

City of Desert Hot Springs Meeting November 22, 2016 Item #3

FEMALE: Okay Item #3 is First Extension of Time Tentative Tract Maps 35009 and 35448 Location West of State Route 62 within the Rancho Royale Specific Plan encompassing most of Section 20, Range 4 East, Township 2 South San Bernardino Baseline and Meridian. Staff report please. Daniel Porras.

DANIEL PORRAS: Thank you. The applicant Adkan Engineers has filed a request for two time extensions for previously approved tentative tract maps 35448 and 35009. The master plan community encompasses over 480 acres and includes 2,220 residential units. It's a mix of detached single-family, multiple-family residential, senior housing and then workforce housing units. The applicant has provided this planning notebook that's on your desk in front of you that gives more details about the original project. Staff has made the findings pursuant to Section 1620 for 170 time extensions. There's several different findings that there have been notice of substantial changes to the project. That the applicant owner has presented good cause for requesting extension of time. There's no change to environmental circumstances and each of those findings has been met. That being said, staff is recommending an approval of a three-year time extension subject to the attached conditions of approval. The applicant is in the audience and staff is available for any questions you might have.

COMMISSIONER TERIFAJ: I had a question.

FEMALE: Commissioner Terifaj.

COMMISSIONER TERIFAJ: So in my understanding, this is a one-year three extension because I heard you say something about two extensions.

DANIEL PORRAS: There are two applications. It's an extension of map 35448 was a map for conveyance purposes and map 35009 further subdivided it into all the residential lots.

COMMISSIONER TERIFAJ: Okay, so there's two maps.

DANIEL PORRAS: Yes.

COMMISSIONER TERIFAJ: And they both have a three-year time extension.

DANIEL PORRAS: That's what staff was recommending.

COMMISSIONER TERIFAJ: No longer than three years.

DANIEL PORRAS: That's the maximum the code will allow.

COMMISSIONER TERIFAJ: Okay, thank you.

FEMALE: Okay, I have a speaker request form here from a Charissa I think is what you were writing. Charissa Leach, if you would like to approach the podium.

CHARISSA LEACH: It's Charissa Leach and I'm with Adkan Engineers and we're located in Riverside. We actually represent the property owner, who actually one of them is here, Ed Agusan, and we did not do the original engineering on the project, unfortunately, but it was kind of a conflict for us to do it, but I'm here to answer any questions. Obviously, we agree with all the conditions that have been added and revised by staff and we hope that you guys approve this tonight is we can go on and prosper.

FEMALE: My questions are strictly just from my own edification really.

CHARISSA LEACH: I'll try to answer them.

FEMALE: Because I don't know that I was involved when this was originally approved and so just if you might describe for us this, this project just so that as community members we'll have kind of an idea of what it is we eventually will hopefully get to see.

CHARISSA LEACH: Well we wanted to provide the book that SunCal, who was the original applicant, and who is still involved in the project, their vision of what was, what was happening. We were involved in the project and I, we were talking about this on the way there. I was pregnant with my twins 27 years ago and so we've been involved way back when and then when it kind of fell apart with the property owners, Mr. Adkinson said I don't want this thing to fall apart. I'm going to go ahead and jump in and so he invested in the property. So at that time, there was a golf course on this particular portion, but then when the southerly piece was entitled; they took one of the golf courses and so that's when SunCal decided he's let's just, let's just get rid of that one. Now we're over, we have too many golf courses so let's just turn this into something different. which is the trails I think is what's important here, the open space leaving. Instead of filling in the arroyos that was originally planned let's, let's leave them open, let people enjoy it, have all the houses back up to the trails and so that's how they got the Mission Trails kind of theme going on.

FEMALE: Got you.

FEMALE: Yeah, I thought when I looked at this just now as I sat down that it looked, the map looked familiar from within the packet.

CHARISSA LEACH: Yeah. It was back then, way back, way back when. So that was kind of their thinking is let's make this more where everybody can enjoy it instead of just golfers because it's already been, you know they have the open space, let's use it, but it let's, it doesn't have to all be golf because now we have too much.

FEMALE: And that's, that would be open to, to the community.

CHARISSA LEACH: Yeah, there are public trails and private trails, correct.

FEMALE: Did I hear something kind of sort of like a mixed residential where there would be seniors and workforce? That's a new term, workforce must be family.

CHARISSA LEACH: I think the plan was to have, was to have all different types either required to have a minimum I think 20% senior. At one time, they thought they might go higher and so there's a mixture of I think the lowest is 3,500 square feet, goes up to 12,000 square feet and I think I'm, I'm close and I know there's some senior housing that's planned with the commercial.

FEMALE: What exactly is senior housing? Does that mean there's one area of this where the seniors?

CHARISSA LEACH: Yes.

FEMALE: You'd build housing just for seniors.

CHARISSA LEACH: Yes, correct.

FEMALE: Different than, how are the, how are the houses different?

CHARISSA LEACH: It, it, if you look in the, I think it's the top right-hand corner in your book, the top, it'd be the northeast corner. It would be like, like an apartment complex so it's easily accessible for them. It's next to the commercial so they have commercial. That's kind of the idea of what their, what the plan is.

FEMALE: Northeast corner. Does that mean there's 55 and older?

CHARISSA LEACH: Yes. Yeah, generally what senior housing would entail is 55 and older.

FEMALE: Interesting.

CHARISSA LEACH: Smaller homes, you know apartment type of condos.

FEMALE: It's an interesting development.

CHARISSA LEACH: It is going to be, it's really interesting. We're excited. We just need to kind of get SunCal back motivated to, to get going again and that's, that's why we're here.

FEMALE: One of these nodal-type developments.

CHARISSA LEACH: Nodal, I like that.

FEMALE: Nodal. Nodal, N-O-D-A-L.

CHARISSA LEACH: Not noodle, nodal, okay.

FEMALE: Noble as well. Alright. Right.

