



PLANNING COMMISSION ACTION MINUTES

**CITY HALL – COUNCIL CHAMBER
68700 AVENIDA LALO GUERRERO
CATHEDRAL CITY, CA 92234**

DATE: JUNE 6, 2007

TIME: 6:00 P.M.

PLANNING COMMISSIONERS

SONJA S. MARCHAND, CHAIR

**LEE STARK, VICE-CHAIR
BILL CUNNINGHAM, COMMISSIONER**

**TODD HOOKS, COMMISSIONER
JIM WARLIN, COMMISSIONER**

COMMISSIONERS PRESENT/ABSENT:

Chair Sonja Marchand - Present
Vice-Chair Lee Stark - Present
Bill Cunningham - Present
Todd Hooks - Present
Jim Warlin - Present

STAFF PRESENT: Leisa Lukes, City Planner; Rich Malacoff, Associate Planner; David Leonard, Contract Planner; and Charles Green, City Attorney.

PUBLIC HEARING CALENDAR

ITEM #1

CASE NO: Tentative Tract Map No. 34322
Planned Unit Development Case
No. 07-001

APPLICANT: Empire West Development, Inc
M3 Development, LP
44600 Village Court
Palm Desert, CA 92260

STAFF David Leonard
PLANNER: Contract Planner

LOCATION: Southeast corner of the intersection of
Vista Chino and Landau Blvd. within the
Desert Princess Country Club.

ZONING: RR (Resort Residential) District

REQUEST: Subdividing of 36.61 acres into 122 single family dwelling units and establishing land use regulations, development standards, and design guidelines through the adoption of a Planned Unit Development.

Leisa Lukes City Planner excused herself due to a Conflict of Interest.

CHANGES TO Changes to Planned Unit Development No. 07-001

CONDITIONS: **Modification to Condition 1.2**

Approval of the referenced exhibit project is preliminary only. All final working drawings shall be submitted to and approved by the Planning, Engineering, and Building Departments prior to issuance of building permits. The development of the property shall conform substantially to that as approved in Exhibit A, which was distributed to the Planning Commission on ~~dated~~ June 6, 2007, except as specifically modified by any of the conditions of approval. Any deviation from the approved set of improvement plans shall be approved in writing by the City Planner prior to the installation, construction, or deletion of the requested plan modification.

Modification to Condition 2.1

DESCRIPTION	CURRENT FEE/CALCULATION FORMULA
<i>Police, Fire, Facilities & Signalization</i>	<i>\$150.00 per 1,000 square foot increment</i>
<i>*Agua Caliente Band of Cahuilla Indians Tribal Habitat Conservation Plan (THCP), or Multi-species Habitat Plan, whichever applies</i>	<i>\$2,371.00 per acre</i>
<i>Master Underground Plan</i>	<i>\$.15 per square foot of area under roof structure</i>
<i>Development Impact Fee</i>	<i>\$1,850 per unit</i>

Modification to Condition 3.1

Pursuant to City policy, no building permits, except for model homes, shall be issued until Tract 34322, or the phases thereof, are recorded.

Modification to Condition 3.11

The applicant shall submit a plan illustrating the design specification for rear yard fencing, which shall not exceed 74 inches in height.

Modification to Condition 3.12

Interior walls between units are exempt from the requirement in Condition 3.11.

Modification to Condition 3.14

Decorative pavers surfaces shall be installed at vehicular entrances to the project. The type of paver paving shall be approved by the City Planner prior to the issuance of a Building Permit.

Deletion of Condition 3.15

~~All drains shall be interior to the building and exposed drain pipes are specifically prohibited.~~

Modification to Condition 3.18

Prior to the issuance of grading permits, focused biological assessment(s), or letter update acceptable to the City Planner, the applicant shall obtain a clearance letter from a licensed biologist shall be conducted to determine the continued presence of the Flat-Tailed Horned Lizard, Coachella Valley Fringe-toed Lizard, Coachella Giant Sand Treader Cricket, the Coachella Valley Jerusalem Cricket, and Casey's June Beetle. The assessment(s) shall be conducted during weather and seasonal conditions that are most favorable for detecting the species within one year prior to grading permit issuance. Advisory: Additional mitigation may be required pursuant to future assessment(s).

