

## REPORT TO THE PLANNING COMMISSION

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**DATE:** January 8, 2019

**TITLE:** Development Permit No. 09-18 proposing the construction of five (5) contemporary mediterranean single-family homes within the Rolling Hills Estates Residential Tract north of Mission Lakes Boulevard and east of Little Morongo Road in the R-L (Low Density Residential) zone. Applicant: Chris Ifeanyi, on behalf of Elyon Development.

**Prepared by:** Patricia Villagomez, Planning Technician

**Reviewed by:** Rebecca Deming, Community Development Director

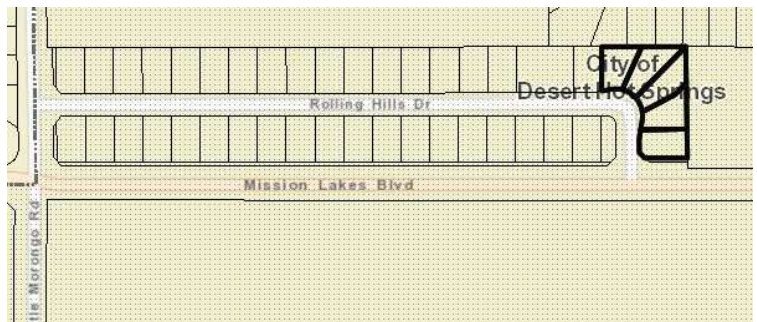
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### RECOMMENDATION

- 1) Staff Report;
- 2) Entertain Questions of Staff from Planning Commission;
- 3) Open the Public Hearing;
- 4) Take Testimony from Applicant;
- 5) Take Public Testimony;
- 6) Opportunity for Applicant Rebuttal;
- 7) Close the Public Hearing;
- 8) Planning Commission discussion and questions to Staff; and
- 9) Recommendation from staff that the Planning Commission approve the application for the development of five (5) contemporary Mediterranean single-family homes in the Rolling Hills Estates residential subdivision north of Mission Lakes Blvd and east of Little Morongo Road in the R-L (Residential Low) District. APN's: 661-560-001, -002, -003, -004, and -005)

### EXECUTIVE SUMMARY

The applicant, Chris Ifeanyi on behalf of Elyon Development, has filed a Development Permit application (DP 09-18) to construct five (5) contemporary Mediterranean single-family homes on five (5) vacant parcels located north of Mission Lakes Boulevard and east of Little Morongo Road. The proposed project



is within a portion of the Rolling Hills Estates Residential Tract that has not been completed. Approximately half of the tract was completed by late 2007, and those have been sold and are occupied by residents/property owners. The remaining 21 lots are vacant, but this application is only for 5 of the 21 remaining lots. Planning Commission also has an approved an application from Watermarke Homes for the development of the other 16 lots.

The Zoning, General Plan Land-Use designations, and current land uses for surrounding properties are as follows:

**Zoning & General Plan Designations**

North: Residential Low District (R-L/SP)

West: Residential Low District (R-L/SP)

South: Residential Low District (R-L/SP)

East: Residential Low District (R-L/SP)

**Current Land-Use**

Vacant

Vacant

Vacant

Vacant

**Background****Prior Actions**

- On September 7, 2005 the City Council approved the Rolling Hills Estates Tract Map (TTM 33653).
- On January 10, 2006 the Planning Commission approved applications for the Development Permit (DP No. 17-05) & the Design Review (DR 16-05) for the architectural review of the homes and development of the site.
- In 2006-2007 the developer began construction and completed 20 of the homes.
- On October 4 & November 5, 2018 applications for development applications for the remaining 21 homes were submitted, but with two different developers, two different designs, and under two separate requests for entitlements.
- On November 13, 2018 the Planning Commission denied the application for the Development Permit No. 09-18 for the proposed mid-century modern (with butterfly roof and slope roof designs).
- On December 11, 2018 the Planning Commission approved the application for the Amendment to Development Permit No. 17-05 and Design Review No. 16-05 of sixteen (16) new contemporary Mediterranean single-family residences.
- On December 12, 2018 the applicant appealed the Planning Commission decision. The City Council (at a duly noticed public hearing) heard the staff report, accepted testimony from the public and the applicant, deliberated on the proposed project. At that hearing the City Council voted 3-2-1 to uphold Planning Commission decision to deny the mid-century modern homes.
- On December 19, 2018 the applicant re-submitted new architectural design (contemporary Mediterranean) for the five (5) vacant lots within the Rolling Hills Estates residential tract.

**Original Entitlements / Architectural Design**

The original entitlements were for the Rolling Hills Estates Development were for the construction of 41 single-family homes and two (2) retention basins on a 14-acre site. The development was approved with five (5) different models. Generally, the approved architecture is Mediterranean in design, with earth toned colors and finish materials of

stucco, stone veneer, and pitched tile roofs. The building materials utilized four (4) color schemes for the exterior finish, roof tile, and fascia with combinations of tans, browns, grays, and red. In addition, there were three (3) design schemes for the stone veneer with color of carmel mountain, hillside, and carlsbad blend. Floor plans show the building footprints ranged in size from 2,839 to 3,527 square feet including covered patios and garages. The heights of the houses range from a low of seventeen feet six inches to a maximum height of eighteen feet eight inches.