FEMALE: So then there's no golf course.

CHARISSA LEACH: No.

FEMALE: I like it even more.

FEMALE: Well mother knows best, you know. Okay great. Thank you so much. Does anyone else have any questions?

MALE: Just comments.

FEMALE: Just comments, alright. Well if you would like to have a seat, thank you so much.

CHARISSA LEACH: Thank you.

COMMISSIONER VOSS: I do.

FEMALE: Commissioner Voss and/or was.

COMMISSIONER VOSS: Could I come back?

FEMALE: You have a question? Yeah, of course.

COMMISSIONER VOSS: I do have a question because I had to think about it. So one of, one of the things that if you could clarify for me is the matter that there will be senior living so that basically states 55 and over. Then, if I'm not mistaken, there will be public and or private hiking trails. How, can you describe for me where a conflict may lie if it's 55 and over and say I'm taking my 10-year-old nephew, and I'm certainly not 55, hiking on some of these trails to where there might be an issue, per se, with the residents of this senior community and that hiking trail being open? Did I make sense?

CHARISSA LEACH: And I think if you look at the way they, they, they designed it, they separate out, and just generally in, in planning. I'm actually the Chairman of the Riverside County Planning Commission so this is weird for me to be on this side. It's very strange for me to be in this position, but, in general, when you, when, when, when the planning is laid out, they, they don't want to separate it completely because you don't want to have them, you know seniors, they're still involved. They're still involved. I mean I'm getting close to that so please, don't separate me.

COMMISSIONER VOSS: Five years away. Five years away.

CHARISSA LEACH: You know, but and so you want to keep the, they have their own community, but they, you don't want to keep them so separate, but if you look at the way this is designed, they have the seniors across Mission, Mission Lakes or Mission Creek, the main street right there, in the main senior area and so they, they can enjoy, they have their own little

circulation, but they can also go across the street if they want, but you don't want to be completely you know separate from them.

COMMISSIONER VOSS: Right.

CHARISSA LEACH: But I don't, I don't see there being. Now the single-family homes are the ones that'll be along the public trails.

COMMISSIONER VOSS: Okay.

CHARISSA LEACH: But you don't want to make, have the seniors not go on the public trails or, or the people with the kids.

FEMALE: Correct.

CHARISSA LEACH: But the seniors will be gated off separately by themselves.

COMMISSIONER VOSS: Well that's what I was really looking at was kind of more of the clarification of the marriage of all.

CHARISSA LEACH: Yes.

COMMISSIONER VOSS: I, I just wanted that kind of expressed to where it's at least kind of document to where we can later come back and the reason that I bring that up is because my father at one time had lived in a 55-and-older area and prior to, and they had grandfathered and so you had a lot of the individuals who now lived in this 55-and-older and they're like well wait a minute. I don't want these kids around and this and I don't want to back up into a big wheel, yadda, yadda, and I just wanted that clarification.

CHARISSA LEACH: Yeah if you look at the, that's the one of the reasons we brought the book is you know again we had no, we take zero credit for the book even though it's beautiful. It really kind of shows how they do separate it out, although it's one community, it's still they have their own gated area and so there will be that, but we don't want to exclude them from being able to enjoy the trails either. I mean. please.

COMMISSIONER VOSS: It's part of why I wanted it mentioned. Thank you.

FEMALE: You had another, you had a question or comment didn't you?

MALE: I got a few.

FEMALE: Well, alright, do it.

MALE: Not for her though.

FEMALE: Yeah.

MALE: Yeah. Yeah.

FEMALE: Thank you very much.

COMMISSIONER VOSS: Thank you.

FEMALE: Okay, well I'll close, close the public hearing. We'll hear from, from the Commission.

MALE: So my question is how close is this to the Sand to Snow Monument?

DANIEL PORRAS: That I'm not sure.

MALE: Can anybody answer that?

MALE: The actual monument is south of that. The entire monument wraps around almost all of north of Desert Hot Springs. I don't know the exact order of the monument. I'm not sure.

MALE: Okay. So when I had a chance to do some, you know I was reading on this and doing a little bit of reading, you know a couple of concerns that come up with is when this project came about. the economic development boom was planting projects wherever they could. Wherever we can build. we're just going to build. My impression is this, this is too high density for the area. You know I mean that side of Highway 62. I would envision 10,000, 15,000-square-foot lot kind of homes. You know your, you've already got issues, some infrastructural issues up there that haven't even been met yet. Everybody on septic and natural propane and what have you. You know the Mission, the Mission Lakes Road, some of the roadways are pretty narrow. It's, it's dense in the number wise forming and it's the kind of project that if it was on the east side of Highway 62 and some of the other areas of Desert Hot Springs. I'd gladly say this is great and we'd support it. What I don't like about this project is the density of it on that side of Highway 62 or that side of the freeway. I think that at the time this was approved, it was approved because every city in the Coachella Valley was looking for the real estate boom, the revenues, the population, the bodies that come in, let's get them in, housing was increasing astronomically and so that's what was happening When I see where we're at today, we're not in that position where we need to have it. As much as we need to have housing here in our town and I don't have any, the project is a great-looking project. I don't have any problem with that. Great project, wrong location and when I see how close it is to trails to our park system, our wild open, you know open space there, the Sand to Snow project, which is going to have a lot of different entry points and factors into that leading into there and recreational hotelier, those kind of things that are going to be developed in there, do we want a high density project with an average lot size of 5,000, 6,000 square feet, some as little as 3,500 square feet right in that general area, and this is typically, philosophically, this is kind of not where I usually go. I'm usually the first one to just say let's bring this in, but when looking at this project and where it's at, looking at the density, looking at the access of ease and off of Highway 62 and what's going to need to be done for, you know, highway upgrades, infrastructure upgrades and I think the Mission Lakes roadways in there, I think they need to be wider than what's being proposed. I just feel the project is too

dense for that specific location, that volume of homes and what have you. I don't envision that side of the, I'm just going to say the freeway. I just simply don't envision that side of the freeway to be this kind of this and I personally can't support that for that very reason. We have lots of area on this side of Highway 62 that, and in this area we got infill and other areas that you know more dense projects are more appropriate and so you know I mean those are some of the concerns that I got. I think we need to be very, very careful with what we approve over in that area. You know I mean, like I said, a great project. It looks like something out of Orange County that we just plopped right there. That's all I got.

