



April 29, 2024

Honorable Mayor and City Council  
City of Riverside  
3900 Main Street  
Riverside CA, 92522

**Re: Arlington Mixed Use Development Project  
Planning Case PR-2022-001252: Appeal of CHB Determination re Certificate  
of Appropriateness**

Honorable Mayor and City Council:

In accordance with Riverside Municipal Code (“RMC”) section 20.15.090, the following appeal is submitted on behalf of Riverside Property Owner, LLC, concerning the Cultural Heritage Board’s (“CHB”) review of a Certificate of Appropriateness (“COA”) for Planning Case PR-2022-001252. The Riverside Municipal Code (“RMC”) requires a COA before any person may restore, rehabilitate, alter, develop, construct, demolish, remove or change the appearance of any designated cultural resource. (RMC § 20.25.010.) On April 17, 2024, the CHB considered a COA for the demolition of the former 192,139 square foot Sears Building and all appurtenances to facilitate the development of a mixed-use development consisting of residential and commercial uses (collectively, the “Project”). The COA received five votes in favor of denying the COA, and two in favor of approving the COA. For the reasons set forth below, the City Council should reverse the CHB action and approve the Project’s COA.

1. The Purpose of the Project is to Provide Much-Needed Housing.

The purpose of the Project is to assist the City of Riverside (“City”) in reaching its Regional Housing Needs Allocation (“RHNA”). RHNA is mandated by State Housing Law as part of the periodic process of updating local housing elements of the General Plan. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods.

In March 2021, SCAG adopted its 6th cycle RHNA allocation plan, which covers the planning period October 2021 through October 2029. For the 6th cycle, SCAG received a need of 1,341,827 housing units, which was distributed to all 197 SCAG jurisdictions, including the City of Riverside. Communities use RHNA in land use planning, prioritizing local resource allocation, and in deciding how to address identified existing and future housing needs resulting from population, employment and household growth.

In the 2021-2029 Housing Element Cycle, the City of Riverside’s RHNA allocation is a minimum of 18,415 new housing units. The previously adopted Housing Element cycle covering the 2013-2021 period included a RHNA allocation of 10,025 units, of which only a small portion

were built during the last seven years. The increase in the City's RHNA housing number is reflective of the State's current housing crisis, due in part to the difficulty of enabling the construction of new homes to keep up with the need for them. In order to ensure the City can safely meet its minimum, the City will need to identify space for approximately 24,000 new homes for the 2021-2029 Cycle. This Project has the opportunity to help fulfill the City's RHNA requirement with its residential use, along with promoting growth and stability in the area by providing amenities through its commercial use, such as a grocery store.

To assist the City in meeting its RHNA, the Project proposes to demolish the existing former Sears Building to facilitate the development of a mixed-used development that will allow for a total of 388 dwelling units. The Sears Building has remained closed since 2019 and, due to repeated vandalism, the electrical and mechanical systems of the building have been destroyed. Cognizant of the Sears Building's historical eligibility, we have made every effort to incorporate the character-defining features of the existing building into the Project. In doing so, the Project showcases the history of the Project site, while also alleviating a portion of the City's housing crisis.

2. The Project is Consistent with CHB's Required Findings.

The RMC requires the CHB to make certain findings when approving or denying a COA. (RMC § 20.25.010.) Findings requirements like this are important because they "serve[] to conduce the administrative body to draw legally relevant sub-conclusions of its ultimate decision; the intended effect [of which] is to facilitate orderly analysis and minimize the likelihood that the agency will randomly leap from evidence to conclusions." (*Next Century Associates, LLC. v. County of Los Angeles* (2018) 29 Cal.App.5th 713, 723-724.) While the Project involves the demolition of an eligible historic resource, the findings to support a COA can and should be made for this Project. Consistent with the staff report presented to CHB, the following facts demonstrate clear consistency with CHB's required findings and support approval of a COA.

i. *The Project incorporates design features compatible with the architectural period and the character-defining elements of the historic building.*

The former Sears Building represents a Mid-Century Modern style, reflective of the history of Modernism in the City. To honor this architectural period and the character-defining elements of the former Sears Building, the Project incorporates a Mid-century Modern design. These design features include, but are not limited to:

- Focus on horizontality and proportionality;
- Asymmetrical block like massing;
- Rectangular roof overhangs that wrap the sides of the building;
- Flat canopies extending past the edges of the building;
- Folded plate freestanding canopies;
- Materials that reflect the existing structure, including concrete breeze blocks,

- stucco cladding, stone veneer, and reuse of metal screens as possible;
  - Muted color palette typical of the existing building;
  - ALDI elevations revised to include the horizontal canopy, matching color palette, and block style reminiscent of existing building;
  - Signage to reflect the historic “Sears” script font; and,
  - A public art piece to showcase the history of the site and to provide information regarding that history.
  - Interpretive history display within the leasing office/clubhouse.
- ii. *The Project does not pose a substantial adverse change to the important architectural and historical features of the former Sears Building.*

While the Project will demolish the former Sears Building, as defined by Section 20.50.010 of the RMC, the Project’s design features and mitigation measures will safeguard the important architectural and historical features of the former Sears Building. In particular, the Project incorporates character-defining features of the existing structure to reference the architectural history of the Project site. Those design features are highlighted above. Incorporating such design features will avoid a substantial adverse change to the architectural features of the former Sears Building.

