



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: SEPTEMBER 12, 2023

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARD: 1
DEPARTMENT

SUBJECT: P19-0560 (CONDITIONAL USE PERMIT), P19-0561 (VARIANCE), P19-0563 (CERTIFICATE OF APPROPRIATENESS) – RESCISSION OF APPROVAL OF ENTITLEMENTS FOR THE CONSTRUCTION OF A HOTEL AND ADAPTIVE REUSE OF THE FORMER CENTRAL FIRE STATION INTO OFFICE SPACE - LOCATED AT 3420-3482 MISSION INN AVENUE, SITUATED ON THE SOUTH SIDE OF MISSION INN AVENUE BETWEEN LEMON AND LIME STREETS

ISSUE:

Rescind approval of Planning Cases P19-0560 (Conditional Use Permit), P19-0561 (Variance), and P19-0563 (Certificate of Appropriateness) for the proposed hotel development (AC Marriott/Residence Inn) and adaptive reuse of the former Central Fire Station located at 3420-3482 Mission Inn Avenue.

RECOMMENDATIONS:

That the City Council:

1. Rescind the determination that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. Rescind approval of Planning Cases P19-0560 (Conditional Use Permit), P19-0561 (Variance), P19-0563 (Certificate of Appropriateness).

BACKGROUND:

On November 16, 2021, the City Council voted to:

1. Determine the Certificate of Appropriateness for the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15331 (Historic Resource Restoration/Rehabilitation) and 15332 (In-Fill Development Projects), as it constitutes an in-fill and rehabilitation project, consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties;
2. Uphold the appeal by Greens Ehrenberg, LLC and approve Planning Case P19-0563 Certificate of Appropriateness, based on the findings outlined in the Cultural Heritage Board staff report and subject to the recommended conditions of approval;
3. Uphold the Planning Commission’s determination that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill

Development Projects) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and

4. Deny the appeal by Louzeau Drury, on behalf of Supporters Alliance for Environmental Responsibility (SAFER) and uphold the City Planning Commission's approval of Planning Cases P19-0560 (Conditional Use Permit), P19-0561 (Variance), and P19-0562 (Variance), based on the findings outlined in the staff report and subject to the conditions of approval.

On January 20 and 21, 2022, the City was sued under the California Environmental Quality Act (CEQA) by numerous parties, including the Old Riverside Foundation, First Congregational Church, Mission District Associates, Historic Mission Inn, and Supporters Alliance for a Safer Environment.

DISCUSSION:

The matter went to trial on June 2, 2022; the court ruled in favor of the petitioners, and the City was ordered to rescind project entitlements. Formal rescission of those approvals ensures compliance with the writ of mandate issued by the court (Attachments 1 & 2).

A Purchase and Sale Agreement was approved by the City Council, subsequently amended in December 2018 (First Amendment), in April 2020 (Second Amendment) and remains in effect. Greens is required to comply with the provisions of the approved PSA and its revisions. Greens representatives have notified the City they intend to submit new entitlement applications and complete an Environmental Impact Report.

FISCAL IMPACT:

There is no fiscal impact since all costs are borne by the Applicant.

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Certified as to
availability of funds: Kristie Thomas, Finance Director/ Assistant Chief Financial Officer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Old Riverside Foundation – Writ of Mandate
2. Supporters Alliance For Environmental Responsibility (SAFER) – Writ of Mandate
3. City Council Memo – November 16, 2021