventory list.

Site 29 – currently partially vacant, developed some existing commercial buildings - current zoning is BMP and proposed MU-Village

Mr. Tyler stated this is one of the sites that the owner/developer interest has been expressed.

Commissioner Singh commented that this maybe a good site for people to live and work nearby the industrial buildings.

Commissioner Ridgway noted that the proposed zoning would allow commercial, office and residential and stated to keep it.

The consensus was to keep the site on the inventory list.

Site 30 – Brookhurst Mill property – current zone Industrial and proposed MU-Village

The consensus was to omit the site from the inventory list.

Site 31 – group of sites on Tyler street, existing zone Commercial Retail and proposed Mixed-Use Urban





*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

It was the consensus of the Commission keep the site on the inventory list.

Site 34- group of 8 smaller parcels at the entrance to the County Administrative Center, current Commercial General and the proposed zone, Mixed-Use Urban

Commissioner Teunissen requested to pull the site. The site backs up to the County buildings, on the other side is the post office and on the other side of that is nothing but retail and commercial. She did not see residential building on that spot.

Commissioner Ridgway pointed out that the MU-Urban can be used for commercial. These sites are a win win because they get us our RHNA numbers but can also be used for basically what they are being used for now. He did not want housing there either but this site can help meet the RHNA numbers.

The consensus was to omit the site from the site inventory list.

Site 36 – group of four small properties corner Magnolia and Dawes, current zoning is R-1-7000 and proposed Mixed-Use Urban - nearby the Lowes shopping center to the east along Magnolia

The consensus was to keep the site on the inventory list.

Site 39 – group of 10-12 parcels off of Magnolia between Dawes and Megginson, existing zoning is a mix of Commercial and Single Family and is proposed R-4

Commissioner Parker stated he would be comfortable with MU on this site.

Mr. Taylor explained that R-4 would be higher density use and would be 40 units per acre. Mixed-Use in this location would be 60 units due to the transit area.

The consensus was to keep the site on the inventory list, R-4 designation.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

Site 49 – 3 parcels fronting on Tyler, between California and Hole – existing zoning is Commercial and Single Family Residential and the proposed zoning is MU-Village

The consensus was to keep the site on the inventory list.

Site 53 - vacant parcels at the southwest corner Tyler and California - current zoning is a mix of Single Family Residential and Office and the proposed zone is MU-Village

The consensus was to keep the site on the inventory list.

Site 57 – Smaller site Tyler and California - existing zoning R-1 and the proposed use is also MU-Village

The consensus was to keep the site on the inventory list.

Site 62 – mix of Single Family and vacant, proposed use MU-Village

The consensus was to keep the site on the inventory list.

Site 70 – Corner of Van Buren and Challen directly behind Food For Less - current zoning Commercial Retail – and proposed Zone is MU-Village

Commissioner Teunissen rescinded her request to pull the site.

Commissioners asked if MU-Urban could be considered here.

Mr. Taylor noted that it is difficult to increase density because the EIR has analyzed a certain amount. We can reduce but adding is difficult.

The consensus was to keep the site on the inventory list.

Site 78 – Across Walmart on Van Buren at corner of Audrey - existing zoning is ;R-1-7000 and the proposed zoning is MU-Village

The consensus was to keep the site on the inventory list.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Site 80 – partial site located at corner Colorado and Jackson, part of the property owned by the church and school at this corner – existing zoning is R-1 and the proposed zoning is MU-village

Commissioner Teunissen said this was a good change. The church has been going down hill for years. That piece of property has higher value to it than sitting there doing nothing. See it in the middle of that neighborhood improving it.

Commissioner Parker agreed

The consensus was to keep the site on the inventory list.

Site 85 – Partially vacant site on Indiana adjacent to 91 freeway - existing zoning is Office and the proposed zoning is MU-Village

Commissioner Parker stated that his concern was that it is too close to the freeway.

Commissioner Villalobos agreed that Office made more sense.

The consensus was to omit this site from the inventory list.

Site 87 – Janet Avenue site – currently zoned R-3-1500 and the proposed zoning R-3-2500, this is site currently proposed for zoning density decreased

The consensus was to omit this site from the rezoning program and keep as R-1-1500 but keep on inventory list.

Site 183 – Vacant site on Riverside Avenue, adjacent to the 91 freeway off-ramp -. Existing zoning is R-1 and the proposed zoning is R-3-2500

The consensus was to omit this site from the inventory site.

Site 107 – Caroline Way cul-de-sac - current zoning is Office and the proposed zoning is R-4 Multi Family Residential



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

The consensus was to omit the site from the inventory list.

Site 111 – Church on Alessandro and Fairview – current zoning is R-1-1300 and the proposed zoning is R-3-2500

Commissioner Ridgway requested to pull this site. This is a bad spot, the corner is unsafe.

