

Verbatim Transcripts of Planning Commission Meeting February 14, 2017

City of Desert Hot Springs Meeting February 14, 2017 Item #2

MALE: Moving on, Item #2. Zoning map amendments, the planned amendment for the approval of zoning map amendment and general plan amendment to designate two vacant parcels totaling 19.4 acres R-L low residential to light industrial located on the east side of Little Morongo Road between 13th Ave. and Desert View Ave.

MALE: Thank you. Based on some of staff's concerns in working with the applicant on some public outreach and also conceptual site plan, we are recommending the Commission open the public hearing, take any public testimony and continue this to a date certain. That being said, if you are going to do a special meeting too on the 28th. If you're not, then they would go to March 14th.

MALE: I think we're already scheduled for a special meeting on the 28th. So you're asking for this to be continued until the 28th.

MALE: Yes, correct.

MALE: Okay. Alright. Then we will go ahead and open the public hearing for it.

PAUL DEPALATIS: Mr. Chairman, members of the Commission, my name is Paul DePalatis, Planning Director with MSA Consulting and I do have a PowerPoint tonight. I don't know if there's a way to show that. If not, I have paper copies I can hand out. So I don't know if that's something.

FEMALE: Can you do PowerPoint on yours or?

MALE: We can try it.

FEMALE: You can try it. If not, you can go ahead and hand it out.

MALE: We'll need the handout for the record anyway, so.

PAUL DEPALATIS: So as you saw in your packet, this is a 20-acre rezoning from RLSP to industrial, light industrial. I wanted to talk for just a minute about the location of the property. It's on Little Morongo Road on the very north end of the industrial zone and on one side, the center line of Little Morongo Road is the boundary between the county and the city so in the west of Little Morongo, it's all county land there. On the east of this property is the multispecies conservation zone so you have an area where you can't develop at all to the east of this and then south of it, the industrial zone where the current cultivation activity is occurring. So this would be an extension to the north of that. One other thing to note is kind of the lotting pattern here. So if you look south, you'll see lots ranging in size from about 15 to 2-1/2 acres, but fairly large types of lots. On the north of this property is an area that's been subdivided into smaller

residential lots so this line on the north side where the edge of the zoning boundary is sort of the demarcation between those two lotting patterns. As I mentioned, this is currently zoned RLSP, a residential zone. This is kind of an older zone dating back to about 2000 with the old general plan and there are numerous other properties that have this zone as well in the area, both shown in the county and also in the city. In 2012, there was a general plan update that was undertaken and it never was completed. They progressed to the point where they had some tentative land use maps that they'd done for that and this is one of those maps. It was posted on the city's website for quite a few years and it was just taken down maybe eight months ago, but this shows that they were thinking at least about the industrials and not just to this property, but also to properties to the west so this is a point of references to where the city was when that effort was terminated. This is kind of the direction they seem to be going with things. Then finally just to show that this zoning is consistent with what had been thought of at that time. So this would be sort of continuing that industrial zone on at least two additional large 10-acre pieces. One thing staff asked us for was a conceptual site plan to show how these might be developed so we provided that to them yesterday. I don't know if they had a chance to look at it much yet. It's really just to illustrate kind of the way a property might lay out on these two pieces and so these are not necessarily large buildings. They could be or they could be multiple smaller buildings. They sort of define what the envelope where structures might occur and we would obviously refine this as we do with all of our projects to talk to the project component about his business plan and how he wants to have this work and various other things like that, but it gives you at least a sense for how this might be developed. You also notice that around the edges of it, most of the properties as it borders are vacant currently. In talking to staff, there was a concern about a couple that northwesterly corner. There were some residences across Little Morongo Road and then north of the property. So in terms of the surrounding uses, that's probably the only area where design might be appropriate to make sure that when we come in with the CEP we're addressing that particular condition.

MALE: I notice Desert View, which is paved yet, but at some point it might be, that little sliver that's right up above that, is that, that would still maintain residential.

