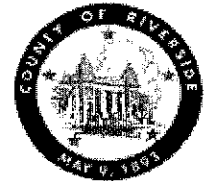


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



330 B

FROM: TLMA - Planning Department

SUBMITTAL DATE:  
August 14, 2008

**SUBJECT:** GENERAL PLAN AMENDMENT NO. 876 (Entitlement / Policy) – Applicant: Warfick Zaky - Engineer/Representative: Robert Ricciardi - Fourth Supervisorial District - Bermuda Dunes Zoning District - Westerly Coachella Valley Area Plan: Community Development: Very Low Density Residential (CD-VLDR) (1 Acre Minimum) - Location: Northerly of Avenue 41, westerly of Yucca Lane, southerly of Emerald Cove, easterly of Washington Street - 4.5 Gross Acres - Zoning: One-Family Dwelling (R-1-20,000) - REQUEST: The General Plan Amendment proposes to amend the Western Coachella Valley Area Plan from Community Development: Very Low Density Residential (CD-VLDR) (1 Acre Minimum) to Community Development: Commercial Office (CD-CO) (0.25-1.0 FAR).

**BACKGROUND:** Comments were requested from the Planning Commission on July 9, 2008. The Planning Commission provided comments in the form of a unanimous recommendation that the Board of Supervisors adopt an order initiating General Plan Amendment No. 876.

General Plan Amendment No. 876 is accompanied by Change of Zone Case No. 7529, which proposes to change the zoning on the underlying property from One-Family Dwellings (R-1-20000) to Commercial Office (C-O); Plot Plan No. 22845 proposes to construct and operate two one-story commercial office buildings totaling approximately 38,000 square feet at a building height of about 24 feet.

On September 13, 2007, the Riverside County Airport Land Use Commission (ALUC) found the GPA consistent with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan (Zone C).

On November 8, 2007, the Bermuda Dunes Community Council approved the GPA by a 4-1 vote albeit some residents did not want the GPA approved because they would like to see the property remain available for private homes and expressed disbelief at the above ALUC decision choosing the proposed commercial office use over the existing residential use.

Ron Goldman  
Planning Director

RCJ:mb

REVIEWED BY EXECUTIVE OFFICE  
DATE 8/21/08  
Tina Grande  
Departmental Conference

Policy  Policy

Consent  Consent

Dep't R... m.:  
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Fourth

Agenda Number:

15.4

At the July 9, 2008 Planning Commission meeting, after listening to staff and the applicant's presentations, Commissioner Porrás stated that the proposed development would merit consideration due to the airport regulations and the approval from the Bermuda Dunes Community Council. Other Commissioners had concerns about single story commercial office buildings and the need to address community opposition. The Planning Commission unanimously agreed and recommends that the Board adopt an order initiating proceedings for the proposed general plan amendment.

The Planning Director has reviewed the application for the proposed general plan amendment and the comments of the Planning Commission and recommends that your Board adopt an order initiating proceedings for the proposed general plan amendment.

**RECOMMENDED MOTION:** The Planning Director recommends adoption of an order initiating proceedings for General Plan Amendment No. 876. The adoption of such an order does not imply that the proposed general plan amendment will be approved.

*R.P.*  
Agenda Item No.:  
Area Plan: Western Coachella Valley  
Zoning District: Bermuda Dunes  
Supervisory District: Fourth  
Project Planner: Robert Powell  
Planning Commission: July 9, 2008

General Plan Amendment No. 876  
E.A. Number: 41413  
Applicant: Wafick Zaky  
Engineer/Rep.: Robert Ricciardi

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan from "Community Development: Very Low Density Residential (CD: VLDR)" (1 Acre Minimum) to "Community Development: Commercial Office" (CD: CO) (0.25-1.0 FAR) for an approximately 4.5 acre property. The project is located northerly of Avenue 41, westerly of Yucca Lane, southerly of Emerald Cove, and easterly of Washington Street.

### BACKGROUND:

A proposed General Plan Amendment (GPA) shall not be processed unless the Board of Supervisors (Board) adopts an order initiating proceedings for the proposed GPA. The Planning Director is required to prepare and submit to the Board a report and recommendation concerning initiation.

Before submitting his report and recommendation to the Board, the Planning Director must request comments on the proposed GPA from the Planning Commission (Commission) and must include the Commission's comments, if any, in his report. The Commission may make its comments in any form it deems appropriate. For example, the Commission may recommend that the Board adopt or decline to adopt an order initiating proceedings for the proposed GPA. A recommendation is not, however, required and the Commission may choose instead to simply identify its concerns regarding the proposed GPA. In addition to any comments the Commission may make as a group, the Planning Director will include the comments of individual Commission members in his report to the Board.

