

## REPORT TO THE PLANNING COMMISSION



**DATE:** September 10, 2019

**Prepared by:** Judy Deertrack, Assistant Planner

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

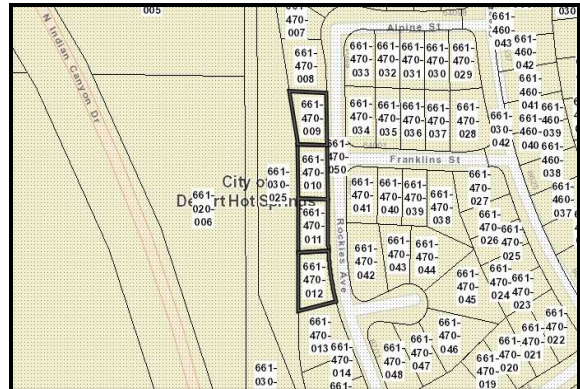
**TITLE:** Development Permit No. 04-19 proposing the construction of four (4) single-family residences located on Rockies Ave within the Mountain View Country Estates Specific Plan.  
Applicant: Chris Ifeanyi, on behalf of MVE Property Ventures, LLC.

### 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) Staff recommends Planning Commission approval of Development Permit No. 04-19 subject the Conditions of Approval and based on the findings stipulated.

### EXECUTIVE SUMMARY

The Applicant, Chris Ifeanyi, for MVE Property Ventures, LLC, has filed a Development Permit Application (DP 04-19) to construct four (4) single-family residences at a height of approximately fifteen (15) feet, with a contemporary California Mediterranean theme as well as a Minor Exception Application for a 6.7% reduction in two of the required rear yard setbacks. Design articulation from the homes is taken from the architectural guidelines of the Mountain View Country Estates Specific Plan. The project lies north of Mission Lakes Boulevard, immediately west of the Mission Lakes Condominiums, with the westerly Specific Plan boundary running alongside the Riverside County Flood Control Levee, more particularly where the Flood Control Levee intersects on its easterly side with the four (4) single-family residences proposed to be constructed under this Development Permit Application.



The proposed development is part of the last remaining infill lots under the Mountain View Country Estates Specific Plan, which was approved and adopted by the City Council in 2003, consisting of a subdivision of 396 single-family homes located on approximately 130 acres. At the inception of the project, the Specific Plan Area occurred within the City's Sphere of Influence and was annexed as Riverside County Low-Density Residential (up to 5 DU/AC) with a Specific Plan overlay. The Specific Plan site has approximately 3,500 linear feet of boundary along North Indian Canyon Drive, and 1,090 linear feet of boundary that intersects with Mission Lakes Boulevard. The designation permitted the development of single-family homes, with design

review performed by a Design Review Committee that discontinued after buildout of the project. Remaining infill to be completed is minimal.

The zoning for surrounding properties are as follows:

### **ZONING DESIGNATIONS**

North: Residential Low District (R-L/SP)	Single-Family Res. (SP)
West: Residential Low District (R-L/SP)	Flood Levee / (R-L) Vacant
South: Residential Low District (R-L/SP)	Single-Family Res. (SP)
East: Residential Low District (R-L/SP)	Single-Family Res. (SP)

### **SITE INFORMATION**

The project site consists of four lots (Lots 298 through 301 in Tract Map No. 24384-4) located west of Rockies Avenue within the Mountain View Country Estates Specific Plan development. The average lot size for the four (4) lots is 6,284 square feet; whereas the largest lot is 6,793 square feet (Lot 301) and the smallest lot is 5,663 square feet (Lot 299).

### **BACKGROUND**

The four (4) lots complied with the minimum lot depth of 100 feet when the Tentative Tract Map for the Mountain View Estates development was approved in August 2003. However, due to shifting of the Riverside County Flood Control Levee that is adjacent to the lots, the four (4) lots were reconfigured with reduced lot depth ranging from 81 feet to 60 feet.

### **GENERAL PLAN AND SPECIFIC PLAN ZONING ANALYSIS**

*Subdivision and Design Standards* – The four (4) lots proposed for construction lie within the Mountain View Country Estates Specific Plan and fall under the development standards for the Plan. The Specific Plan requirements for approved Tentative Tract Map 24384-4 required a minimum lot size of 5,000 square feet, a minimum lot frontage of 50 feet, and a minimum lot depth of 100 feet.

