

## REPORT TO THE PLANNING COMMISSION

---



**DATE:** March 10, 2020

**TITLE:** Development Permit No. 09-19: An Application to Develop and Complete the Remaining 73 Vacant Lots Within the Agua Dulce Residential Development Tract Map No. 32421

**Prepared by:** Patricia M. Villagomez, Assistant Planner

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

---

### RECOMMENDATION

- 1) Staff Report
- 2) Entertain questions of Staff from the Planning Commission;
- 3) Open Public Hearing;
- 4) Take testimony from Applicant;
- 5) Take public testimony for those in favor;
- 6) Take public testimony from those opposed;
- 7) Take public testimony from those in a neutral position;
- 8) Opportunity for Applicant rebuttal;
- 9) Close the Public Hearing
- 10) Planning Commission discussion and questions to Staff; and
- 11) Recommendation to the City Council to approve, subject to the proposed Conditions of Approval, Development Permit No. 09-19 to complete 73 vacant lots within the Agua Dulce Residential Development Tract Map No. 32421.

### EXECUTIVE SUMMARY

The applicant, GHA Enterprises, filed an application to develop the remaining seventy-three (73) vacant lots located within the Agua Dulce (residential subdivision). The project is located on the south side of Two Bunch Palms Trail, approximately 1,187 feet west of Palm Drive, between Cuyamaca Drive and Cactus Road.

The homes will be built and designed so that they are consistent with the development standards and architecture of the approved Development Permit No. 14-04, Design Review No. 14-04 and with the existing homes in the residential subdivision. This will complete the previously approved Agua Dulce Tentative Tract Map No. 32421 with a total of 126 single family residential homes on a 30.24 acres site.



### BACKGROUND

On February 08<sup>th</sup>, 2005, the City Council approval included an application for a Tentative Tract Map (TTM No. 32421) to subdivide approximately 30.24 acres into 126 single family residential lots plus 18 lettered lots for roadways, landscaping, park and storm water retention; a General Plan Amendment (GPA 08-04) and Zoning Map Amendment (ZMA 05-04) to amend the

General Plan Land Use/Zoning Map designation from Residential High (R-H) Density to Residential Medium (R-M) Density; and an Development Permit (DP 14-04) and Design Review (DR 14-04) for architectural and project design approval of the home and landscaping plans.

### **SETTING**

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

**Table 1: Surrounding Land Uses (to the proposed 73 homes)**

|                       | <b><u>Zoning &amp; General Plan Designations</u></b> | <b><u>Current Land-Use</u></b>      |
|-----------------------|--|-------------------------------------|
| <b>North</b>          | Residential Low Density (R-L)                        | Single-Family Homes                 |
| <b>West</b>           | Public School (P/S)                                  | Two Bunch Palms Elementary School   |
| <b>South (County)</b> | Residential Medium High Density (R-MH)               | Sky Haven Mobile Home Park          |
| <b>East</b>           | Commercial Neighborhood (C-N)                        | Under Construction (Grocery Outlet) |

### **DEVELOPMENT PERMIT ANALYSIS**

#### ***Zoning Consistency***

The project proposes the construction of seventy-three (73) additional homes within the previously approved Tentative Tract Map No. 32421. Staff has evaluated the proposed plans and found the project to be consistent with the development standards of the previously approved Tentative Tract Map. An analysis of the project to the previously approved project can be found in Table 2 below, which provides a comparison of the site planning aspects of the project with each of the individual development standards.

#### ***Review Authority***

The Agua Dulce Tentative Tract Map was originally reviewed by Planning Commission and approved by City Council. Pursuant to Section 17.64.010 & Table 17.64.01 of the DHSMC, applicants requesting approval of Development Permits of more than twelve (12) units/lots, specifically require the review and recommendation(s) from the Planning Commission and approval by the City Council.

### **CONSISTENCY WITH THE DHSMC**

Staff has provided an analysis of the elements of the project with the development standards of the approved Tentative Tract Map, below in Table 2.

