

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

929 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 2, 2007

SUBJECT: APPEAL OF TENTATIVE TRACT MAP NO. 34305 – EA40741 – Appellant: Marie and Gerhard Befeld - Applicant: Peter Scheer – Engineer/Representative: RBF Consulting, Inc – Fourth Supervisorial District – Cathedral City-Palm Desert Zoning District – Western Coachella Valley Area Plan: Rural Community: Very Low Density Residential (RC:VLDR)(1 Acre Minimum) – Location: Northerly of Quail Trail, southerly of Homestead Road, and westerly of Highway 74 – 20 Gross Acres – Zoning: One-Family Dwellings, 1 Acre Minimum (R-1-1) – **REQUEST:** A planned residential development to divide approximately 20 acres into 10 residential lots, with an additional 3 lots for open space areas and an additional lot for community recreation.

BACKGROUND:

Tentative Tract Map No. 34305 was scheduled at the Board of Supervisors to be Received and Filed on December 12, 2006 (Item No. 1.3). However, the tentative tract map was appealed in a timely manner by an interested third party (Marie and Gerhard Befeld) and an appeal hearing has been scheduled for January 9, 2007, as required by ordinance.

The project was first presented to the Planning Commission on November 1, 2006. The Planning Commission continued the project to the December 6, 2006 hearing with recommendation to the applicant and staff to address issues of concern by the U S Fish and Wildlife Services relating to the impact the project may have on the endangered Peninsular Bighorn Sheep.

Issues of concern to the Endangered Peninsular Bighorn Sheep were addresses in the Environmental Assessment and new condition of approval added to mitigate any impact

Ron Goldman
Interim Planning Director

RCJ:mb

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

DATE 1/3/07 YMG

Policy

Consent

Dep't Recomm.:
Per Exec. Ofc.:

81-T MA P-MAL 1008

RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.

District: Fourth

Agenda Number:

16.1

the project may have on the species. The project was re-advertised and the Planning Commission approved the project at the December 6, 2006 public hearing.

The City of Palm Desert submitted a request for continuance for one month. Staff also received 16 e-mails from residents of the City of Palm Desert asking for a continuance. The Planning Commission considered but felt no new information was submitted that would change the facts.

RECOMMENDED MOTION:

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION BY 5-0 VOTE RECOMMENDS:

DENIAL of the **APPEAL OF TENTATIVE TRACT MAP NO. 34305**; and,

ADOPTION of a **MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 40741**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **TENTATIVE TRACT MAP NO. 34305**, subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report.

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



16.3

1:30 p.m. being the time set for public hearing on the Appeal of Marie and Gerhard Befeld on the approval by the Planning Commission of Tentative Tract Map 34305, an application by Peter Scheer/RBF Consulting, Inc. for a Schedule A subdivision of 20 acres into 10 residential lots, with an additional 3 lots for open space areas and an additional lot for community recreation, located in the Cathedral City-Palm Desert Zoning District, Western Coachella Valley Area Plan, 4th District, the Chairman called the matter for hearing.

Paul Clark, Planning Staff, noted recommendation for a continuance.

On motion of Supervisor Wilson, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, January 23, 2007 at 1:30 p.m.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on January 9, 2007 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: January 9, 2007
Nancy Romero, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By: *Nancy Romero* Deputy

AGENDA NO.
16.3

xc: Planning, Appellant, Applicant, COB