



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: MAY 7, 2024**

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

SUBJECT: PLANNING CASE PR-2022-001293 PARCEL MAP AND GRADING EXCEPTION – RESCISSION OF APPROVAL OF ENTITLEMENTS FOR A TENTATIVE PARCEL MAP (NO. 38174) AND GRADING EXCEPTION TO ALLOW GRADING WITHIN THE PRENDA ARROYO AND 50-FOOT ARROYO SETBACK – LOCATED AT 841 ALPINE MEADOWS LANE, SITUATED ON THE SOUTH SIDE OF ALPINE MEADOWS LANE, BETWEEN HARBART DRIVE AND KINGDOM DRIVE

ISSUE:

Rescind approval of Planning Case PR-2022-001293 (Parcel Map and Grading Exception) for a Tentative Parcel Map (No. 38174) and Grading Exception to subdivide a 5.74-acre parcel into four parcels for residential purposes and allow grading within the Prenda Arroyo and the 50-foot arroyo setback.

RECOMMENDATIONS:

That the City Council:

1. **RESCIND** the determination that the project will not have a significant effect on the environment based on the findings set forth in the case record and the adoption of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), pursuant to Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and
2. **RESCIND** approval of Planning Case PR-2022-001293 (Parcel Map and Grading Exception).

BACKGROUND/DISCUSSION:

On February 27, 2024, the City Council voted to:

1. Uphold the decision of the Community & Economic Development Department Director and determine that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), pursuant to Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and

2. Approve Planning Case PR-2022-001293 (Parcel Map and Grading Exception) based on the findings outlined in the staff report and subject to the conditions of approval.

On April 11, 2024, the City and project applicant were sued under the California Environmental Quality Act (CEQA) by the Friends of Riverside's Hills (Attachment 1).

Subsequently, the applicant notified staff that they would no longer be moving forward with the project and requested that the approvals be rescinded.

FISCAL IMPACT:

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

Prepared by:	Candice Assadzadeh, Senior 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:	Rafael Guzman, Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Attachments:

1. Friends of Riverside's Hills – Writ of Mandate and Complaint
2. City Council Memo – February 27, 2024