PAUL DEPALATIS: Yeah, so the way it's lotted right now and the way the zoning is, I would assume that would be developed eventually with say three additional residential lots on the south side of Desert View on that side there. So, again, this would be kind of the interface between those two uses at the back of somebody's property eventually. There's no buildings there currently so we were sort of looking at the existing homeowners that have properties there and sort of what the area effect that this might be, but eventually you'd have.

MALE: Where's the nearest residential to the north of there?

PAUL DEPALATIS: If you measure that, it's about 200 feet roughly to, well let me get into a cross section we have in a minute, we can explain that. So what we did is we took a dimension from the face of the nearest building on both the north and on the west and that's shown in that cross section there and we took that cross section from that point through what we would be providing as a buffer to those properties. So, for example, you remember that most of the projects we (COUGHING) will have a 30-foot landscape easement along that edge there. So what we basically did on the county side is we took a measurement from the face of that house to

the back of our landscape easement and that distance would be about 135 feet on the Little Morongo side. On the north side, when you add up the face of the house, the front yard, the road and then the lot plus a 10-foot landscape easement, you'd have about a 200-foot separation there. So just to give a little bit of a sense, these are not right up against the property. There are some existing separations that we would be expecting when we come in with our condition use permit to provide buffering along those edges there in the plan. Of course, you don't see that yet, but that's the intent that that comes in. Just one other point for context. These are two of the projects that were approved early on in the cultivation zone and one at the corner of Little Morongo and to Two Bunch Palms Trail and another one about midway up Little Morongo Road and just to show that the city has been approving projects, fairly large projects, across from residential home sites on the county side for a while so this is kind of a continuance of that approaching in the cultivation zone.

So just looking at the merits of doing this, you know, one is it's consistent with the 2012 draft, not that that's binding, but it shows kind of the intent before. We think this is the best location for the industrial residential zone interface because it's the shortest area that's kind of a narrow three-lot interface between the properties. This is similar to prior approved projects. It is separated from the existing residences and then, finally, the city has control of the design of the _____ (30:59) and middle stage. So we would be looking on our plans to come in with something that addresses those two particular conditions there. Then, finally, staff had recommended the continuance for a couple reasons. One, they wanted the illustrative site plan, which we have provided. They were asking that we do some neighbor outreach. Of course, they did receive their hearing notices and I'm kind of curious if anybody in the audience is here from that because we'd be happy to talk with you and kind of discuss what we're doing and explain it in more detail. So maybe you can give me your information when we're done and we'll get together with you and we'll talk to you about it. Finally, as you've already said, if we are continuing, we'd like to have it be on the earliest agenda so the 28th, if that's the case, that would be appreciated. That's all I have.

MALE: Now we will take some testimony from any public. Do we have any forms filled out?

MALE: I'm sorry, I didn't fill out a form.

MALE: That's alright.

MALE: That's alright. Come on up and we'll have you fill one out and you can do that after you speak.

MALE: Okay.

MALE: Thank you.

JIM ACHESON: Hello, my name is Jim Acheson. I own the land across the street from this project the gentleman is talking about and I know he mentioned existing houses, but the property I own is not developed, but if I wish to develop it in the future by doing a spec home or sell the property and the potential of somebody building a house, I'm not in favor of the project because,

as you've talked about security and the big buildings and fences and all those kind of things, that just, it looks, to me, it's like a prison. I remember years ago, they were going to put a prison in that area over there, but they didn't and the reason why because it didn't look good and these items that they're talking about, I don't think they're going to be good for the property either. So it's zoned as residential now. I don't see a need to change it. They can develop south of 13th down Little Morongo. That's what the city decided before. So I just don't understand why we would change this because I have the property there. It's residential and it's going to have an impact on my property, a negative impact. So I'm opposed to the plan. So, okay.

MALE: We'll have you fill out one of the forms and I know the community development director might get your contact information as is the applicant so they can talk to you about what your concerns may be.