The consensus was to omit the site from the inventory list.

Site 112 – group of four parcels sfr and existing church existing

Commissioner Ridgway said this was also a bad site.

Commissioner Parker agreed.

The consensus was to omit the site from the inventory list.

Site 120 – Triangular parcel Canyon Crest and El Cerrito - current zoning is R-3-1500 and the proposed zoning is R-4

The consensus was to keep the site on the inventory list.

Site 124 – Commercial building on Jurupa, east of Magnolia Avenue - currently zoned Office and proposed zoning is MU-Village

The consensus was to keep the site on the inventory list.

Site 130 – Corner of Pennsylvania and Sedgwick – existing zoning is R-1 and proposed zoning is R-3-2500

The consensus was to keep the site on the inventory list.

Site 137 – Vacant site, corner 11<sup>th</sup> and Victoria - owned by the City of Riverside Housing Authority - existing zoning R-1 and the proposed zoning is R-3-1500



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

The consensus was to keep the site on the inventory list.

Site 140 – Downtown Specific Plan – Prospect Office District - existing Press Enterprise facility

Mr. Taylor explained the Downtown area works differently because the proposal is not to change the zoning of the individual site, proposing to change what is allowed in the District of the Specific Plan. The Prospect Office District does not permit residential uses. The proposal is to amend the Specific Plan to allow residential and mixed-use development in this District for properties that front 14<sup>th</sup> Street. The Site is on the inventory contingent upon the amendment to the Specific Plan being adopted.

Commissioner Villalobos said he knew this area and didn't have problem with it. The commenter who spoke regarding this site brought up historic preservation and he agreed with that 100%. Those protections will be there for the Prospect District under Title 20.

Commissioner Ridgway agreed and using existing buildings for better uses is a responsibility.

Commissioner Roberts recalled a speaker at previous meeting was concerned with traffic with this site using neighborhood streets.

Commissioner Villalobos note that would be a traffic pattern issue.

The consensus was to keep the site on the inventory list.

Site 158 – Entire block face of Orange between 12<sup>th</sup> and 13<sup>th</sup> – Again this is in the Downtown Specific Plan

The consensus was to keep the site on the inventory list.

Mr. Taylor noted that if any of these sites happen to have a historic site, they will still be subject to Title 20 and the Cultural Heritage Board review.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

- 
- Site 159 – Pine Center, corner of Pine and Tequesquite - existing shopping center – existing zoning is R-4 and proposing Mixed-Use Urban

Mr. Taylor informed the Commission that the site is zoned R-4 which was changed during the last Housing Element from Commercial to R-4. The existing shopping center there now is a non-conforming use. The proposed zone, Mixed-Use Urban, will allow the shopping center to become a permanent, legal use again.

The consensus was to keep the site on the inventory list.

- Site 164 – Marketplace area, former Kaplan College directly adjacent to the Downtown Metrolink Station – the existing site is Commercial Retail and the proposed zone is Mixed-Use-Urban

Commissioner Roberts stated she had the same objections on this site, it is between the freeway and the metrolink, it's not healthy

Commissioner Villalobos liked this idea.

Commissioner Ridgway said this could be a showcase development for what Mixed-Use Urban is supposed to look like.

Mr. Mustafa addressed Commissioner Singh's concern regarding noise. The City has planned for a quiet zone crossing at Mission Inn. There is also the Third Street grade separation project in pipeline. Cumulatively both of these projects will do a lot to mitigate train noise.

The consensus was to keep the site on the inventory list.

- Site 170 – Existing church, corner Linden and Iowa - current zoning is BMP and Industrial and the proposed zoning is MU-Village

Commissioner Villalobos said he did not agree it was a good place.

Commissioner Parker stated he did not like this one because it is next to industrial and the freeway.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Commissioner Roberts noted that it was close to North High School

The consensus was to omit this site from the inventory list.

Site 192 – staff is recommending omitting this site. Housing not allowed here because of a covenant on record on the property due to prior contamination.

The consensus was to omit the site from the inventory list.

Site 208 – vacant site, Central and Fairview

Commissioner Ridgway requested to pull this site, not because it is going to change the face of a neighborhood that has been that way. That thinking is antiquated. Someone actually said they do not want to see Riverside change. He stated that it is a bad site.

The consensus was to omit the site from the inventory list.

Site 67 & 138 - Mr. Taylor stated these are the sites he mentioned at the end of his presentation. Staff is suggesting removing 138 because it has been developed. Site 67 recommending rezone the whole parcel, not a portion as indicated due to clerical error.

Consensus was to support staff's recommendation to remove site 138 and support the change for the whole parcel of site 67.