Each of the five models had two different front building elevations. Potentially, having provided 10 different front building elevations. At the time of entitlements, staff was concerned about having enough “functional and visual variety in a manner consistent with the scale and intensity of subdividing” as prescribed in Section 17.08.260(B) (Development Guidelines for Single- Family Residential Design) of the Zoning Ordinance, which states:

*“Varied Structure Design. Much of recent residential design has been dominated by large tract development with a limited number of models and regimented development standards. To avoid this “cookie cutter” look in single-family development, the design of structures should be varied in tract developments to create variety and interest. Differences in massing and design approaches of each adjacent house should be accomplished. Generally, 1 residential design should not be repeated more frequently than each fourth house.”*

### **Current Proposal - Proposed Development of 5 of the Remaining Lots**

The applicant, Elyon Development, has filed a Development Permit application (DP 09-18) to construct five (5) single-family residential homes that are very similar in design to the existing homes (stucco exterior finishes, wall lanterns, and pitched tile roofs on all homes) with a contemporary Mediterranean design.

#### **Elyon Development proposes:**

1. A 20' front and rear setback
2. A slight reduction in square footage, approximately 2,044
3. Concrete roof tile – A Capistrano Adobe Blend
4. Stucco exterior with earth tone color finishes.
5. All models will have an outdoor wall lanterns.
6. A 5' engineered vinyl fence and gate on the side of the properties and pre-existing tan block along the rear of the property.

Upon filling of application to complete the construction of a residential tract that was approved with certain architectural styles, sizes, building materials, etc. staff has an obligation and duty to evaluate the proposed in-fill development against certain sections of the Zoning Ordinance. One such Section is 17.08.260, which states:

*“No particular architectural “style” is required for residential structures. However, the City will judge all residential plans on their architectural merits. Residences designed with a southwestern, mission, or Mediterranean style will respond to the varying temperatures and outdoor living opportunities of the desert. The focus should be on the creation of a quality residential environment. In general, the architecture should consider compatibility with surroundings character, including harmonious building*

*style, form, size, color, material, and roofline. Individual dwelling units should be distinguishable from one another.”*

### **Development Permit Analysis**

#### **Conformance with the City’s Zoning Code**

The project proposes the construction of five (5) contemporary Mediterranean single-family homes in accordance with Section 17.08 of the DHSMC, which allows this land-use with approval of a Development Permit. The proposed development is consistent with the Desert Hot Springs Zoning Code (DHSZC) development standards in maximum lot coverage, minimum dwelling size building heights, and setbacks.

#### **Site Planning Analysis**

The proposed development of each project site is consistent with the development standards of the R-L (Residential Low) District in building height, setbacks, and lot coverage.

<b>Standard</b>	<b>R-L Zone Standards</b>	<b>Proposed</b>
Front Setback	Minimum 20 feet	Approx. 20 – 40 feet
Rear Setback	Minimum 20 feet	Approx. 20 – 30 feet
Side Setback (Substandard)	Minimum 5 feet	Ranges from 5 – 20 feet
Height	20 feet maximum	16 feet
Building Lot Coverage	40% maximum	28% - 34%

### **General Plan Goals & Policies**

#### **Residential Goals, Policies & Programs**

Staff has identified the following applicable goals, policies, and programs in relation to the proposed project:

#### **GOAL 1**

**Preservation and enhancement of the predominantly low density, resort residential character of the City.**

The City has adopted a Zoning Ordinance to implement the General Plan and provide review and approval of individual development projects. The proposed project will be subject to all requirements of the Development Permit, as prescribed by the Zoning Ordinance and the adopted Conditions of Approval.

#### **GOAL 2**

**A variety of all housing types and densities that will accommodate existing and future residents of the community.**

The Zoning Ordinance is to be implemented for the General Plan and determined that the project (Contemporary/Mediterranean single-family residences) is physically compatible with the surrounding neighborhood and the intensity of the use being proposed.

## **Policy 1**

**Areas of existing residential development and surrounding vacant lands shall be planned in a manner which preserves neighborhood character and assures a consistent and compatible residential land use pattern.**

The project site is presently vacant but will be developed for residential use. The proposed building exterior, architecture, and landscaping are compatible with the design elements and features of the neighborhood, which helps provide neighborhood cohesion and overall enhances the image of the City.

### ***Architecture***

The applicant proposes to construct five (5) new contemporary/Mediterranean single-family residence with concrete roof tile. The building materials include stucco (capistrano adobe blend) and hacienda base with an adobe color trim. The overall architectural character will be that of an attractive, well-maintained single-family home.

### ***Landscaping***

Landscaping is proposed along the street frontage area. The proposed landscape will consist of desert friendly / drought-tolerant plants such as Desert Spoon, Blue Agave, Blue Palo Verde, Barrel Cactus, and Slipper Plant or Red Yucca. The proposed perimeter landscaping throughout the project site will help enhance the visual character of the streetscape in a manner that is compatible with the local desert environment. Landscaping has been designed to balance aesthetic and water use.

