

REPORT TO THE PLANNING COMMISSION



DATE: September 12, 2017

TITLE: Request for a Three-Year Extension of Time for Tentative Tract Map 33746 - from June 6, 2017 to June 6, 2020 for the subdivision of 554 lots (499 residential) for the Silver Oaks Sunset Ridge residential Development located on the south side of Mission Lakes Blvd between Karen Ave and Western Ave. Request submitted by Neil Gascon, Anza Butterfield Road 34, LLC.

Prepared by: Scott Taschner, Senior Planner

Reviewed by: Daniel Porras, Community Development Director

RECOMMENDATION

- 1) Staff Report;
- 2) Questions of Staff from Planning Commission;
- 3) Open the Public Hearing;
- 4) Invite Applicant to speak;
- 5) Questions for the Applicant;
- 6) Take Public Testimony;
- 7) Opportunity for Applicant Rebuttal;
- 8) Close the Public Hearing;
- 9) Planning Commission discussion and questions to Staff; and
- 10) Continue the Public Hearing to October 10, 2017.

PRIOR ACTIONS

On June 6, 2006, the City Council approved 1) a Mitigated Negative Declaration for the Silver Oaks Sunset Ridge Residential Development; and, 2) General Plan Amendment 03-05; and, 3) Zone Map Amendment 05-05; and, 4) Specific Plan 01-05; and, 5) Environmental Assessment No. 05-05; and 6) Tentative Tract Map 33754, for the development of a 499-lot single-family residential development. The map has since been given automatic extensions under several California State Senate and State Assembly bills and those extensions were valid until June 2016 at which time the applicant filed a request for an extension of time with the City pursuant to City Codes and Regulations.

On June 14, 2016, the Planning Commission granted a one-year extension of time for Tentative Tract Map 33746 (Silver Oaks / Sunset Ridge Residential Development).

DISCUSSION

The client is requesting a three-year (3) extension of time for the Tentative Tract Map, from June 6, 2017 to June 6, 2020. The developer is not ready to pull building permits and would like an extension so they do not lose the projects entitlements.

BACKGROUND

Pursuant to Section 16.24.170(D) Map Extensions, *"The time at which the tentative map expires may be extended by the Commission for a period not exceeding a total of 3 years."*

The applicant is requesting a three (3) year extension of time, however this is a discretionary action and the commission may grant another extension other than a three-year extension.

In order to approve a request for Time Extension the City needs to find the following:

1. The Applicant satisfies all aspects of 17.092.100 of the Desert Hot Springs Municipal Code with respect of Time Extensions;
2. There have been no substantial changes to the Project since it was initially approved;

There are no substantial changes to the area that would warrant further review or study.

3. The Applicant has presented good cause for requesting the extension of time, in that economic conditions and lack of infrastructure have prevented the Applicant from constructing the Project; and

Due to financial constraints and the condition of the housing market the applicant is requesting an extension of time

4. The City has advertised the Public Hearing in the newspaper and provided notice to all property owners within a 300-foot radius.

The Public Hearing Notice was advertised in the Desert Star Weekly on July 28, 2017, August 1, 2017 and September 1, 2017 and notice was sent to all property owners within a 300-foot radius, as required.

FISCAL IMPACTS

The applicant has submitted all required fees for processing the request for an Extension of Time. No other fiscal impacts are anticipated at this time.

ENVIRONMENTAL ANALYSIS

An Initial Study was prepared for this project, in accordance with the California Environmental Quality Act ("CEQA"). The study revealed that the project, as proposed, would not have significant impacts on the environment. Therefore, a Mitigated Negative Declaration ("MND") was prepared and circulated for public review in early 2006. In conjunction with the project entitlements, the City Council adopted the MND on June 6, 2006.

Pursuant to Section 15162(a) of the CEQA Regulations, once an MND has been adopted for a project, no subsequent environmental review needs to be completed unless there are substantial changes in the project that warrant additional review. The overall project characteristics, in terms remain the same as approved by the City. The Planning Commission only needs to make a finding that the Time Extension is consistent with the original Mitigated Negative Declaration and no further analysis is required. The Initial Study is attached as **Exhibit 4.**

RECOMMENDATION

Staff recommends that the Planning Commission grant a three (3) year extension from June 6, 2017 to June 6, 2020 for Tentative Tract Map 33746, the Silver Oaks Sunset Ridge Residential Development on the South Side of Mission Lakes Blvd between Karen Ave and Western Ave on approximately 165.7 acres.

EXHIBITS

- 1) Conditions of Approval
- 2) Tentative Tract Map 33746
- 3) Building Elevations
- 4) Building Floor Plans
- 5) Conceptual Landscape Plan
- 6) July 10, 2014 Planning Commission Staff Report, Resolution & Conditions of Approval
- 7) Adopted Mitigated Negative Declaration