



City of Arts & Innovation

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL**      **DATE: AUGUST 19, 2025**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT**      **WARD: 4**  
**DEPARTMENT**

**SUBJECT: TO CONSIDER A REFERRAL BY COUNCILMEMBER CERVANTES - OF AN APPROVAL OF PLANNING CASE PR-2021-00119 (GRADING EXCEPTION) – BY THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOR THE GRADING OF A BUILDING PAD TO FACILITATE THE FUTURE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE - SITUATED AT 6500 HAWARDEN DRIVE AND 6869 WYNDHAM HILL DRIVE, GENERALLY LOCATED NORTHERLY OF THE INTERSECTION OF WYNDHAM HILL DRIVE AND CHARTWELL DRIVE**

## **ISSUE:**

Referral by Councilmember Cervantes of an approval by the Community & Economic Development Department Director of a proposal by Jim Guthrie for a Grading Exception to allow grading for a 26,220 square foot building pad, portions of which would encroach into the mapped Alessandro Arroyo and 50-foot Arroyo setback, to facilitate future development of a single-family residence. The project is situated at 6500 Hawarden Drive and 6869 Wyndham Hill Drive, located northerly of the intersection of Wyndham Hill Drive and Chartwell Drive.

## **RECOMMENDATIONS:**

That the City Council:

1. **UPHOLD** the decision of the Community & Economic Development Department Director and determine that the proposed project is categorically exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15303 (New Construction or Conversion of Small Structures); and
2. **APPROVE** Planning Case PR-2021-00119 (Grading Exception) based on the findings outlined in the staff report and subject to the conditions of approval.

## **BACKGROUND:**

### *Community & Economic Development Department Director Decision*

On June 4, 2025, the Community & Economic Development Department (CEDD) Director approved the proposed project, subject to the conditions of approval (Attachment 1).

Actions by the CEDD Director, including any environmental finding, may be referred to City Council by a City Councilmember within ten calendar days after the decision.

On June 6, 2025 Councilmember Cervantes requested to refer the project to a City Council Hearing due to concerns related to the arroyo and the grading exception (Attachment 2).

## **DISCUSSION:**

### *Site Background*

The subject property consists of two vacant parcels totaling 17.59-acres, located north of the intersection of Wyndham Hill Drive and Chartwell Drive. The applicant's property has largely remained vacant since the 1990's, when citrus groves were removed that had occupied the site since the early 1930's.

The property has an overall average natural slope of 12.4 percent and roughly 14.62-acres is located at a lower mean sea level (MSL) elevation (MSL 1022-1038) generally equal to or slightly elevated with the existing blue line stream that flows across the north portion of the property from east-to-west and the existing tributary that runs along the south-southwest portion of the property. The remainder of the properties 2.97-acres is elevated (MSL 1040-1105) and generally equal to or slightly below the elevation of existing properties to the south and east of the subject site. Additionally, approximately 98.55 percent (755,086 square feet) of the 17.59-acre (766,220 square feet) property is located within the mapped Alessandro Arroyo and 50-foot Arroyo setback.

Surrounding land uses include similar development patterns with single family residences on graded building pads to the north, east, west and south. Parcels developed with single family residences, along both Wyndham Hill Drive and Chartwell Drive, were generally approved/developed in the late 1980's to early 1990's. Those properties are developed with graded building pads, manufactured slopes, retaining walls, level yard areas and single-family residences similar in nature to the proposal, noted below.

### *Project Description*

The applicant is requesting approval of a Grading Exception to allow grading for a 26,220 square-foot building pad, portions of which would encroach into the mapped Alessandro Arroyo and 50-foot Arroyo setback. The building pad would facilitate development of a future single-family residence, yard, garage and adequate maneuvering area for vehicles. Grading plans reflect a net export of 9,000 cubic yards of soil from the site, lowering the finished graded building pad area to an MSL elevation of 1090 and the yard area MSL elevation to 1087. Due to the site's topography, plans reflect the building pad would be lowered by up to 15-feet along the eastern portion of the pad and daylight with existing contours on the west side of the pad. The limited yard elevation is proposed to be 3 feet lower than the primary portion of the building pad. All manufactured slope ratios are proposed to be 2:1, with the exception of the slope between the building and yard areas, proposed at a 4:1 slope ratio.

The project proposes off-site improvements along an access easement over the adjoining property to the south-southeast located at 6869 Wyndham Hill Drive. A portion of the 0.28-acre easement area is proposed to be improved with a driveway to accommodate vehicle, pedestrian and utility access to the site.

The project also includes a lot line adjustment. The adjustment would maintain 2 parcels, with parcel 1, on the northern portion of the project site proposed to be 6.19-acres and parcel 2 located on the south portion of the project site to be 11.39-acres. No development or land disturbance is proposed for parcel 1 as part of this proposal.

The project does not propose to change, alter, reconfigure or modify the adopted boundaries of the Alessandro Arroyo or the 50-foot arroyo setback.

### *Analysis*

The 17.59-acre project site has multiple zoning designations, including R-1-1/2 Acre – Single Family Residential Zone, RC – Residential Conservation Zone and R-1-13000 – Single Family Residential Zone. The portion of the project site proposed for development is within the R-1-1/2-

Acre – Single Family Residential Zone, consistent with the VLDR – Very Low-Density Residential land use designation. The extent of the project is located within the R-1-1/2-Acre Zone. The R-1-1/2-Acre Zone allows for the grading of a building pad for the future construction of a single-family residence.