Deletion of Condition 4.7

~~Prior to any Final Occupancy Permit being issued in any phase of development seeking final occupancy, curbs will be painted red at least 15 feet in each direction of the fire hydrant for a total of 30 feet of painted curb in front of the hydrant.~~

Modification to Condition 5.4

Temporary access shall be limited to the signalized intersection of Vista Chino at Desert Princess existing access easement(s) located between the Whitewater Wash and W. Chimayo Drive, and so noted on the Final Grading Plan, as approved by the Traffic Manager of the Engineering Department. A soils engineer shall document the condition of existing improvements, and evaluate said improvements following construction to determine if repairs are required as a result of construction activity along existing private streets.

Deletion of Condition 5.6

~~There shall be no encroachment into public rights of way for construction trailers, equipment, trash bins, portable toilets, or materials; all of which shall be kept on site. Construction access to the site shall be by an~~

~~approved driveway, entry, or curb cut; no asphalt ramps or curb jumping shall be permitted~~

Modification to Condition 5.8

At no time shall any adjacent streets for the project be allowed to be used for construction staging, storage, or other such construction related activities. Access by heavy equipment shall be limited to the ~~minimum number of trips essential to completing the construction.~~ temporary access route approved by the Traffic Manager of the Engineering Department.

Modification to Condition 5.9

Existing water and/or sewer mains on or adjacent to this property are under the jurisdiction of the local water and sewer agency and the relocation of water and sewer facilities shall be approved by the appropriate water purveyor.

Any lot for which a Certificate of Occupancy is sought, shall have written verification that water and sewer systems have been approved and are installed.

- ~~• Prior to the issuance of building permits, the applicant shall demonstrate that the local water/sewer agency will serve the project; that any/all fees to the water agency have been paid or are arranged to be paid as part of the development of the site; and that all rights of way and other off site approvals have been granted in order to construct these systems. All required water/sewer systems shall be installed and approved prior to issuance of a Certificate of Occupancy.~~

~~Sanitary sewers shall be installed in conformance with local water agency policies and standards.~~

Modification to Condition 5.13

All on-site paving, ~~curbs and gutters, ramps, and other site work~~ shall be constructed to City standards subject to improvement plans approved by the City Engineer. ~~The applicant shall obtain an on site encroachment permits from the Engineering Department.~~

Modification to Condition 5.15

The on-site driveways and parking areas shall be improved with asphalt or concrete paving, ~~curbs, gutters~~ and appurtenances generally shown on the approved site plan and precise grading plan. The thickness of the pavement shall be determined by the applicant's engineer, based on 'R' value tests taken of the soils and appropriate traffic indices to be determined by the

engineer, all subject to the approval of the City Engineer.

Modification to Condition 5.16

All required street ~~or public~~ improvements shall be shown on either the precise grading plan, or a separate street improvement plan, approved by the City Engineer prior to the issuance of any work commencing on the site. All improvements shall be completed prior to the issuance of a final occupancy permit for any of the proposed buildings. Any relocation or modification of any existing facility in ~~public right of way~~ adjoining private streets to accommodate improvements for the proposed project shall be at the applicant's expense.

Changes to Tentative Tract Map No. 34322

Modification to Condition 2.1

<i>DESCRIPTION</i>	<i>CURRENT FEE/CALCULATION FORMULA</i>
<i>Police, Fire, Facilities & Signalization</i>	<i>\$150.00 per 1,000 square foot increment</i>
<i>*Agua Caliente Band of Cahuilla Indians Tribal Habitat Conservation Plan (THCP), or Multi-species Habitat Plan, whichever applies</i>	<i>\$2,371.00 per acre</i>
<i>Master Underground Plan</i>	<i>\$.15 per square foot of area under roof structure</i>
<i>Development Impact Fee</i>	<i>\$1,850 per unit</i>