FEMALE: Interesting. Anyone else have some comments.

FEMALE: What's the total number of houses? I missed the total number?

MALE: It's over 8,000 for this project.

FEMALE: This project is 2,200.

MALE: No, no.

FEMALE: This what was approved.

MALE: No, no, let's be specific. The specific plan is 8,600.

FEMALE: This specific tract. I know, but we're not approved.

FEMALE: Would you like to open up the public hearing again because if so we could go ahead and get testimony? What I don't want is some kind of you know back and forth and back and forth. We could go ahead and provide testimony if the applicant wants to go ahead and make her statements and then we could make sure that we get some clarification off facts if you'd like to reopen the public hearing.

FEMALE: Would you like to reopen? Okay. The specific plan itself was approved in 1990 something. This, this particular project is only, is the 2,220 units. That's what the tract map is. That's what 35009 is. We're not asking to approve the specific plan. That's already approved. This particular project meets the specific plan. In 2007 when this tract map came up, they actually reduced the allowable number of units in the specific plan by I want to say 350 units. They're actually less dense than what the specific plan allows. So this is actually proposing exactly what your general plan and what the specific plan asks for. So that, I mean, I don't know what else that, I mean it's, it's done with your rules, your guidelines and what's been approved by the.

MALE: I'm not going to argue with you. 8,600 homes is in that whole master plan area. That's a heck of a lot of homes for that side. That's all I'm going to say.

FEMALE: All we're asking for is the extension of time of the tract map that was approved in 2007 for the 2,220 units. So thank you.

FEMALE: Thank you very much. Okay well we have some, a little clarification we didn't have before on the general area and it is correct that this is, this is not everything that was approved for that area, but it is in, in accordance with the general plan as it is currently and this is, this is for a request for extension of time of something that has already been approved previously. So I don't know that it's even appropriate for us to start looking at this is it, or is it.

FEMALE: The Planning Commission could go ahead and yeah it is for the extension of time, but the Planning Commission could, you know it's a public hearing. The Planning Commission has the discretion to deny the extension, but should it do so it needs to make proper findings.

FEMALE: Right.

FEMALE: And so, of course, from what I heard from Commissioner Voss are some of those findings and, of course, should the Planning Commission either way, either deny the project or approve the project, either way you know this can actually be appealed to, to the City Council eventually should it go that route. So it's a public hearing. It's before you. It's a discretionary action. Just be mindful that any discretionary action needs proper findings. Reasons why, yeah.

FEMALE: Correct.

FEMALE: I have a question. The question to staff is what are the total number of homes? We have a huge discrepancy between two numbers right now.

MALE: It's 2,220.

FEMALE: 2,220.

MALE: And it's a mix of detached, single-family, multiple-family, the senior housing area and then what they're calling workforce residential units.

FEMALE: That's the, okay in the four phases because there's four phases. I don't.

MALE: You're wanting to know the phase number then.

FEMALE: Yeah I mean is that the total number for all four phases, 22.

MALE: That's the overall completed project, yes.

FEMALE: 22 something.

MALE: And the phasing I believe is going to begin at the southern end of the project and go in a clockwise fashion.

FEMALE: And what about, how are we dealing with the sewer situation?

MALE: I'm sorry.

FEMALE: Is it septic tank up there? Are they planning to connect to a sewer? So you are going to have sewer. So it's a sewer.

FEMALE: I would imagine that is one of their, one of the justifications for extensions is probably infrastructure.

FEMALE: Commissioner Voss has thrown out septic system and 8,000 homes. So we should declare on those two issues.

FEMALE: Well this project looks to me like it's, it's 2,220, but also what I'm hearing is that for that, and our general plan for that area there, there is, it is called out for more than this project potentially, other projects.

FEMALE: So now you're talking about the general plan.

FEMALE: Would be allowed in that area according to what's currently on the general plan for that area. Am I correct?

MALE: Yeah that is something that staff would have to research to see you know what the specific plan outlines.

MALE: 8,600 homes. It's in your report. It's in your report. I mean it says 8,600 homes. I get this is only 2,200, but the entire projected area which includes this is 8,600 homes. Okay that's in your report, okay.

FEMALE: So.

FEMALE: Let me just get the.

FEMALE: This is two different, this is two separate things then from what I'm looking at.

MALE: No, no, it's not, it's not. It's one separate thing here, but the other thing you have to understand when you're looking at this is you got to look at what's the impact collectively as a whole as well.

FEMALE: Of course, yes.

MALE: You can't just push it aside. You've got to realize that if you approved 2,200 here and 2,300 here and what have you within three or four of these projects you just approved 8,600 homes on the west side of Highway 62.

FEMALE: How many other projects have been proposed for this area? Is this the only one?

MALE: This is the only one.

FEMALE: So is the concern, do we need to be, are we concerning ourselves with this project here. I want to be really, really clear, 8,600 homes is approved for that whole area in the specific plan. So if this, what can be, if that doesn't seem appropriate in today's, under today's conditions and understandings of the area is it this project that's the problem or is it the 8,600 that's the problem and that that specific plan needs to be revisited?

MALE: In my comments.

FEMALE: Or does it need to, does it need to land on this specific project?

MALE: Putting aside the 8,600, this project in my personal opinion is too dense for that side. It's too dense of a project for the hillside property, for the entry way to Sand to Snow, for what we've got and the environmental concerns over there. It's just too dense of a project.

FEMALE: Okay.