**Table 2: Comparison to Specific Plan:**

| <b>Development Standards</b> |               |                        |                   |
|------------------------------|---------------|------------------------|-------------------|
| <b>Standard</b>              | <b>R-M</b>    | <b>Proposed</b>        | <b>Consistent</b> |
| Minimum Lot Size             | 7,200 sq. ft. | Already subdivided     | Yes               |
| Maximum structure height     | 30 ‘          | Maximum height 17’ 10” | Yes               |

|  |  |                               |     |
|--|--|-------------------------------|-----|
| Maximum number of stories                  | 2 story                                    | 1 story                       | Yes |
| Minimum front yard setback                 | 20' to structure                           | 20' to garage                 | Yes |
| Minimum side yard setback                  | 5' interior<br>10' corner                  | 5' interior<br>11' corner     | Yes |
| Minimum rear yard setback                  | 10'  | 10'                           | Yes |
| Building lot coverage                      | 40%  | Maximum 1 story –<br>39.50%   | Yes |
| Minimum livable area<br>(excluding garage) | 1,200 sq. ft.                              | Minimum 1,708 sq.<br>ft.      | Yes |
| Garage                                     | 20' x 20' minimum<br>2 car parking garages | 21' 4" x 23'<br>2 car garages | Yes |

### Architecture

The proposed 73 homes have a desert contemporary Mediterranean design utilizing stucco exterior finishes with an accent trim, clay roof tiles (s-type), and stone veneer accents. The proposed architecture and colors schemes match and complement the existing homes in the housing development and are consistent with the approved designs of the original approval. Models are staggered so that specific models are not repeated on adjacent lots to vary the architecture along the street frontages. Each model also has a reversed plan and options for two or three car garages and gated courtyards.

Staff has provided a table outlining each proposed model, the allocation of interior floor space and the architectural elements/exterior finishes, which can be found below in Table 3. Each house will provide for off-street covered parking within an enclosed garage.

**Table 3: Architectural Plans/ Model Analysis**

| Architecture Design |   |   |
|---------------------|---|---|
| Plan(s)/Models      | Square Feet   | Architecture  |
| Plans<br>1A, 1B, 1X | Four (4) Bedroom<br>Optional Den<br>Optional 3 car garage<br>Total 1708 sq. ft. | Stucco finish w/ accent trim<br>Pitched concrete tile roof<br>Stone veneer accents<br>Optional gated courtyards   |
| Plans<br>2A, 2B, 2X | Four (4) Bedroom<br>Optional Den<br>Optional 3 car garage<br>Total 1840 sq. ft. | Stucco finish w/ accent trim<br>Pitched concrete tile roof<br>Stone veneer accents<br>Optional gated courtyards   |
| Plans<br>2YA, 2YB   | Five (5) Bedroom<br>Optional Den<br>Total 2065 sq. ft.                          | Stucco finish w/ accent trim<br>Pitched concrete tile roof<br>Stone veneer accents<br>Optional gated courtyards   |
| Plans<br>3A, 3B, 3X | Four (4) Bedroom<br>Optional 3 car garage<br>Total Living Space 2023 sq. ft.    | Stucco finish w/ accent trim<br>Pitched concrete tile roof<br>Stone veneer accents<br>Optional gated courtyards   |
| Plans<br>3YA, 3YB   | Five (5) bedroom<br>Total Living Space 2238 sq. ft.                             | - Stucco finish w/ accent trim<br>Pitched concrete tile roof<br>Stone veneer accents<br>Optional gated courtyards |