Ms. Kopaskie-Brown went through the list again and go through what will remain and what will be removed.

Site 22, 27, 30, 34, 85, 87, 103, 107, 111, 112, 170 and 208 and 138 will be removed.

Site 192 is being removed because of the covenant.

Site 138 was removed

Site 19 change to Mixed-Use





*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Site 67 was modified to include the whole parcel

Mr. Taylor restated the commission's recommendations:

Site 19- is a change R-4 to Mixed-Use

Omit from the Rezoning Program and the Opportunity Sites Inventory: 22, 27, 30, 34, 85, 103, 107, 111, 112, 170, 208 and staff's recommendation 192 and 138.

Omit Site 87 from the rezoning program, but keep on Opportunity Sites Inventory

Site 67 change

The commission agreed with the list as read.

Commissioner Ridgway asked if this was the time to make recommendation regarding the Zoning Code amendment regarding Planning Commission review of sites 10,000 sq. ft.? The change recommended is too big a jump. The commission doesn't want to look at every 10,000 sq.ft. parcel but maybe 20,000-25,000 sq.ft?

Mr. Taylor clarified that the provision being referred to is based on the size of the development not the size of the site. Staff's proposal is 50,000 sq.ft or 100 units whichever is higher.

It was the Commission's consensus to recommend the change to 20,000 sq.ft. or 20 units whichever is greater.

Chair Kirby opened the meeting to Commission discussion.

Commissioner Teunissen said that she understood growth but for the State to mandate our that City and State as a whole, figure that one size fits all, doesn't work for me. We all understand our cities, the mandate is too strong. We have infrastructure issues that no one is addressing. We have so many items that the State mandates to us but doesn't help us with. I do not believe I can consciously vote yes on this. I need to vote no, just to say my vote and my person does not believe the State should mandate what our cities do as a whole. I personally would like to see our city join with other cities that have a lawsuit against our State and say no to this also.

Commissioner Allen said he applauds Commissioner Teunissen. He did not agree but sure applauds her.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

---

Commissioner Singh agreed with Commissioner Teunissen.

Chair Kirby stated he concurred with Commissioner Teunissen. He has lived here since 1950. He can understand change and appreciate change but he has a hard time accepting the fact that the State can tell us we have to build 18,000 units. We do not necessarily know if we will have the infrastructure. The lake is almost dry. We have flex alerts every week now. I concur with staff we need to do something but have a hard time supporting this project. He asked for a motion.

Commissioner Ridgway stated that he would reluctantly accept staff's proposal as modified during the discussion on the opportunity sites and zoning.

Commissioner Roberts voted yes under protest that the State is mandating something they should stay out of.

It was moved by Commissioner Ridgway and seconded by Commissioner Parker to recommend that the City Council:

1. Find that:
  - a) The Draft Program Environmental Impact Report (DEIR) has been completed in compliance with the California Environmental Quality Act (CEQA);
  - b. Project alternatives do not meet the project objectives;
  - c. The project will have a significant effect on the environment, but with implementation of the identified mitigation measures in the DEIR, some potential impacts would be mitigated; however, potential impacts associated with Air Quality, Greenhouse Gas Emissions, Noise, Population and Housing, and Transportation would remain significant and unavoidable; and d. Adopt the Program Environmental Impact Report (PEIR) and Mitigation Monitoring and Reporting Program (MMRP) pursuant to Section 21081.6 of the California Public Resources Code; and
2. Approve Phase 1 General Plan Update - Planning Case PR-2021-001058 (General Plan Amendments, Specific Plan Amendments, Zoning Text Amendment, Rezoning and Program Environmental Impact Report based on the findings outlined in the staff report and with the modifications recommended by the Planning Commission during the discussion of the opportunity sites and Zoning Code.

Motion Carried: 6 Ayes, 3 Noes, 0 Absent, 0 Abstention



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

THURSDAY, SEPTEMBER 9, 2021, 5:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

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AYES: Allen, Parker, Ridgway, Roberts, Rush, Villalobos  
NOES: Kirby, Teunissen, Singh  
ABSENT: None  
ABSTENTION: None

Chair Kirby advised of the appeal period.

City Council public hearing will be required for final approval.

Ms. Kopaskie-Brown thanked the commission for attending today and doing their homework to be prepared for today.



*City of Arts & Innovation*

## **PLANNING COMMISSION** **DRAFT MINUTES**

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### ADJOURNMENT

The meeting was adjourned at 12:31 a.m. to the meeting of September 16, 2021 at 9:00 a.m.

The above actions were taken by the City Planning Commission on September 9, 2021. There is now a 10-day appeal period that ends on September 20, 2021. During this time, any interested person may appeal this action to the City Council by submitting a letter of appeal and paying the appeal fee.