MALE: That's what my concerns. That's why I'm not going to support this.

FEMALE: Alright that's fine. So if, if you were to not support this and let's say the whole Commission decided they didn't want to support it either based on what you said then what are the findings?

MALE: Well I think we've got, we've got traffic circulation issues, we've got environmental issues, we haven't addressed the issues of the Sand to Snow and what, you know how this is going to feed into that or affect that. I don't know the utility issues that we have over there. At the moment everybody over there is pretty much septic and propane on that.

FEMALE: Because it's rural.

MALE: It's very rural like that so we've got that as well. I think we're going to have you know the impacts in there. I'm not pleased you know with the roadways in this thing. I think they need to be wider as well that I saw on like off Mission Springs and what you have that was in here. So I think we have a number of factors there.

FEMALE: I'd like to hear from the other Commissioners on what's been presented by, by your fellow Commissioner.

FEMALE: Well let's be clear about this septic and propane. I'm hearing that we're going to have, this includes a sewer system and natural gas would be there. So we're not going to be hillbillies up there, okay. It doesn't sound like we want to be hillbillies.

FEMALE: I think that's the, is one of the issues is that, is infrastructure for that area for this project and what is the, what is the proposal for the developer or applicant to provide that, that infrastructure that is not existing at this time for that area and so.

FEMALE: Does our city engineers look at this? I mean how involved does the city get with the engineers to determine all those things?

FEMALE: Well you look, we're sitting here in 2016 so I don't know you know.

MALE: Any project that gets built over here is going to be required, I would assume, to run over new water lines, sewer lines, gas lines.

FEMALE: And traffic studies. I mean aren't traffic studies going to be part of this?

MALE: They do all those, they do all that stuff.

FEMALE: Can I address your, your question? In 2007 and also in the 19, early 2000s and late 1990s, there was an EIR done which addressed all of this and that showed that we were able to mitigate everything that Commissioner Voss has brought up. There was a traffic study done and in 2007 when this particular project came up, it was deemed that originally it was still okay and, and all the mitigation was taken care of, traffic, sewer is going to be connected, water will be looped. They're actually building a reservoir. There's a lot of, it's not going to be cheap. There's a lot of improvements, but they are, they are doing the improvements. They are bringing it in on their dime. So, yes, engineering has looked at it. Yes, everybody has looked at, at the plan all over all these years. So, and I just want to address your density. You had mentioned that maybe 10,000-square-foot lots. This is 4.6 units to the acre because of all the open space. Yes, they are smaller, but it's clustering those units as opposed to filling in the whole thing and putting a bunch of 10,000-square-foot lots. So it's still not overall density isn't cramming them, cramming them in there because what, what the millennials are looking for right now is smaller lots. They don't want to take care of big lots. They don't want to pay for the water. They don't want to do all that. So that's where this is going. This was actually kind of forward thinking because it seems like we're going more and more that way and that's what people are wanting to buy. That's what, that's what people are doing. They don't want to spend time on their yards. They don't want to spend time watering them. So smaller lots with public open space is the, is the preferable way to go and that's how this project is, has gone and that's not dense, it's not you know 8 units to the acre, it's 4.6 overall for the 2,220 units. So I think I'm done.

FEMALE: Can I ask a question?

FEMALE: Yes, of course.

FEMALE: The one thing I'm hearing that I will have to sort of agree with Commissioner Voss is about this, who, the general plan. I mean can a general plan be modified to address the concerns about over there in that area. There's 8,000 might not be realistic anymore.

FEMALE: And this is, and this is a specific plan.

FEMALE: I know this is a, we're talking about, no, no, no the specific plan is what I'm talking about. The general plan is what you have.

FEMALE: No, specific plan.

FEMALE: I've got the two mixed up. What plan is this in?

FEMALE: Well specific. Yeah, it was the overlay on to the general plan.

FEMALE: Okay the general plan is what is the 2,600 homes. Who.

FEMALE: No.

FEMALE: You know what I'm saying, one plan was for 86, so that if other people want to build there unless that's modified, they can build more houses there.

FEMALE: Think of it this way, the art, the proposed art district would be a specific plan. It overlays on the general plan. So that's what this is. It's a specific plan on, on the larger.

FEMALE: Yeah, but the general plan might not be.

FEMALE: Mrs. Chair and members of the Commission, if I may clarify.

FEMALE: Thank you.

FEMALE: This is, this is not a general plan issue. What this is is, what you have before is an extension of a map. That map itself has the 2,000 plus homes and it is located within a specific plan which is bigger. That's 86, which I guess is allotted for approximately 8,600 homes which is within, again the general plan is something that, that goes all around our city. It controls the city, but this is a tract map within a specific plan area.

FEMALE: Okay. So if we approve this plan it's still only the 2,200 homes.

FEMALE: Correct. The specific plan has already been approved about ten years ago.

FEMALE: Right. Can you modify the specific plan at some point if this Council, if we wanted to take that up?

FEMALE: Yes, a specific plan can be modified, it can be amended. It's a fairly difficult process, but it can be done. It's similar to modification of a general plan. The answer is yes it can be.

FEMALE: In 2007 it was modified.

FEMALE: I don't know if the (LAUGHING) closed or opened or what, but for the record, I'm going to go ahead and, I can go ahead and allow you, speaker, not to speak, but the comment that you made, I will consider during the portion of the public hearing. We have to do it obviously for the record and so Chair, considering that, I don't know how you want to do this. If you want to continue to allow the applicant to speak, the public hearing will be open and see if anybody other

than the applicant would like to comment as well and then you could close the public hearing again. It's up to you.

FEMALE: Yeah let's, let's, public hearing is open and, and, but the thing is what she's getting at what he is getting at and what I was trying to get at was is it, is it this specifically that we can be concerned with legally right now or can, or is it something that we kind of have to do the extension because we don't have modifications to a specific plan that would justify us laying the burden of these changes on this? Can we do that if necessary?