These four (4) lots originally conformed to the lot size standards until altered from the construction of the Riverside County Flood Control Levee. Because of their unique orientation along the perimeter of the project and the intrusion of the levee, the four (4) lots have an average depth of 60 feet and an average frontage of 100 feet (originally designed at a depth of 100 feet).

These dimensions represent the opposite orientation in depth and width to almost all lots within the project area, which affects applicant's design choices, as the frontage and depth of the residential structure is reversed from the norm. Applicant's residential width (building frontage) is approximately 90 feet, whereas the other properties within the Specific Plan area have an average residential width of approximately 40 feet.

DHSMC 17.08.250 H. (Single-family site planning) specifies: *"Subdivisions should be encouraged to include a varied mix of lot widths. Making some lots wider, and some narrower, than the average can provide a less regimented and repetitive and a more varied mix of open area and structures. It also allows placement of different shapes and sizes of homes. On narrow lots, a variation of only 3 or 4 feet can make a perceptible difference."*

DHSMC 17.08.260 B. (Single-family architecture) specifies: *"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, one residential design should not be repeated more frequently than each fourth house.”*

The Mountain View Country Specific Plan was approved with fourteen model homes (floor plans) that vary from the Ventana floor plan at 1,200 square feet, to the El Dorado floor plan at 2,800 square feet. The Elevations of those models that appear in the Specific Plan show design variation that fluctuates between relatively simplistic frontages to those on some of the larger homes that are complex and sophisticated. All models share common design themes, differentiated by their mixtures in the use of design options.

Applicant is requesting variation from the standards of DHSMC 17.08.260 B. with respect to the numbers of proposed floor plans for the four (4) lots and has proposed one floor plan with a flip orientation, wherein Lots 298 and 300 are Floor Plan A, and Lots 299 and 301 are Floor Plan B (One reversed floor plan, alternately flipped).

At the request of the Department, applicant added significant new design features to the four (4) units (using the Design Guidelines of the Specific Plan) to enrich the design and contrast. This includes use of a contemporary California Mediterranean theme with earth tone stucco colors accented by combinations of ledgerstone veneer, exterior shutters, color-contrast exterior trimming, windowed garages, hip and gabled roof variation, and pop-out arched entryways, carefully differentiated in the four units to create contrast and variety. This design modification has been reviewed by the Community Development Director with a recommendation to the Planning Commission of approval, based upon conformity review of the pre-existing model homes in the Specific Plan.

*Specific Plan Development Standards* – The Mountain View Country Specific Plan contains a Development Standards Grid that specifies the following setbacks and height requirements: minimum front yard setback (15 feet); minimum front yard setback from roll-up garage (20 feet); minimum interior side yard setback (5 feet); minimum rear yard setback (15 feet), maximum lot coverage of 55%; minimum livable area of 1,000 square feet; and maximum structure height of 20 feet.

Lots 298 – 301 comply with all development standards of the Specific Plan except for minor variations from the required rear setbacks on Lots 298 and 300, with a proposed rear setback of fourteen (14) feet from the required fifteen (15) feet. The Desert Hot Springs Municipal Code (DHSMC) Section 17.116.30 A. (4) and DHSMC 17.64.010 (Review Authority), allows the Community Development Director discretion to grant a maximum of 10% variation (1.5 feet) from the rear setback standard. The requested Minor Exception is requesting a 6.7% reduction. Staff recommends the Minor Exception be granted under DHSMC 17.116.030 A. (4).

As a design consideration, the four (4) lots proposed for construction are some of the last remaining infill lots in the project area and fill the gap in the street frontage from homes running consecutively and unbroken along Rockies Avenue.

*Site Circulation* – The Specific Plan site has one primary gated access point from Mission Lakes Condominiums along Spyglass Drive/Silver Star Avenue, and a secondary emergency access point at Annendale Avenue used by residents to exit the residential gated community.