## Landscaping

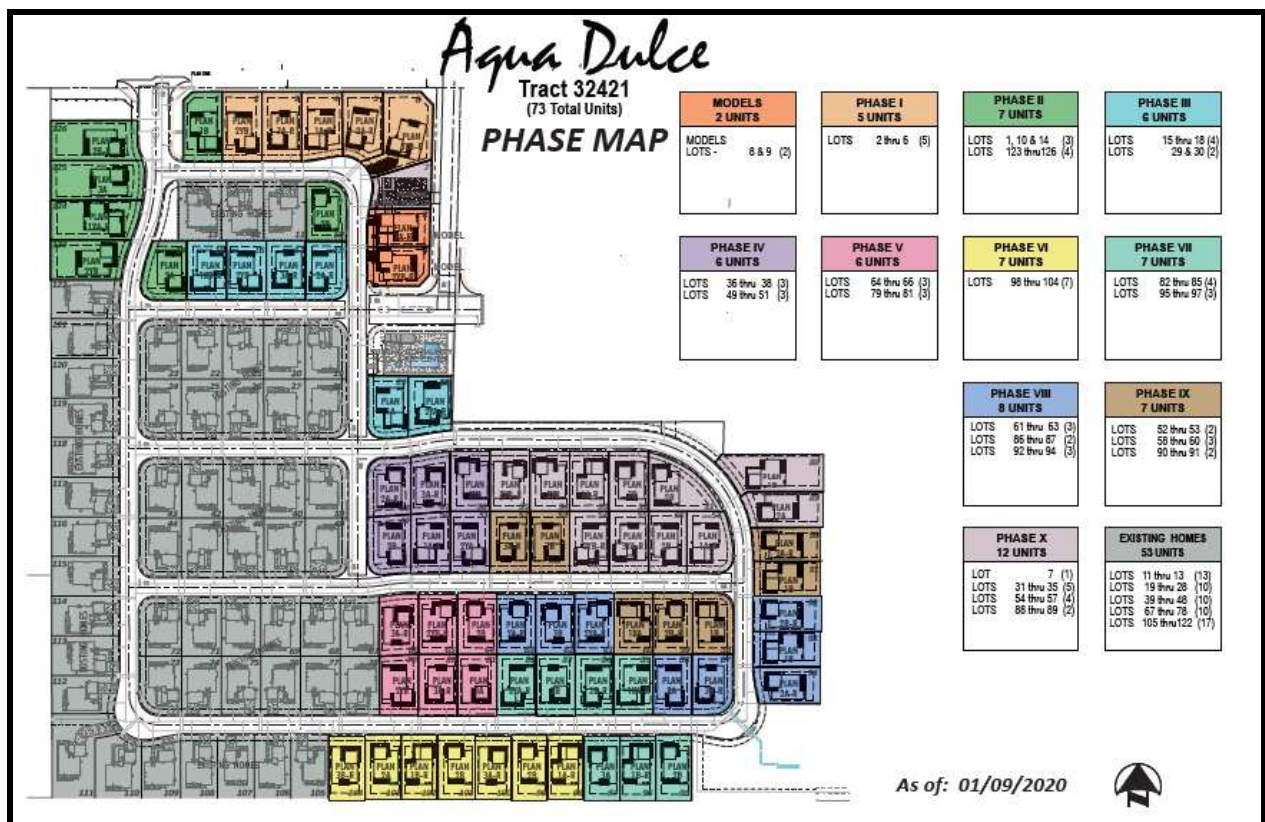
The typical standard front yard will utilize drought-tolerant landscaping with trees, such as *Cercidium Praecox*, *Acacia Willardiana*, and *Acacia Aneura*. The plan also includes native boulders, cobbles and decomposed granite to create variation and to mimic natural desert ground cover features. Proposed shrubs include a variety of plants including *Lantana*, *Euphorbia Rigida*, and *Bougainvillea* to name a few.

The project will also consist of additional landscape along the north side of N. Agua Dulce Drive and the retention basin that will consist a mixture of *Acacia Smallii*, *Acacia Aneura*, *Bougainvillea*, *Agave Americana*, and decomposed granite.

## Phasing Plan

The applicant has stated there will be eleven (11) phases and timeline for the buildout will be depend on home sales. The phase 1 will consist of the development of 5 lots with 2 model units which will include a mix of plans 1, 2, and 3. A phasing plan breakdown has been provided in Figure 1, below.

Figure 1: Phasing Plan



## Required Findings

### Development Permit Findings

1. 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 application is for the development of the completion of 73 single-family homes within the Agua Dulce project. The project was previously approved for residential development as part of the approved Tentative Tract Map. The proposed development of the additional homes is consistent with the approved Tentative Tract Map and with the certified Mitigated Negative Declaration. The proposed homes are a permitted use within the DHSMC and are required to comply with all the development standards and design guidelines. Staff recommends this finding.