## **REQUIRED FINDINGS**

### **Development Permit Findings**

- A. That the proposed use is permitted within the subject land use district and complies with all of the applicable provisions of this Zoning Ordinance, including prescribed development standards and design guidelines;***

The proposed development of five single-family homes will be in compliance with all applicable provisions of the City's Zoning Code, identified in Section 17.08 as permitted within any Residential District which includes the R-L (Residential Low Density) zone, subject to approval of a Development Permit. The Conditions of Approval have been prepared and are recommended to assure the proposed use will comply with all applicable Zoning Ordinance provisions. Staff recommends this finding.

- B. That the subject site is physically suitable for the type and intensity of the land use being proposed;***

City Staff has evaluated the proposed development of 5 single-family homes and determined that with mitigation measures and conditions of approval the project will be consistent with the City's Zoning Code & General Plan. The proposed project is located within the R-L zoning district which allows a minimum building to lot coverage of 40%. The proposed project has lot coverage ranging from 24%-28%. In addition, the properties zoned for single-family homes. Staff has determined that the project is physically suitable for the type and intensity of the use being proposed. Staff recommends this finding.

- C. That the proposed development would be compatible with existing and future developments within the land use district and general area;***

Existing and future land uses within the general area of the proposed single-family homes are primarily residential low-density land uses. Lands to north, east, and south are primarily vacant and zoned for residential low-density land uses, while lands to the west have existing single-family homes. The height and general configurations of the proposed single-family homes are similar and compatible with existing and future single-family development in the surrounding area. Staff recommends this finding.

***D. That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use is not detrimental to public health and safety;***

In 2007, the first 20 homes in the tract were constructed and at that time water, sewer were completed, and other utilities have been out to the site to mark-up easements, dig-alerts, etc. and are preparing to service these new homes. Staff has determined that prior to occupancy there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed project will be maintained and not become a blighted property. Staff recommends this finding.

***E. That there is adequate public access and roadway capacity to serve the subject proposal;***

In 2007, the first 20 homes in the tract were constructed and at that time the streets curbs, and gutter were completed, and the sidewalks were completed for the portion of the tract that was completed. The current project will be conditioned to compete the street improvements to serve the homes before an occupancy permit is issued by the City. Staff recommends this finding.

***F. That there are no significant harmful effects upon environmental quality and natural resources;***

The proposed five (5) contemporary Mediterranean style homes do not propose to introduce and hazardous materials or create any harmful effect on the environment or the quality of natural resource, therefore staff has determined that the proposed project will not have or cause significant harmful effects upon environmental quality and natural resources. Staff recommends this finding.

***G. That any negative impacts of the proposed use can and shall be mitigated;***

Staff has not identified any notable impacts on the adjacent homes from this project. The architectural design and home sizes are compatible with the completed single-family homes on the east side of the project site. Staff recommends this finding.

***H. That the proposed use is consistent with the General Plan; and***

City Staff has evaluated the proposed project against the City's General Plan Goals & Policies and determined that with the added/project specific conditions and the mitigation measures outlined therein, the project will not have a significant visual impact on the houses, several hundred feet, down the street. Staff recommends this finding.

***I. That the proposed location, size, design, and operational characteristics of the planned use are not detrimental to the public interest, health, safety, convenience, or welfare of the City.***

The proposed project is consistent with the City's Zoning Code & General Plan and will be conditioned by the Fire Department and City Engineer, and will be required to comply with the 2016 California Building Code requirements for structural, electrical, fire, plumbing, earthquake, etc. The project will also be required to pull all permits and to comply with all local, regional, and state laws. Staff recommends this finding.

**NOTICING REQUIREMENT**

The project was noticed to neighboring owners within a 300-foot radius of the project site (on Thursday, December 27, 2018) and was advertised in the Desert Star on Friday, December 28, 2018 per state noticing requirements. No public comments have been received as of this writing.

**ENVIRONMENTAL ANALYSIS**

On September 7, 2005 the City Council approved the Rolling Hills Residential Tract and in doing so certified the Mitigated Negative Declaration for the Project. Pursuant to Section 15162(a) of the CEQA regulations, once an MND has been certified for a project, no subsequent environmental review needs to be completed unless there are substantial changes in the project that warrant additional review. The Planning Commission only needs to make a finding that the request for an amendment (a Development Permit which proposes completion of a portion of the approved tract with only a change in architectural design) is consistent with the original MND, and no further analysis is required. **No significant changes are proposed as a part of the proposed amendment to the development permit, and no new impacts are being introduced.**

**EXHIBITS:**

- No. 1 – Draft Conditions of Approval
- No. 2 – Original Staff Report January 10, 2006
- No. 3 – Original Architecture Plans January 10, 2006
- No. 4 – Proposed Elevations
- No. 5 – Proposed Floor Plan
- No. 6 – Proposed Site Plan