*Elevations, Colors and Materials* – The building style will be a contemporary Mediterranean form following the guidelines of the Mountain View Country Estates Specific Plan (Model Home Facades) with articulated earth tone stucco colors accented by combinations of ledgerstone veneer, exterior shutters, color-contrast exterior trimming, windowed garages, hip and gabled roof variation, and pop-out arched entryways, carefully differentiated in the four units to create contrast and variety. Applicant is using one floor plan, with an alternating “flip” of the single floor plan between four (4) proposed homes.

Applicant proposes to construct the homes with stucco exteriors, and various textures in the trim, pop-out features, and garages. Lot 298 is proposed with Meadowbrook for the stucco finish, San Mateo Blend for the roofing finish, ledgerstone veneer for the entryway pop-out, and a garage without windows. Lot 299 is proposed with San Simeon for the stucco finish, Sunrise Blend for the roofing finish, Dove Grey color contrast on the pop-out entryway, shutters on the windows, and windows in the garage door. Lot 300 is proposed with El Dorado for the stucco finish, San Rafael Blend for the roofing finish, ledgerstone veneer for the entryway pop-out, and no window in the garage. Lot 301 is proposed with Oatmeal for the stucco finish, Sunrise Blend for the roofing finish, Misty color contrast on the entryway pop-out, and windows in the garage door.

*Landscape Palette* -- The proposed Landscape Plan (ARID) is conditioned for pre-approval by Mission Springs Water District (MSWD) and contains a mixed palette of 24-inch box trees, palms, shrubs, ground covers, accent plants, and perennials, together with the use of turf, decomposed granite, river-washed boulders, and edging.

## **DEVELOPMENT PERMIT ANALYSIS**

### ***General Plan and Zoning Consistency/Review Authority***

The project proposes the construction of four (4) single-family Mediterranean-style infill homes at approximately 2,400 square feet per home at a height of approximately fifteen (15) feet, on lots that vary roughly between 6,800 square feet and 5,600 square feet in accordance with the design and development standards of the Mountain View Country Estates Specific Plan. The original site was developed under Tract Map No. 24384-4. Throughout the years, various sections of the Plan were built with the use of development permits and variances that were filed and reviewed by the Planning Commission.

Under DHSMC 17.64, the Community Development Director has review authority to permit between 1-4 residential dwelling units under a Development Permit, with associated Design Review. Staff research determined that infill homes built in the years after initial buildout of the project were reviewed by Planning Commission with the use of Development Permits and Variances (where required). The Planning Commission ultimately replaced the function of the original Design Review Committee. The Community Development Director has determined this matter as appropriate for Planning Commission review.

*Review Authority* -- The Specific Plan was originally reviewed by Planning Commission and approved by City Council. Individual lot entitlement (infill buildout) of the Mountain View Specific Plan has historically occurred through Design Review under a Development Permit brought before the Planning Commission with recommendations by the Community Development Director (DHSMC 17.64 Administration and Specific Plan History). The proposed development will be consistent with zoning and development standards and all applicable General Plan policies, except for DHSMC 17.116.030 A. (4), which allows Director discretion to grant a Minor Exception to the rear setback standards for Lots 298 and 300 from the proposed fourteen (14) foot setback to the required fifteen (15) foot setback.

## **GENERAL PLAN GOALS AND 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 and implemented the Mountain View Country Estates Specific Plan 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 review standards of the General Plan and the Specific Plan and associated Conditions of Approval.

## **GOAL 2**

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

The Mountain View Country Estates Specific Plan implementation carries out the long-term goals of City's General Plan with a pre-determination that Contemporary/Mediterranean single-family residences are physically compatible with the surrounding neighborhood at the intensity, scope, design, and development standards specified in the Specific Plan.

## **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 infill site of four (4) vacant lots will be developed for residential use. The proposed building exterior, architecture, and landscaping proposed pursuant to the standards pre-approved under the Specific Plan are compatible with the design elements and features of the neighborhood, which helps provide neighborhood cohesion and overall enhances the image of the City.