FEMALE: The application, the answer is yes. The application before you is for the tentative tract map. However, that said, that's the application before you, but the planning the Commission can look at other factors that affect planning decisions. In this case it's within a specific plan. The specific plan, however, is not before you. The only thing that's before you is an extension of a tentative tract map.

FEMALE: In the specific plan that would allow 86 homes.

FEMALE: Well the specific plan that was, what I'm hearing is the specific plan that was adopted back in 2007 that was what, that is what it is allowed currently. So can that be modified sometime in the future? Sure. Nobody knows. It would be a legislative item. It goes to the City Council, but the only project that you have before you right now is the tract map, but again you can look at other, things like density. The Planning Commission can look at that.

FEMALE: At this time with the extension? Okay.

FEMALE: Because it's, things are not just in a vacuum. The project that you have it's not like you're, you're, the project that's before you is the 2,000 homes or whatever it is. It's within the specific planned area which is the 8,600 homes.

FEMALE: Got it, and the general plan is the entire city.

FEMALE: Yes.

FEMALE: Got it.

FEMALE: Did you have something?

FEMALE: Only thing that I wanted to say is that the specific plan was approved in 1998. So in order, no, the only, no, no, no, I'm not, I'm not, I'm not pointing, there's a reason I'm pointing it out is because in 2007 it was modified. The specific plan was modified by this particular project. That's the only reason I'm pointing it out. So, yes, if somebody else were to come tomorrow and say, hey, I want to do a new project, then you guys would get a new tract map based on whatever they want to do and then you could vet that and that's when they would do a specific plan or build within that specific plan amendment. So this, this was the only change that I know of, actually there's been three amendments to it. This was the third, the other ones were kind of

minor, but they came through and said okay we want to change it and do this and what's what they did with addendum number 3. So that's, it has been changed three times.

MALE: So just to have the dates correctly. Specific was 1998, the modification was 2007 and within that scope somewhere has been three amended. Okay, thank you.

FEMALE: Then I want to be clear the reason that I'm asking these questions is trying to be devil's advocate and make sure everyone's clear on what we can and cannot do. I don't want us to go down a road of discussion that's going to lead us to a place that we can't, we have nothing that we can actually do. I want to make sure that we're headed some place fruitful to this conversation, you know what I'm saying.

FEMALE: And what I've heard so far from Commissioner Voss is nothing, nothing that I would necessarily take great objection to. The findings were density, too close to the national monument, access to Highway 62. So those are the kind of findings that, that I heard, which are very specific to this project. So again that is projects, those are projects specific findings. That said you know, there's no motion on the table or anything like that, so I don't know if those findings are, you know are going to.

FEMALE: And I have a speaker, and I have a speaker request form here from a Carrie Puckett of the Wildlands Conservancy. I'm sorry. It looked like an I.

CARRIE PUCKETT: I'm Carrie Puckett. I'm the manager of Mission Creek and Pioneer Town Mountains Reserves and some concerns that we have in regards to this project kind of echo Commissioner Voss' concerns as far as a sudden shift in density on the side of the highway. I'm listening to the timeframe here, this plan for the development predated the advent and the official announcement of the Sand to Snow national monument, which is certainly an economically impactful thing to the area here and opening up the floodgates to development on this side of the road. Bringing utility courtyards over certainly could set the stage to allow further additional development it sounds like to the tune of 8,000 plus units down the road. Some concerns that we have are the view shed impact to the monument here. Unknown potential economic impact, I'm sorry unknown potential economic impact due to drastic change in the landscape you shed. A sudden density increase typically can correlate to an increase in OHV trespassing, also increase fire threat to our preserve and to our monument and potential impacts to the water shed of Mission Creek which does channel down to DHS and provides drinking water ultimately. So we would love an extension of time of at least 30 days to further review this, study some maps, see how this fits into the monument plan, see how this fits into Coachella Valley, multispecies habitat, conservation plan before you go to a vote on extending this until 2019.

FEMALE: Thank you.

FEMALE: Can I ask a question?

FEMALE: Oh yeah.

FEMALE: Am I allowed to ask a question?

FEMALE: Well he's of the speaker, but of the applicant.

FEMALE: One of the things that I would like that you did mention and it was kind of one of the things that I had alluded to earlier was in regards to issues of trespassing and could you kind of elaborate a little bit on those concerns that you have.

CARRIE PUCKETT: Sure. Typically in areas of density that, that are adjacent to areas of public access, public land, there are notable increases in dumping, OHV trespasses as far as dirt bikes, jeeps, quads, certain increases in illegal shooting, which is a huge fire hazard here in the desert, especially with the drought, and also the burden that could place on the trail system as far as a priority access for residents of this development versus residents of the public.

FEMALE: Now second part of my question, could you elaborate on what the, what the current and what the envisioned plan of this state monument is and what it means and what are the repercussions that this particular development could bring and I want to hear possibly a threat and I want to hear possibly a benefit?

CARRIE PUCKETT: First off it's a national monument and not a state monument.

FEMALE: I'm sorry national, correct.

CARRIE PUCKETT: I think the economic benefit to the community is still something that we're establishing as the Coachella Valley Tourism Board looks into further using this as a strategy to promote Palm Springs, Desert Hot Springs, and the whole Coachella Valley. As far as benefits of this development I, I'm not really qualified to speak on that. So.

FEMALE: Okay.

FEMALE: Interesting. I see another card coming and another one. Ed Adkinson. Thank you, sir.