The Draft Environmental Impact Report for the Project also includes mitigation measures to lessen the environmental impact from the demolition of the former Sears Building. The mitigation will document the history of the site through photos meeting the National Park Services Guidelines. (See Draft Environmental Impact Report, MM CR-1: Historical Resources.) Specifically, a Historic American Building Survey (“HABS”) Level I or Short Format-like documentation will be prepared in accordance with the Secretary of the Interior’s Standards for Architectural and Engineering Documentation. This work will be conducted by an architectural historian who meets the Secretary of the Interior’s Professional Qualifications Standards for architectural history. Thus, the Project’s mitigation measures will adequately document the history of the site and therefore avoid a substantial adverse change to the historical features of the former Sears Building.

An Adaptive Reuse Feasibility Study (“Study”) was completed, as recommended by CHB, to review whether the former Sears Building could be reused as either multi-family residential or as self-storage. Self-storage was selected for analysis as a non-residential use because it would involve the least amount of changes to the existing structure. Re-tenanting for retail was also analyzed for feasibility by Axiom Retail Advisors. The building was shown to be undesirable primarily due to size, 192,000 sf. (100,000 sf. of which is in the basement), and location. Other adaptive reuse options would further diminish any structural integrity of the Sears Building.

If the building were to be adaptively reused for residential, windows for lighting, ventilation, and emergency access will be required per California Building Code. The lack of windows is a significant feature of the building because the former Sears Building lacked windows

to control lighting of merchandise from the interior; therefore, the addition of windows to the structure will have a significant impact on the character-defining features of the building. Due to the required exterior penetrations, for seismic requirements, this approach would require that the existing exterior walls would need to be reinforced with new walls inside. Additionally, this approach calls for the entire basement level slab to be removed and filled back with dirt. Given that the exterior walls will be supported by basement foundations and new supports will be supported on grade this may introduce differential settlement issues between the new building supports existing building wall supports. Expert analysis determined that this would not be structurally acceptable.

If the building were to be adaptively reused for self-storage, the existing ground level building slab would need to be reinforced and upgraded significantly as the loading parameters will increase substantially. This may require the addition of an entirely new slab. Additional supports in the basement would need to be added and foundations would need to be added and existing foundations would need to be upgraded. Accordingly, as confirmed by expert analysis, adaptive reuse of the former Sears Buildings is technically and economically infeasible.

*iii. The Project is compatible with the context considering its relationship to its surroundings, grading, and site development.*

The demolition of the former Sears Building will not alter the context. While the Project will alter the site development, the Project site's relationship to the surrounding neighborhood will remain unaltered. The Project will continue to be surrounded by residential to the east, north, and west, and commercial to the south. Further, the Project's proposed development of both residential and commercial features will blend seamlessly with the surrounding area.

The Project also does not propose any significant grading and therefore will not alter the context in this respect. The Project site is relatively flat and currently slopes from the southeast to the northwest. The Project plans propose 18,376 cub yards of cut and 18,127 yards of fill, with 249 cubic yards of soil exported from the site. The Project site will remain flat and is proposed to slope from the southeast to the northwest. The Project is consistent with all development standards of the Grading Code, including those for retaining walls and manufactured slopes.

Lastly, the site development aligns with the same context as the former Sears Building. The former Sears Building has a dominating presence in the neighborhood due to its strong building form and its position within the site. The existing structure and sizable parking created a prominent contrast to the surrounding single-family neighborhood and small commercial center. The proposed Project continues to create a strong presence in the neighborhood due to the incorporation of similar, strong building forms and architectural and historic references to the former Sears Building. Thus, the site development does not alter the context.

*iv. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties is inapplicable to the Project.*

Consistency with the principles of the Secretary of the Interior's Standards for the Treatment is not applicable to the Project. The Project only involves the removal of the former Sears Building and does not involve any new structures or any addition to existing structures where consistency with the Secretary of the Interior's Standards is a consideration.

Additionally, based on feasibility assessments included as Appendix C to the Project's Draft Environmental Impact Report, the adaptive reuse of the structure is technically and economically infeasible due to necessary structural upgrades and replacement of electrical and mechanical systems. Per the National Park Service, "the Standards will be applied taking into consideration the economic and technical feasibility of each project." Since adaptive reuse of the structure is technically and economically infeasible, the application of the Standard to the proposed Project is not required.

*v. The Project is consistent with state and local guidelines.*

An Environmental Impact Report was prepared in compliance with the California Environmental Quality Act ("CEQA"), State CEQA Guidelines, and the City's CEQA Guidelines; therefore, the Project is consistent with applicable state and local guidelines. There are no additional Federal, state, or local guidelines that apply to the Project. We would also note that we worked tirelessly with CHB to produce a Project that recognizes the historic Sears Building. As recognized by the Riverside Planning Commission, we revised the Project design based on comments and suggestions by CHB and the public to incorporate more Mid-century Modern design features, recognizing the historic features of the existing building.

3. Conclusion and Prayer for Relief

Based on the Project's purpose and its consistency with CHB's standards, we respectfully request that the City Council reconsider the outcome of the CHB process and approve the COA for this important Project.

Sincerely,



Jamie Chapman  
Development Manager

cc: Brian Norton, Principal Planner – Project Management