## **REQUIRED FINDINGS**

*Development Permit Findings:* Staff recommends the following findings in conjunction with the proposed residential infill project:

- 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 construction of four (4) single-family infill homes within the Mountain View Country Estates Specific Plan (referred to as the "Specific Plan), close to build-out, complies with all applicable provisions of the City's Zoning Code, identified in Section 17.08 as permitted within any Residential District which includes the Specific Plan zone, subject to approval of a Development Permit, considering the history of Specific Plan Review by the Planning Commission, and provision for Design Review within the Specific Plan. 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 four (4) single-family infill homes and determined that with a Minor Exception on the rear setbacks for Lots 298 and 300, together with conditions of approval, the project will be consistent with the City's General Plan and the development and design standards of the Mountain View Country Estates Specific Plan. The proposed project is located within Specific Plan boundaries, which allows a minimum lot coverage of 55%. The proposed project has lot coverage ranging to 42%. In addition, the properties are 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 zoned and built under the development and design standards of the Mountain View Country Estates Specific Plan. Lands to north, east, and south of the four (4) residential lots are built-out under the standards of the Specific Plan, while lands to the west contain the Riverside County Flood Control Levee. Lands beyond the Levee are vacant. The height and general configurations and setbacks of the proposed single-story 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;***

The Mountain View Country Estates Specific Plan is at approximate full buildout. Water, sewer, and other utilities are fully established at the site. 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 adequately. Staff recommends this finding.

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

The tract for Mountain View Country Estates Specific Plan is substantially built-out with only a few remaining infill lots. The streets, curbs, and gutter are complete at the site and its surroundings. The current project will be conditioned to complete any remaining 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 four (4) contemporary Mediterranean style homes are one of the last residential infill sites under the Mountain View Country Estates Specific Plan tract map. Applicant does not propose to introduce hazardous materials or create any harmful effect on the environment or the quality of natural resource through the materials and activity in constructing the remaining homes. 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 north, east, and south side of the project site, and will enhance the area environment by filling the last vacant lots in the otherwise designed Specific Plan area. Staff recommends this finding.

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

Staff has evaluated the proposed project against the City's General Plan Goals & Policies, including adoption of the Mountain View Country Estates Specific Plan in furtherance of housing objectives, and determined that with the added project-specific conditions, the project will not have a detrimental visual impact on its surroundings. To the contrary, construction of the infill lots will result in more cohesive design and eliminate unsightly vacant lots. 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 Mountain View Country Estates Specific Plan and General Plan, 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.

***J. That the request for a Development Permit for four (4) residential infill units is consistent with the original environmental review, and no further analysis is required.***

The Mountain View Country Estates Specific Plan, its associated tract map and environmental assessment was approved and adopted by the City Council at the recommendation of the Planning Commission after full environmental review by both bodies, and upon notice and hearing to the general public. The four (4) residential infill units are proposed under the design and development standards of the approved Specific Plan, and are, accordingly, consistent with the original environmental approval. No further analysis is required. Staff recommends this finding.

**NOTICING REQUIREMENT**

The project was noticed to neighboring owners within a 300-foot radius of the project site on Thursday, August 29, 2019, and was advertised in the Desert Star on Friday, August 30, 2019, per state noticing requirements. No public comments have been received as of this writing.

**FISCAL IMPACT**

All required application fees have been paid. Development of the lots will bring additional property tax to the City.

**ENVIRONMENTAL ANALYSIS**

Regarding the the California Environmental Quality Act (CEQA), environmental documentation was prepared and approved for the Mountain View Country Estates Specific Plan and associated Tract Map(s), assessing the environmental impacts of the project and subsequent implementation steps, including development of the residential units for the same project. The City Council only needs to approve a finding that the request for a Development Permit for four (4) residential units (infill) is consistent with the original environmental review, and no further analysis is required. **No significant changes are proposed as a part of the proposed Development Permit, and no new impacts are being introduced.**

**RECOMMENDATION**

Staff finds that the proposed project is substantially consistent with the Goals and Policies of the City's General Plan, and the development and design policies of the Mountain View Country Estates Specific Plan. Staff recommends approval of the proposed Development Permit to construct four (4) residential infill homes in the Mountain View Country Estates Specific Plan.

**EXHIBITS:**

- No. 1 – Draft Conditions of Approval
- No. 2 – Site Plan, Elevations, and Floor Plan for Lot 298
- No. 3 – Site Plan, Elevations, and Floor Plan for Lot 299
- No. 4 – Site Plan, Elevations, and Floor Plan for Lot 300
- No. 5 – Site Plan, Elevations, and Floor Plan for Lot 301