MALE: So, Chair Voss and members of the Planning Commission, as indicated by the applicant's representative, we have been working with them on this project and I'd like to just elaborate on a few of the components of the presentation that were made. As you notice, when we got near to the last one of these slides were shown as merits of the rezone. I always like to advise my Commission that any time you are considering a change of zone and a general plan amendment, there are variety of issues that you should consider because, for example, when we make findings, we have to say that there are consistency findings. There are obviously these other factors like with respect to compatibility of those land uses and things like you saw today with the conceptual site plan buffering because we know that an industrial land use has certain industrial impacts to other sensitive receptors, such as people living in single-family homes. Now, normally, when a general plan and change of zone comes to the Commission, I always recommend to the applicant to also bring the conditional use permit and the site plan so that you can weigh out the specific merits of the project and you can see how they are mitigating whatever issues are involved.

Now, it is true that the general plan did at one time consider that the extension of industrial use is all the way up along Little Morongo all the way to Pierson. However, for reasons that you already know, the comprehensive general plan update was put on hold. So at this point, we could still say that that change is speculative because it was never adopted. It was never recommended by the Commission nor adopted by the City Council. However, an argument could be made that that is a logical extension of industrial uses all the way up to Pierson if you intend to make those findings when the applicant brings this back, but I'd like to say that I usually say it's a rule that if you're going to make a change in zone and a general plan amendment and you're going to consider it, that the conditional use permit and the site plan should come with it so you can make findings and say based on the merits of the project, you can mitigate for whatever issues are involved. Now, we did see today a conceptual site plan that was certainly shown. If you decide to make the recommendation when we bring it back and then it goes to the Council, I'm going to recommend to the Council the same thing, that we're bringing this to you without the actual conditional use permit and the site plan, which in of itself is a speculative change because we don't really know, since that was not part and parcel of the entire development application. So those will be things to consider. We could certainly talk about that today, tonight, since this is before us and we are going to have a continuance. So I suppose what staff is going to say is that in this case, you have seen that there is a buffer, a 200-foot buffer on one side, a 135-foot buffer

on the other side. If you feel that that's proper buffering and mitigation to a sensitive receptor, then it would be appropriate. If you don't feel that that is an appropriate measure of buffering to mitigate that, then it would not stand.

FEMALE: Mr. Chair, members of the Commission and, of course, this is an open public hearing so should the Commission actually decide to continue it, obviously, you would continue it to a date certain and have those considerations and speak about all those considerations on February 28th.

MALE: I think at this point, it's best we do not go further down into our discussion on this. We don't have a project, in essence, at this point and there's discussion with representatives of the public, staff, review of our code and those kinds of things and we're just going to be doing a lot of speculative, what if, could have, should have kind of discussion and I don't have the time for that so let's, why don't we just go ahead and, I think we're just going to be spinning wheels.

FEMALE: I agree. I had to chuckle, but there is something that I would like to address that kind of seems a little glaringly obviously. I don't know if it's out of my scope to say this and if it is, please correct me. I would encourage that within this timeframe that there is mediation that occurs between the development and between those that are the residents and that there is the proper timeframe for the notice of hearing so that voices can be heard and I think that that is a very important factor to consider before I, myself, sitting on this dais would even feel comfortable with wanting to make any type of a decision.

MALE: And that was one of the primary reasons that this was recommended to be extended. So we'll go ahead and we'll close the public hearing and the recommendation is a motion to extend this to the February 28th meeting. Is that what we staff feel is they can bring this back then?

MALE: Correct. To a date certain.

MALE: Okay, alright, so we need a motion to.

FEMALE: I'll make a motion.

MALE: Alright, we have a motion. Do we have a second?

FEMALE: Second. To continue to February 28th.

MALE: Correct.

MALE: All those in favor say aye.

MALE: Aye.

FEMALE: Aye.

MALE: Aye.

MALE: Alright, oppose. None. 28th. Perfect. If, Scott, if you could get the gentleman's name and you guys can have a little dialogue as well, that would be great.

END OF SECTION