ED ADKINSON: I thought I'd provide a little bit of history on how this got where we are today and our firm was involved in this back in 1987, 88 when we first started and this area was in the county and we were putting together a specific plan at the time. About that time or shortly after, it was Palm Springs was trying to annex north of the 10 Freeway and we were processing through the county. They were trying to expand their share of influence and it was the city of Desert Hot Springs at the time that approached us and said we'd like you to process your project through our city and it was kind of to, to, there was kind of a turf war going on between Desert Hot Springs and Palm Springs as to where the ultimate city lines would be. So at that point, we agreed to come in and process the project through the City of Desert Hot Springs and ultimately got approved I think in 1997, 1998 and that was the specific plan. Now the specific plan covers a total of 2,000 acres. The development in front of you today is 480, approximately 480 acres of the 2,000-acre specific plan. If you look at the groundwater recharge plan and the specific plan does go on the east side of 62 and it covers where the, where the groundwater recharge basins are, there was 200 acres of that that the, that the district for the, for the groundwater recharge. The Snellenberger piece, what I call the Snellenberger and I think it's the Walton's that, that

have it now, is approximately 900 acres of that specific plan and currently there is a vesting tentative tract map on that, that property. So they're vested with their development rights on that 900 acres that's just westerly of it. So Snellenberger is westerly of us. So you got Snellenberger, you got this project and then you have the 62, 62 Freeway. When the multispecies plan was moving forward, they were sensitive in, in, in the, and respected our environmental impact report and none of our project in the specific plan was included in that, in that preserve. This plan was approved in the specific plan in 1998. It was there before, before the powers to be decided to move forward with the Sand to Snow Monument coming down. So it's not like this, we're investing this and this is just starting today. This has been a long process. There's been a lot of money on the process. There's been the environmental impact reports and the input and the certification thereof and so this particular tract map that's in front of you for the extension tonight complies with the environmental impact reports and I want to add to, I think this project could be, could enhance the entrance to and some of the monument in there. We have the public trails in there. We're being sensitive to the, the arroyos and washes to where we're keeping those in a natural form and the trails will go along that. So I think it could be a benefit to the entrance to them monument as, as we move forward. I know on the north of our project, there was four parcels of land that was just sold at a tax sale. I think they were in the range of, I think one was, I'm just, from my memory, I think one was like 50 acres, 20 acres and another 50-acre parcel on that, and so just north of those parcels I think is where the monument starts. So there is some buffer area in between our project and the, and the monument, but again Snellenberger's 900 acres between us or we're between the Snellenberger and the 62 freeway. So I just wanted to give some clarification on that. There was a lot of time and input to get us to where we are today. It took two and a half years to process the tentative tract map that's in front of you and it's through the economic times that we haven't been able to, for it be developed out and we're simply asking for an extension of what was previously approved and complies with the environmental analysis that was done at that, at that time.

FEMALE: Question for you. Does this predate then the city's adoption of MIS, MSHCP?

ED ADKINSON: Yes. Yes. This was the, when the MSHCP was adopted, it respected our property because we were following it closely to see if any of it was going to be included in there. They did not include any of, any of the property within the specific plan in, in that particular document. So they, they looked at this area when, when that plan was adopted and at that time there they elected to not to include any of this property into the multispecies plan.

FEMALE: Thank you.

ED ADKINSON: And then just to add, I know there was a development north of this that was annexed into Desert Hot Springs and became a contention with the species plan and then they went back to Lav Co and de-annexed, I can't remember the name of the development that was done about 10 years ago.

FEMALE: And it was on that side of the 62. Wasn't it on this side above the Indian, north of Indian Canyon, Kennedy?

ED ADKINSON: Yes. Yeah, that was it and I know part of that property became part of the multispecies plan.

FEMALE: Most, I'm sure. It's probably part of the monument now.

ED ADKINSON: But anyway they studied it and they were respectful to, to not include any of our property in that plan.

FEMALE: Got you.

ED ADKINSON: Okay.

FEMALE: Alright thanks.

ED ADKINSON: I'll try to answer any other questions you might have.

FEMALE: Fantastic.

ED ADKINSON: Thanks.

FEMALE: Thank you. I have another speaker request from Jack Thompson, please.

JACK THOMPSON: Hi, it's a pleasure to be here to speak to you on this. I echo some of the things that Carrie has said.

FEMALE: Sorry, go ahead and state your name.

JACK THOMPSON: Oh yeah, sorry, my name is Jack Thompson and I'm the Desert Regional Director for the Wildlands Conservancy. So I just wanted to give people here a little bit of sense of perspective on Mission Creek, especially this Mission Creek as an access point into Sand to Snow. So Mission Creek Road right now is really one of three access points into the Sand to Snow National Monument for visitors and residents of the Coachella Valley. The other is Big Morongo Preserve and the other is White Water Preserve. Right now people can access the national monument through the Mission Creek Preserve and have access to trails and free camping. So I just wanted to give people a sense philosophically what it means to have the President of the United States look and honor the landscape that surrounds our desert cities and create them as a national monument and what it means to take the view shed and put a development right at the foot of it. So I definitely have strong feelings against this development as being totally cross purposed to the intent of the community that worked so hard to protect that land and believed very much that it was a huge draw for people all over the nation to come see how incredibly beautiful our landscape is. I'm sure, I don't know how many of you have ever been to the Mission Creek Preserve. Could I get a show of hands of how many people have? Yeah. So Mission Creek is, the access there is provided for free from the nonprofit, the Wildlands Conservancy in the same way that it is at White Water, so. We run outdoor education programs for thousands of kids in the Coachella Valley, including kids from Desert Hot Springs at Mission Creek and right now I think it's a vital, vital asset to the community to get into the

monument and I think it speaks volumes for the community for their efforts to put that land on a pedestal for its scenic and recreational values and I think a development right in the view shed of it, right at that intersection at the access point is very inappropriate.

FEMALE: I have a question. Am I allowed to ask it?

FEMALE: Yes.

FEMALE: Can I address him?

FEMALE: Yes.

FEMALE: Yes. So when this tentative map was being approved back in 1998 or '97 when they were given, they were given the green light to do this, okay. Mission Creek was there at the time. I mean you guys were there then.