Modification to Condition 3.2

The applicant shall prepare a final landscape plan that contains the information prescribed by the City Planner and is consistent with all City Design Guidelines, that shall include the following:

- a) Side yard landscaping for each lot.
- b) Design specification for rear yard fencing, which shall not exceed 74 inches in height.
- c) ~~Design specification for aesthetic treatment to community mailbox facilities.~~

Modification to Condition 3.6

The front setbacks for Lots 1 through 22, 26 through 40, ~~and 44 through 54~~ shall be staggered at a distance between eighteen (18) feet and twenty-two

(22) feet, for an average setback of twenty (20) feet.

Modification to Condition 6.1

A Class I Bike Trail shall be dedicated along the westerly boundary of the tract map, or in an alternate alignment as approved by the Planning Department. ~~The applicant shall dedicate a trail easement along the westerly boundary of Tract 34322 in conformance with the 2001 CVAG Non-Motorized Transportation Plan, or provide evidence that the referenced trail easement is planned for lands outside of the tract boundary.~~

Addition of Condition No. 5.22

The applicant shall annex into any future or existing Community Facilities District prior to the issuance of any building permit.

The Planning Commission approved the following Minute Motion to be forwarded to the City Council:

"The Planning Commission approved the project, including two conditions of approval relating to a non-motorized trail because it felt obligated to do so. However, the Planning Commission questions the practicality in this case and urges the City Council to review these conditions with a view to possible revocation."

MOTION: Adopt motion approving

Motion: Hooks Second: Warlin

VOTING RESULTS: Approved: 5 - 0
AYES: Cunningham, Hooks, Warlin, Starks and Marchand
NOES: None
ABSTAIN: None
ABSENT: None

ITEM #2

Chair Marchand and Commissioner Hooks excused themselves due to possible conflict of interest.

CASE No: Development Review No. 07-001
Conditional Use Permit No. 07-003
Tentative Parcel Map No. 35591

APPLICANT: Michael Keele
Cathedral City Storage, LLC

STAFF PLANNER: Rich Malacoff, AICP

19200 Von Karman Drive #340
Irvine, CA 92612

LOCATION: Northeast corner of Date Palm and
Gerald Ford Drives.

ZONING: PCC (Planned Community
Commercial) District

REQUEST: Renovation of an existing building and the addition of 27,650 square feet for
retail use, the construction of a 3,200 square foot drive-thru facility, and the
subdivision of 7.59 acres into four commercial lots and two lettered lots for a
commercial retail center.

CHANGES TO Changes to Conditional Use Permit No. 07-003 and Design Review No.
CONDITIONS: 07-001

Modification of Condition No. 1.2

Approval of the referenced ~~exhibit~~ **project** is preliminary only. All final
working drawings shall be submitted to and approved by the Planning,
Engineering, and Building Departments prior to issuance of building permits.
The development of the property shall conform substantially to that as
approved in Exhibit A, ~~which was distributed to the Planning Commission on~~
~~dated~~ June 6, 2007, except as specifically modified by any of the conditions
of approval. Any deviation from the approved set of improvement plans shall
be approved in writing by the City Planner prior to the installation,
construction, or deletion of the requested plan modification.

Changes to Tentative Parcel Map No. 35591

Delete Condition 1.2

~~The final map shall be approved by the City Council and recorded prior to the
issuance of any Building Permits.~~

Delete Condition No. 3.4

~~The applicant shall annex into any future or existing Community Facilities
District prior to the approval of the Final Parcel Map.~~

MOTION: Adopt motion approving
Motion: Cunningham Second: Warlin

VOTING RESULTS: Approved: 3 - 0
AYES: Cunningham, Warlin and Starks
NOES: None
ABSTAIN: Marchand and Hooks
ABSENT: None

ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

The next regularly scheduled meeting of the Planning Commission will be held on June 20, 2007 at 6:00 p.m., at the City Hall Council Chamber, located at 68-700 Avenida Lalo Guerrero, Cathedral City, California 92234.