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

The proposed application is for the development of the completion of 73 single-family homes on lots within the Agua Dulce project. The project was previously approved for residential development as part of the approved Tentative Tract Map. Each of the proposed homes will be required to comply with all the development standards of the DHSMC. The proposed homes are consistent in lot coverage and therefore are not proposing any increase in intensity. The homes will be required to meet all required yard setbacks, building height and other development standards when being reviewed during the building permit process. Therefore, the City has determined that the type of proposed use and intensity of homes being proposed is suitable to the subject site(s). Staff recommends this finding.

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

The proposed application is for the development of the completion of 73 single-family homes on vacant lots within the Agua Dulce project. The proposed homes are a permitted use within the DHSMC and will be required to comply with all the development standards. The City has determined that the proposed homes are consistent with the existing homes meeting all setback requirements, building height, lot coverage and other development standards. The City has also evaluated the building materials, architectural style and proposed landscaping and found them to be substantially consistent with the existing homes. Staff recommends this finding.

**4. *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 project has been conditioned by City staff, the County Fire Department and by Mission Springs Water Districts to provide potable water, access to sewer line, adequate provisions for water, sanitation, and public utilities and services. This will ensure that the additional homes to within the previously approved residential project remains well-maintained and does not become detrimental to public health and safety. Staff recommends this finding.

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

The current project has been conditioned to ensure that adequate public access and roadway capacity to serve the proposed project site. Staff recommends this finding.

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

The proposed project, to develop additional homes within the Agua Dulce residential development, does not introduce any hazardous materials or create any harmful effects to the environment or to the quality of natural resources. The proposed homes will largely be

built on a previously subdivided tract map for single-family residential development. Therefore, the City has determined that the proposed project will not have or cause significant harmful effects upon environmental quality and natural resources. Staff recommends this finding.

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

The proposed development of additional homes within the previously approved Agua Dulce residential development were previously assessed for environmental impacts. Mitigation measures were adopted when the MND was certified by the City Council in 2005. The proposed project will be required to adhere to the mitigation measures in the MND and has been conditioned by the Fire, Engineering and Planning Department's to comply with current standards. The Building Department will review the plans upon submittal of the plan check to ensure the projects compliance with the California Building Code. Staff recommends this finding.

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

The proposed project is located within the Medium Density Residential (R-M) land use designation which has been partially developed with single-family homes as part of the previously approved project. The proposed development of additional single-family homes is consistent with the City's General Plan. Staff has evaluated the consistency of the proposed project with the City's General Plan Goals & Policies and has not identified any inconsistencies. The proposed project will also be subject to the implementation of Conditions of Approval and will be required to comply the mitigation measures outlined in the MND. Staff recommends this finding.

**9. 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 for the completion of 73 additional single-family homes within the previously approved Agua Dulce residential development. The proposed development of the additional homes is consistent with the approved Tentative Tract Map and the DHSMC permitted uses and development standards and will not be a deterrent to the public interest, public health safety convenience or the welfare of the City. Staff recommends this finding.

**CONSISTENCY WITH THE GENERAL PLAN GOALS & POLICIES**

*Residential Goals, Policies, & Programs:* Staff has identified the following applicable goals, policies, and programs in relation to the proposed project:

**RESIDENTIAL GOALS, POLICIES AND PROGRAMS**

**GOAL 1**

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

The City originally approved the Agua Dulce project 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 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 Agua Dulce project will implement and help carry 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 in the intensity, scope, design, and with development standards specified in the DHSMC. The proposed 73 remaining vacant lots will be completed by the original developer and shall be consistent with the existing and surrounding homes which will accommodate existing and future residents of the community.

## **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 seventy-three (73) vacant lots will be developed for residential use. The proposed building exterior, architecture, and landscaping is consistent with the standards in the DHSMC and are compatible with the design elements and features of the neighborhood, which helps provide neighborhood cohesion and overall, helps to enhance the image of the City. The 73 remaining vacant lots will be completed by the original developer and shall be consistent with the existing and surrounding homes which will accommodate existing and future residents of the community.

## **POLICY 2**

**Encourage in-fill development on subdivided lands located adjacent to existing residential areas and utilizes to maximize the efficient utilization of land and infrastructure.**

The proposed 73 residential homes are part of an already approved Tract Map No. 32421 and will utilize to maximize the efficient of land and infrastructure.