Development of the project site is subject to Title 17 – Grading Code of the Riverside Municipal Code. Due to the proximity of the Alessandro Arroyo, USGS identified blue line streams and the average natural slope of the properties being greater than 10 percent, Section 17.28.020 Hillside/Arroyo Grading of the Grading Code applies. As conditioned, the project complies with the development standards established in the Grading Code with the exception of portions of the proposed building pad which would encroach into the defined arroyo and 50-foot arroyo setback, therefore the applicant is requesting a Grading Exception to grade within a portion of the Alessandro Arroyo and the 50-foot Arroyo setback. Roughly 98.55 percent (755,086 square feet) of the 17.59-acre (766,220 square feet) site is located within the mapped Alessandro Arroyo and 50-foot Arroyo setback. The boundaries of the arroyo, the 50-foot arroyo setback, and the required building setbacks of the R-1-1/2 Acre Zone result in a buildable area of approximately 10,121 square feet (0.23-acres). The buildable area is ill-shaped and of an impractical configuration/shape which results in practical difficulties in facilitating a graded building pad to construct a single-family residence, as permitted in the zone. Based on the mapped boundaries of the Alessandro Arroyo, the 50-foot Arroyo setback and the shape of the buildable area, without the granting of a Grading Exception the buildable area is impractical and would result in challenges associated with other development standards, such as, contour and bench grading, retaining walls and site access in order to develop the property similar in nature to others in the immediate area.

Furthermore, technical studies related to Biological Resources and Air Quality were conducted to assess the proposed project..

The Biological Assessment (Habitat Assessment and Multiple Species Conservation Habitat Plan (MSHCP) Consistency Analysis) prepared by Glen Lukos Associates was conducted to analyze and determine if the proposed project would impact biological, topographical or geographical resources as a result of the proposed development. As indicated in the Habitat Assessment, no adverse effects would arise as a result of the project proposal. Specifically, no special-status plant species were detected on the project site, nor do the soils and conditions of the project site have the potential to support special status plants (Habitat Assessment - Page 41). Additionally, no special-status animal species were detected on the project site during biological surveys (Habitat Assessment Page 41), including burrowing owls. The site is located within the Western Riverside County MSHCP, 'Given the low likelihood of the project impacting species, and the minimal areas of disturbance of the Alessandro Arroyo and 50-foot arroyo setback, the project would not make a cumulatively considerable contribution to the regional decline of these species' (Habitat Assessment Page 43). Lastly, no impacts were identified to riparian/riverine resources, rock outcroppings or other unique geological features. With the conditions of approval, the assessment determined, less than significant impacts to no adverse impacts to the arroyo would occur and that the project as proposed is consistent with all applicable policies of the Multi Species Habitat Conservation Plan (MSHCP) and would have no impacts or cumulative impacts on the state and federal waters, and wetlands, riparian/riverine or vernal pool resources, wildlife linkage/corridors or wildlife nurseries or special-status animal species.

The Air Quality Assessment prepared by Webb Associates was conducted to evaluate air quality emissions as a result of soil hauling. The assessment was conducted consistent with the methodology prepared by the South Coast Air Quality Management District (SCAQMD), which included assessing the project's soil truck hauling against the SCAQMD criteria air pollutant emissions (Volatile Organic Compound (VOC), Nitrogen Oxide, Carbon Monoxide, Sulfur Oxides, and Particulate Matter 10 and 2.5). The analysis concluded soil hauling activities from the

proposed Project will not exceed criteria air pollutant thresholds established by the SCAQMD.

### *Summary*

The proposal to grade a building pad for the future construction of a single-family residence is consistent with Objectives and Policies of the General Plan of the Alessandro Heights and Hawarden Hills Neighborhoods, the development standards of the Zoning Code and the Grading Code; with the exception of the request for a Grading Exception for a portion of the building pad to encroach into the defined Alessandro Arroyo and 50-foot Arroyo Setback. Due to the site's topography and Arroyo overlay, the allowable on-site area in which to develop is impractical in both shape and size. Adherence to the allowable area would result in challenges associated with other development standards as noted above.

Prior to the determination of the CEDD Director, staff received six letters in opposition, one in support and one neutral, concerns related to the proposal include; preservation and construction within the Arroyo, remapping of the Arroyo, building pad size as it relates to the site, lack of adequate justification for the Grading Exception, driveway width, wildfire and Fire Department Access, environmental determination, disregard of the Zoning setbacks and ordinances to accommodate the project, placement of silt fencing during construction, noticing and excess grading. Detailed responses to the comments received by staff can be found in the CEDD Director Staff Report (Attachment 1).

### **FISCAL IMPACT:**

There is no fiscal impact associated with this action since all project costs are borne by the applicant.

Prepared by:	Brian Norton, Principal Planner
Approved by:	Jennifer A. Lilley, Community & Economic Development Director
Certified as to availability of funds:	Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by:	Mike Futrell, City Manager
Approved as to form:	Rebecca McKee-Reimbold, Interim City Attorney

### Attachments:

1. CEDD Director Staff Report, Findings, Conditions of Approval, and Exhibits – June 4, 2025
2. Referral Request from Councilmember Cervantes – June 6, 2025
3. Location Map
4. Zoning Map
5. General Plan Map
6. Arroyo and USGS Blueline Stream Map
7. Contour Map
8. Project Plans (Grading Plans, Floor Plan)
9. Environmental Documents (Habitat Assessment and MSHCP Consistency Analysis, Air Quality Assessment)
10. Presentation