JACK THOMPSON: We weren't really there yet, no. So that land had gone through. The land that we shepherd there, which is about 3,000 acres, has gone through a handful of different owners and it was eventually most of it donated by the Nature Conservancy to the Wildlands Conservancy for us to steward and that happened probably in the early 2000s.

FEMALE: So are you saying at the time all these, the specific plan was being developed and the parcel map was being developed that there was no opposition to this?

JACK THOMPSON: If it was, the specific plan that was approved in 2007 was probably prior to my time with Wildlands, but I have to imagine that there was much opposition to it. I, I would hope that there is a detailed record of what peoples' objections were if it passed anyway. You know that was before I was here and certainly that was before you know the Sand and Snow National Monument was included in legislation that had its first public hearing in 2010 and.

FEMALE: I'm aware of that, but I want to know when this was being developed, when their tentative map was approved to do exactly what we're looking at today, it already was approved in that specific plan where was the Wildlife Conservancy?

JACK THOMPSON: The Wildlands Conservancy?

FEMALE: Yeah, where were they in on that issue in 2007.

JACK THOMPSON: I'm sure in 2007 they were opposed.

FEMALE: Do we have a record of that if we went and looked at meeting notes from?

FEMALE: Mrs. chair members of the Planning Commission, we would have a record of any kind of opposition that you know we would have to go back in our records from 1998 and again in 2007 to see if there was any opposition, but, again, this is just public testimony. It's not kind

of like a, a back and forth. So, so if we do have those we would have them at the city. We'd have to pull them.

FEMALE: Thank you.

JACK THOMPSON: You're welcome.

FEMALE: Commissioner Terifaj, I appreciate your question because that's, that's going on in my mind as well.

FEMALE: I mean the horse has been, is out of the barn.

FEMALE: This horse is.

FEMALE: This horse is out of the barn.

FEMALE: Grazing however around the foundations of the barn still.

FEMALE: Mrs. Chair, is there other person willing to speak or.

FEMALE: I don't see any other speaker cards and I'm, I'm inclined to perhaps close public hearing so that the Commission can have a conversation on this. Yeah, thank you. So we'll close the public hearing at this time so the Commission can discuss the points that have been raised during, during testimony and well, Commissioner Voss, I have to admit I wasn't sure where you were headed with this beginning, but I can see very clearly where, where you were headed and there have been some, some things brought up that to me may indicate that there have been some conditional changes since this was approved that, that will, that affect it. Those conditions may even just be a difference in the way the community views itself going forward and what economic advantages the city might look to and so I.

FEMALE: Can ask a question?

FEMALE: With an extension of time though. What we have before us is an extension of time of something that was previously approved, etc. There was some suggestion of you know please continue this so that it can be looked at more closely and I don't know that you can actually do an extension, I mean do a, do that with an extension of time.

MALE: Time extension.

FEMALE: A time extension item. Continuing a time extension item such as this. I thought that that ends up being kind of, we really, what am I trying to say here? I'm tripping over myself.

FEMALE: Well here's what you're trying to say.

FEMALE: Thank you.

FEMALE: When you look at an extension of time as part of our evaluation looking at changes that would affect that moving forward or is it just an extension of time, yes, we still? You know what are we really being told to do with this extension of time? If the times have changed around this, conditions of change, does that influence our decision or is it just.

FEMALE: It does.

MALE: Absolutely.

MALE: That's what I brought this up.

FEMALE: It's allowed to influence the decision.

FEMALE: Correct.

MALE: Absolutely.

FEMALE: Yes. Our findings just have to be clear and legal like findings. They can't just be I don't like this, can it? Well I guess it kind of can be, but.

FEMALE: Well, we would have, we would need very specific findings to why we were denying the time extension. This is a discretionary item, so again we just need you know very specific findings should the Planning Commission decide to go that route and yeah.

FEMALE: You guys and gal I, I really, I think this is such a nice looking project and I'm, I'm, I'm starting, I'm tending to agree that it might not be the right spot for it and with the designation of a national monument in our midst and I know that this city has grappled with identity and that has a lot to do with the economics of this community and what drives us economically and there has been for quite some time conversation about this trail systems and accessibility to national monuments and national parks as being a really, really important aspect of who we are and where this community, what this city can actually develop into going forward not just another bedroom community for Palm Springs, but perhaps something a little loftier than that even and I'm really concerned now about this project.

FEMALE: Well to that point, the Conservancy has asked for 30 days to come back with a report. I mean I'm going to offer an extension of 30 days for sound evidence and reasons why we should maybe reconsider this. Is that what you asked for, 30 days?

(INAUDIBLE)

FEMALE: He's suggesting that to us.

FEMALE: It's up to the Planning Commission and there's no report from the Conservancy. So let's get something clear.

FEMALE: It's just a community member's request.

FEMALE: Yeah. So, so it's, I, I, I think that we already have public testimony. They, they have their objections on record. What, what they suggested possibly was maybe the Commission would go ahead and do an extension of 30 days for this project to possibly get more information and I don't know what that would be, but it's up to the Commission if the Commission wants to extend or continue this for another 30 days, but I don't know what the, the Commission would need to provide very you know specific information as to what it's looking for.

FEMALE: Findings.

FEMALE: Exact, but however this, we're looking at a project here and what we're, what we need to be able to say is under what conditions might we be likely to approve it and if there is no condition under which we would approve this, we need to be honest with ourselves as to whether or not that's the case and if so why specifically.

FEMALE: So what you're looking for is possible, like I said does staff understand that?

MALE: Yeah. As far as time extensions of a map, there's four findings that you have to satisfy to grant an extension of time. One, that there's no substantial changes to the project since it was initially approved. Also the owner has to present a good cause for requesting the extension of time and they've stated you know economic conditions and the project is not economically viable to break ground right now. That's why they're asking for the extension and also to reenergize the original developer applicant without losing all their entitlements. Another finding, there's no change to environmental circumstances. Those are the findings that have to be met to grant an extension of time. Now as far as approving or denying the project, I think what Jennifer is talking about is making findings if you were to come back for a recommendation to, or to deny the project or deny the extension. So right now it's, you know it's are we going to grant the extension or deny it? That can be appealed to the City Council.