## **POLICY 4**

**Future development within existing or approved planned unit developments shall not exceed the overall density initially approved for the development.**

The previously approved Tract Map No. 32421 did not exceed the overall density initially approved for development of the original 126 subdivision residential lots and will be consistent to meet all City requirements.

## **POLICY 7**

**Residential development standards shall incorporate setbacks, height, pad elevations and other design and performance standards which assure privacy scenic viewsheds from adjoining properties.**

The completion of the remaining 73 residential homes within the Agua Dulce development has been reviewed to meet setbacks, height, pad elevations, and other design and performance standards which will assure privacy scenic viewsheds from all other adjoining properties.

## **WATER, SEWER AND UTILITIES GOALS, POLICIES AND PROGRAMS**

### **GOAL 1**

**Economic water, sewer and utility facilities and services, which safely and adequately meet the needs of the City at build out.**



The previously approved Tentative Tract Map No. 32421 was reviewed by the engineer to meet all water, sewer, and utility services which will safely and adequately meet the needs of the City at build out.

## **FIRE AND POLICE PROTECTION GOALS, POLICIES AND PROGRAMS**

### **POLICY 1**

**All new and improved developments shall be reviewed for their impact on safety and the provision of police and fire protection services.**

The application for the proposed completion of the 73 residential homes within the Agua Dulce development has been routed to all departments and has been conditioned to meet all impacts on safety and the provisions of police and fire protection services.

### **PROGRAM 1A**

**Consult and coordinate with the Riverside County Fire Department to establish potential fire station locations to provide for future adequate levels of service.**

The proposed development of the 73 single family residences within the Agua Dulce development was routed to the Riverside County Fire Department for review and conditions and has been conditioned to meet all future levels of service.

### **POLICY 2**

**Enforce fire standards and regulations in the course of reviewing building plans and conducting building inspections.**

The proposed 73 new single-family residences will be subject to submit building plans to the building department and will require inspection prior to final occupancy.

### **PROGRAM 2A**

**Coordinate with Mission Springs Water District to assure adequate water supply and pressure for all existing and proposed developments.**

The application for the 73 remaining vacant lots has been routed to Mission Springs Water District and has been conditioned to assure adequate water supply and pressure for all existing and proposed new development.

### **POLICY 5**

**Emergency police, fire and paramedic vehicle access shall be provided with all new development to the satisfaction of the City.**

The remaining 73 vacant lots for single-family residences has been adequately reviewed by the Fire Department and Police Department for all emergency vehicle access to the satisfaction of the City.

## **SCHOOLS AND LIBRARIES ELEMENTAL GOALS, POLICIES AND PROGRAMS**

### **POLICY 1**

**The City shall cooperate and coordinate with the Palm Springs Unified School District to identify sites needed to meet future District growth demands. The City shall encourage that potential school sites are planned within centrally located areas of residential development.**

The development within Agua Dulce project will be subject to pay all schools fees to meet future District growth demands.



**NOTICING REQUIREMENT**

The project was noticed to neighboring property owners within a 300-foot radius of the project site February 27, 2020 and was advertised in the Desert Star on Friday, February 28, 2020 per noticing requirements. No public comments have been received as of this writing.

**ENVIRONMENTAL ANALYSIS**

On February 8, 2005, the City Council approved TTM 32421, and in doing so adopted the Mitigated Negative Declarations for each Project. 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 Planning Commission only needs to make a finding that the request(s) for the One-Year Extension of Time is consistent with the original MND, and no further analysis is required. No significant changes are proposed as a part of the proposed extension(s) of time.

**FISCAL IMPACT**

The applicant has paid all required fees for the review and entitlement process and will be subject to all Building Permit fees.

**RECOMMENDATION**

Recommendation to the City Council to approve, Subject to proposed Conditions of Approval, Development Permit No. 09-19 to develop and complete the remaining 73 vacant lots within the Agua Dulce residential development Tract Map No. 32421.

**EXHIBIT(S)**

- 1) Draft Conditions of Approval
- 2) Proposed Plan Booklet
- 3) Resolution No. 2005-18
- 4) Certified Mitigated Negative Declaration