



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: SEPTEMBER 10, 2024

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARD: 4
DEPARTMENT

SUBJECT: PLANNING CASE P04-0260 ZONING CODE MAP AMENDMENT – A REQUEST BY MOHAMAD YOUNES OF SPRING CANYON RECOVERY, LLC TO REZONE 14.96 VACANT ACRES FROM PF – PUBLIC FACILITIES ZONE TO RC – RESIDENTIAL CONSERVATION ZONE, TO FACILITATE TENTATIVE TRACT MAP NO. 31930 – GENERALLY SITUATED SOUTH OF THE TERMINUSES OF CRESTHAVEN DRIVE AND CENTURY HILL DRIVE, AND WEST OF THE TERMINUSES OF APOSTLE LANE AND OLD BRIDGE ROAD

ISSUE:

Approve a request by Mohamad Younes of Spring Canyon Recovery, LLC to rezone 14.96 acres from PF – Public Facilities Zone to RC – Residential Conservation Zone.

RECOMMENDATIONS:

That the City Council:

1. Determine that the proposed project will not have a significant effect on the environment and is consistent with the Mitigated Negative Declaration adopted by the City Council on September 28, 2004 and March 6, 2007, pursuant to Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines;
2. Approve Planning Case P04-0260 Zoning Code Map Amendment based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions; and
3. Introduce and subsequently adopt the attached Ordinance amending the Zoning Map.

COMMISSION RECOMMENDATION:

On August 19, 2004, the Planning Commission recommended to City Council to approve Planning Cases P03-1451 (Tentative Tract Map No. 31930) and P04-0260 (Zoning Code Map Amendment) (Attachment 6).

BACKGROUND:

On September 28, 2004, City Council approved Tentative Tract Map No. 31930 and the Zoning Code Map Amendment and requested the City Attorney's Office prepare the rezoning Ordinance (Attachments 4 and 5). Prior to the preparation and introduction of the Ordinance to Rezone, the applicant was required to satisfy a condition of approval, requiring the acquisition of a 17.45 acre

parcel, owned by the Riverside County Flood Control & Water Conservation District. As of the writing of this report, the applicant has not been able to successfully obtain ownership of the parcel; therefore, the map has been revised to remove the parcel owned by Riverside County Flood Control & Water Conservation District from the boundaries of the map, to allow for the rezone of the property and for the recordation of the final map.

On March 6, 2007, the City Council approved a revised Tentative Tract Map No. 31930 in conjunction with the approval of a Settlement Agreement with the Friends of Riverside's Hills (Attachments 2, 3, and 7). City Council continued the discussion of the applicant's appeal of two conditions of approval. On April 24, 2007, the City Council denied the applicant's request and approved the conditions of approval as outlined in the staff report.

DISCUSSION:

The rezone of 14.96 acres from PF – Public Facilities Zone to RC – Residential Conservation Zone is required to allow for subdivision of the property. The proposed RC – Residential Conservation Zone is consistent with the underlying HR – Hillside Residential and OS – Open Space/Natural Resources General Plan land use designations, as detailed in the August 19, 2004 Planning Commission staff report (Attachment 6).

As a matter of information, a Substantial Conformance application (Planning Case DP-2024-01178) has been submitted to make modifications to Tentative Tract Map No. 39130, which include (Attachment 8):

- Removal of the 17.45 acre parcel owned by Riverside County Flood Control & Water Conservation District (APN: 243-180-003) from the boundaries of the map;
- Modifying the configuration of lot 28, as a portion of the lot had included some of the Riverside County Flood Control & Water Conservation District parcel;
- Lots 9, 10, and 11 were removed from the map, resulting in a total of 25 residential lots;
- The Grass Valley Way cul-de-sac was redesigned and lot 8 was reconfigured; and
- Eliminate the Riverside County Flood Control & Water Conservation District access road and the sewer access road.

The revised Tentative Tract Map is in substantial conformance with the previous approval, as the map boundaries have not increased in size and the number of residential lots have not increased.

In addition, as part of the Substantial Conformance application, condition of approval #8 of Tentative Tract Map No. 31930 requires the unused portion of right-of-way from the existing cul-de-sac bulb of Cresthaven Drive to be vacated. Upon further review, staff has determined condition of approval is no longer applicable, as the existing cul-de-sac bulb provides greater accessibility and maneuverability for emergency vehicles (Attachment 10).

The applicant has presented the revised map to the counterparty in the Settlement Agreement (Friends of Riverside's Hills) concerning this Tentative Tract Map, and they are in agreement that the revised map continues to meet the terms of the Settlement Agreement that was approved by City Council in 2007 (Attachment 9).

STRATEGIC PLAN ALIGNMENT:

This project contributes to the Envision Riverside 2025 City Council Strategic Plan Priority 2 – Community Well-Being (Goal 2.1 – Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income).

This item aligns with each of the five Cross-Cutting Threads, as follows:

1. Community Trust: The proposed project will be reviewed at a public meeting held by the City Council and the public is able to provide comments.
2. Equity: The proposed project facilitates Tentative Tract Map No. 31930 that provides housing opportunities that benefit all residences in the community and region.
3. Fiscal Responsibility: All project costs are borne by the applicant.
4. Innovation: The proposed rezone facilitates Tentative Tract Map No. 31930 that will meet the growing community's needs for increased housing opportunities while situating residents in proximity to community services.
5. Sustainability and Resiliency: All future construction will meet the most up-to-date Building Codes.

FISCAL IMPACT:

There is no impact as all project costs are borne by the applicant.

Prepared by:	Candice Assadzadeh, Senior Planner
Approved by:	Jennifer Lilley, Community & Economic Development Director
Certified as to availability of funds:	Kristie Thomas, Finance Director/Assistant City Financial Officer
Approved by:	Mike Futrell, City Manager
Approved as to form:	Phaedra Norton, City Attorney

Attachments:

1. Ordinance Amending the Zoning Code
2. City Council Report – March 6, 2007
3. City Council Minutes – March 6, 2007
4. City Council Report – September 28, 2004
5. City Council Minutes – September 28, 2004
6. Planning Commission Report – August 19, 2004
7. Existing Tentative Tract Map No. 31930
8. Revised Tentative Tract Map No. 31930
9. Correspondence from the Friends of Riverside's Hills and Settlement Agreement
Compliance Narrative
10. Revised Conditions of Approval
11. Presentation