



03-006-2023-024

March 04, 2024

[VIA EMAIL TO:bnorton@riversideca.gov]
City of Riverside
Mr. Brian Norton
3900 Main Street
Riverside, CA 92522

Re: Notice Of Availability Of A Draft Environmental Impact Report for Arlington Mixed Use Development

Dear Mr. Brian Norton,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Arlington Mixed Use Development Project project. We have reviewed the documents and have the following comments:

*The presence of an approved Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer.

* MM TCR-1 verbiage needs to be changed. This part of the section, "work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing." Does this pertain to prior ground disturbances or after? If it is after, we highly recommend a tribal monitor to be present at the start of any ground disturbance activities.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 883-1137. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Luz Salazar
Cultural Resources Analyst
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

From: [Paulah May](#)
To: BNorton@riverside.ca.gov; [2Mayor](#); Julianne@Parks Polanco; [Jenn Gamble](#); Shannon@Parks Pries; [Carol McDoniel](#); [Watson, Scott](#)
Subject: [EXTERNAL] Response to draft EIR Arlington Mixed Use Project Riverside
Date: Friday, March 22, 2024 9:21:09 AM

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Response to draft EIR Arlington Mixed Use Project Riverside

The draft EIR for the Arlington Mixed Use Project is rife with inconsistencies with local, state and federal policies and regulations which would require exemptions and unmitigated and absolutely avoidable and unacceptable violations of current legislation in areas including Historical preservation law, Public hazard and safety standards, zoning, general plan amendments, CEQA, SHPO and NHPA as well as impacts to the currently stable neighborhood, infrastructure and public services. Numerous required mitigation categories are simply answered with “unavoidable serious impact”, which BY DESIGN should indicate to the lead agency that this is the wrong project for the location and the project must not be met with approval under the circumstances. The regulations and standards in place do not exist merely to cause planners, officials, developers and experts to demonstrate their prowess in navigating and circumventing existing legislation by acrobatic workarounds- they exist to set up the very red flags we are seeing in this document that indicate this project is inconsistent with current citywide, statewide and national standards and it should not be approved as submitted as it is wrong for this community and would represent a long term bad choice requiring too many concessions and forcing upon the city far too many “unavoidable serious impacts” to the environment and the people who have to live in it for generations to come.

This response will focus largely upon the proposed demolition of a known and identified Historic Resource - which is further supported, not minimized, by the expert opinion of the report provided by Albert a. Webb and associates for this draft EIR which describes the existing mid century modern Sears building thus:

“While there are better examples of the Mid-Century Modern department store typology in the United States, the Project parcel is an excellent and rare example of its type for the City and as a result, could rise to the eligibility thresholds for both national and state listing. For these reasons, the property appears eligible for listing in both the NRHP and CRHR under Criterion C and 3, respectively as it embodies distinctive characteristics of a type, period, or method of construction as an excellent and rare example of a Mid-Century Modern department store in Riverside. (DUDEK-A, p. 61).”

The ca state PRC code section 5029 (e) defines historical resources as designations that exist

for the very purpose of “resulting in restrictions on demolitions and alterations.”

CEQA employs cultural and historic preservation standards to its review process for the stated presumption that adverse impact to a cultural or historic resource is equivalent to adverse impact to the environment. The serious and irreversible adverse impact represented in this project is planned demolition and the mitigation offered in this draft EIR is “unavoidable serious impact” which is apparently going to be pursued despite required zoning changes, amendments to the general plan for the city and county of riverside and the ALUC (even though the airport land use commission has already ruled this project is incompatible with current standards and regulations), protest from the CHB and the public, violation of the intent and letter of CEQA compliances, and disregard for the existing Certified Local Government agreement the city of Riverside Planning Authority has with the SHPO and the National Parks Service; notwithstanding violating of the city historic preservation element of the city charter, Title 20 of the city municipal code (which I will remind planners here, SUPERCEDES Title 19 provisions where conflicts exist between Titles 19 and 20)... and that’s not to even begin to explore the other many instances in which this draft EIR seeks to overlook existing legislative protections for the community, the environment, public safety, and the economic growth and overall plan for this community and its future.

The suggested mitigations of adverse impacts in this draft EIR are, in many cases, not only complete disregard of guidelines in place to prevent projects such as this from proceeding, but also contain in certain areas infeasible, unenforceable and quite frankly ridiculous measures that have no basis in reality. For instance: the suggested measure of “informing property management” that they can force tenants to pay for parking will not mitigate traffic impacts by causing tenants to reconsider owning a vehicle, this is completely unsubstantiated. What we will observe is further congestion of surrounding neighborhood streets with public use of curb parking outside of this proposed gated community where our city planners think that a suggestion of paying for limited parking space is a valid measure to protect our community from this project which they seek to approve out of simple fear of not meeting state housing crisis mandates. There are goals to supersede the state housing mandates which are commendable, however, THIS project does not meet the standards or long term goals of the city, it does not comply with CEQA, IT MUST BE MODIFIED OR DENIED UNDER CURRENT CITY, STATE AND FEDERAL GUIDELINES IF THIS DRAFT EIR IS ACCURATE IN ITS REPRESENTATIONS.

alternatives in this report have not been adequately explored and a range of acceptable alternatives. is not represented herein. To describe the “no project” alternative 1 as having the same or similar impact as demolition of the site is wholly inaccurate and misrepresentative. The only alternative offered by the lead agency in this report and draftEIR is demolition and current project proposals which is unacceptable.

Further, alternative 2- adaptive reuse - has also been represented as having the same or similar adverse impact as demolition and has been disregarded despite meeting at least 3 of the stated 5 project goals. I would refute the implication that adaptive reuse is the same as demolition and suggest the lead agency look to a simple google search of “adaptive reuse of sears buildings” to find a plethora of creative and beneficial reuse of historic sears buildings across the United States. Adaptive reuse is not only a feasible and viable alternative to this project, it is the national norm. Please see Santa Monica, Atlanta, Houston, NY, Memphis, Detroit and other many examples of financially feasible and beneficial mitigation by adaptive reuse projects.

I am embarrassed to think our city has so little interest in its future that our city planners would believe this draft EIR and its flippant effort at mitigation would not be noticed or contested. Please accept my apology for my fellow constituents and lack of attention to the process.

This is the wrong project for this property. This draft EIR and the many hoops it will require legislatively be jumped through are indicative of that. Please explore all feasible and reasonable project alternatives until this project can be made to comply with existing and purposeful planning legislation. We must not bend and twist the regulations simply to get this one project made - it is why we HAVE a planning department.

Thank you
Paula Horychuk
Resident of the city of Riverside

contact Paula Horychuk
<paulahlah@icloud.com

Arlington Mixed Use Project



You are being asked to overlook:
NINE SIGNIFICANT AND ADVERSE IMPACTS
to environmental standards

And approve permanent rewrites to
FIVE CITY AND COUNTY CODES & STANDARDS

For **ONE PROJECT**

THESE ARE RED FLAGS,
Not hoops to jump through

Violates or fails to comply with standards set by:
National, State, Local Historic Preservation
Greenhouse Gas Emissions
Traffic
Public Safety hazards
Airport Commission
Land Use
Zoning
CEQA, NHPA, CLG & Title 19&20, General plan

contact Paula Horychuk
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