FEMALE: And it will.

MALE: The specific plan is a different issue.

FEMALE: If it were me I would, but.

MALE: Yeah, the specific plan is a different issue and I think that you know either can be initiated by an applicant or I think the City Council can initiate an amendment as well, but that's a separate issue. Right now we're just dealing with the time extension. Jennifer.

FEMALE: But the community conditions appear to, to have changed possibly in, in, to the degree that this isn't suitable any longer.

FEMALE: That last finding, which is the environmental conditions.

FEMALE: Right.

FEMALE: So I, I think what I'm hearing is, is this, and I think it is possibly to continue the matter to maybe provide both findings for approval and findings for denial based upon, based upon you know environmental factors maybe from some testimony that we've heard or also it would give the staff a chance to look into the record to see what kind of testimony was provided back in 2007 if we have those records and then this way the Planning Commission has both findings for approval and findings for denial and it could go ahead and make the determination at the meeting on December 13th. I think what, maybe I think that's what I'm hearing. If not what we could do is either move to approve the project based upon the findings and the staff report or move to deny the project based upon the findings that Mr. Voss, the Commissioner Voss has set forth in which case the determination would be made this evening and then it could be appealed to the City Council.

FEMALE: Commissioner Voss, I would like to hear your motion because I want to know whether or not the Commission is leaning in that direction right now and if, you know if so we need to hear, we need to have a discussion or what have you. Let's hear it.

COMMISSIONER VOSS: So I would move that we deny item number 3 due to the density, due to the access through Highway 62 and because of the impact of the monument traffic as well, the environmental condition there. It's close to the Sand and Snow national monument. I believe there's going to be some watershed issues and fire threat issues as well. I know that the multispecies issue has already been dealt with and I understand that, but if this project were to, I can't say that. That's not part of the motion, and so I think because of those factors that this project as it is being proposed to be continued is a negative impact for that location. That's the motion.

MALE: I'm going to second your motion.

FEMALE: Okay, we have a motion and second and at this time, there can be discussion before there is a vote and that would happen, that would happen if any of you. Commissioner De La Torre, I've heard nothing from you regarding this movement.

COMMISSIONER DE LA TORRE: I would rather not see lot sizes of 3,000 square feet anywhere in Desert Hot Springs. I personally work for developers and I know that we struggle at 5,000 square feet. So 3,000 for senior living I've personally sold active adult for Dell Webb and it just doesn't fly. So I, I personally don't feel comfortable with that.

FEMALE: Anything more from Commissioner Terifaj on this?

COMMISSIONER TERIFAJ: We had people prior to us, Scott, approve this. That's what I'm saying. I mean it's not like the first time they've come here and it's like totally all starting from ground zero. We're not at ground zero with this project. So I'm, I'm moving in the direction that they have 30 days to come back and, and give them, I don't think they were expecting this. I don't think we were expecting a debate tonight. I wasn't ready for it and, and now that it's here it's like we got a make a decision with all this you know smoke in the air. So I think heads have to cool off and 30 days has to go by and they, they deserve to come back and, and we need to do

more study ourselves. I'm not ready to vote on it tonight. I'll vote no right now if that's the motion.

MALE: If you do continue that, sorry, can we do a 60 day. (INAUDIBLE).

FEMALE: I was going to actually request that of the Commission because I'll be out of the country for the next meeting and I would like to be able to weigh in on, on the subject, but you know that's just my own selfish thing, but you know there it is.

FEMALE: Make the motion for 60 days.

FEMALE: If we, if we do an extension, but the motion right now is to deny. So that's our, that's what our conversation needs to be right now if we're, if we're, and that's, that's what ultimately would be voted on unless the Commission decided to change their motion to.

MALE: And I'm not, I'm not interested in changing that. I mean the fact is, is we get this information, we need to read our packets of information of what's there, ask questions and do what we have to do. The other factor is, is that what was approved 10, 15 years ago and what have you if this project was brought to us today there's no way it would pass in my personal opinion.

FEMALE: Well that's, that's where.

MALE: And this is where.

FEMALE: I'm going.

MALE: It's incumbent upon us to look at the project, look at these things. We've had different factors change. We've had economic factors, we've had development factors, we've had monument factor, we've had, since that time we've had multispecies, watershed, fire issues, density issues, economic issues on the type of housing market that we've got, traffic flow issues and the monument issues. All those have changed in the last ten years. So I ask that we call for the question.

FEMALE: Well if I could just add to, to what you're saying though. I appreciate that call, but I just want to for the record say this too, is that I, from what I'm also hearing is that this project was requested by, by a City Council that was concerned about delineating territory during a little territorial spar that was occurring at the time and, and I also know that for quite some time, the city has been looking at this type of development going forward for, for, for the community creating these nodal communities within the community. So it seems to fit with kind of the theme and desire that, that's been looked at for quite some time, but I would agree with Commissioner Voss that it, it's lovely for on this side of the 62 somewhere maybe or some other location because I don't have anything against this, this development as it is you know per se, but for the location, I'm having a difficult time too, and I just wanted to add that two cents to, to what you're saying. You've.

MALE: This is going to be very.

FEMALE: So.

MALE: I'm going to strike my conversation.

FEMALE: Okay.

FEMALE: Can we get a motion and a second? You can't have further discussion (INAUDIBLE). Sorry, there is currently no, no motion because the motion maker did not amend his motion for the, the continuation. So the motion currently is to deny based upon the findings.

FEMALE: Correct.

MALE: Motion to deny passes with Commissioner Terifaj opposed.

FEMALE: Surprise, right.

FEMALE: Just for the applicant and for everybody, of course, this can be appealed to the City Council.

FEMALE: Okay.

END OF ITEM #3