A noticed public hearing is not required for the Commission to comment on the initiation of a proposed GPA. Nor is such a hearing required for the Board to actually initiate or decline to initiate proceedings for the proposed GPA. The Planning Department did, however, notify the applicant by mail that the Commission would consider the initiation of this proposed GPA on this date, at this time and at this place.

After reviewing the Planning Director's report and recommendation, which as noted above, must include the Commission's comments, the Board may either adopt or decline to adopt an order initiating proceedings for the proposed GPA.

If the Board adopts an order initiating proceedings, the proposed GPA will thereafter be processed, reviewed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Commission and the Board. The adoption of an order initiating proceedings does not imply that the proposed GPA will be approved.

If the Board declines to adopt an order initiating proceedings, the proposed GPA shall not be processed.

The Board established the initiation procedures for proposed GPAs in Ordinance No. 348.4573 which was effective May 8, 2008. However, the GPA application was received on June 8, 2007 before the effective date. Proposed GPA No. 876 is considered an Entitlement/Policy GPA as described in Section 2.4 of that ordinance.

Proposed GPA No. 876 is associated with Change of Zone Case No. 7529, which proposes to change the zoning from One-Family Dwellings (R-1-20000) to Commercial Office (C-O), and Plot Plan No. 22845, which proposes the construction and operation of two one-story commercial office buildings totaling approximately 38,000 square feet at a building height of about 24 feet. The associated cases are not subject to discussion or comment by the Commission at this time.

On September 13, 2007, the Riverside County Airport Land Use Commission (ALUC) found the GPA consistent with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan. At that time, specific uses within the proposed commercial office land use were clearly prohibited including: children's schools, day care centers, libraries, hospitals, nursing homes. Furthermore, ALUC required further review if any of the following uses are proposed including: retail sales, auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 50 persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, exercise rooms, locker rooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy greater than one person per 100 square feet.

On November 8, 2007, the Bermuda Dunes Community Council approved the GPA by a 4-1 vote although some adjoining neighbors did not want the GPA approved because they would like to see the property remain available for private homes. Some residents also expressed their concern at the above ALUC decision which allowed a commercial office land use over the existing residential land use. Those neighbors were instructed to express their concerns regarding the GPA proposal to the County of Riverside. The Planning department has received 15 letters in opposition from some residents in response to the Bermuda Dunes Community Council meeting.

For additional information, refer to the attached Worksheet for General Plan Amendment Initiation Consideration Analysis.

**SUMMARY OF FINDINGS:**

- |                                   |   |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1):    | Vacant  |
| 2. Surrounding Land Use (Ex. #1): | Commercial office to the southwest; single-family residential to the northeast, east and south; apartments to the northwest; vacant (planned Church lies to the west of the project). |
| 3. Existing Zoning (Ex. #3):      | One-Family Dwellings (R-1-20000)  |
| 4. Surrounding Zoning (Ex. #3):   | General Residential (R-3); multiple family dwellings (R-2A-3500); one-family dwellings (R-1-20000)  |
| 5. Riverside County General Plan  | Community Development: Very Low Density Residential (CD-VLDR)   |
| 6. Project Data:                  | Total Acreage: 4.5 acre   |
| 7. Environmental Concerns:        | Not applicable at this time   |

**RECOMMENDATIONS:**

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 876 would be appropriate. The adoption of such an order does not imply that the proposed GPA will be approved.

**INFORMATIONAL ITEMS:**

1. As of this writing, multiple letters in opposition of this project has been received.
2. The project site is not located within:
  - a. Conservation area
  - b. General Plan Policy Overlay Area
  - c. A redevelopment area
  - d. Fault zone
3. The project site is located within:
  - a. The boundaries of the Desert Sands Unified School District
  - b. The boundaries of the Coachella Valley Water District
  - c. Airport Compatibility Bermuda Dunes Zone C
4. The project site is currently designated as Assessor's Parcel Numbers 607-040-055.

# ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA 876 Supervisorial District: Fourth

Existing Zoning: One-Family Dwellings (R-1-20000)

Area Plan: Western Coachella Valley Acreage: 4.5

## EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development (CD)

Existing General Plan Land Use Designation: Very Low Density Residential (VLDR)

Existing Policy Area(s) or Overlay(s): N/A

Existing Map(s) of Issue (cite GP figure # and page #): \_\_\_\_\_

Existing Text of Issue (cite GP page #, plus policy #, if applicable): N/A

\_\_\_\_\_

## PROPOSED GENERAL PLAN CHANGES (For categories with no proposed change, write "N/A" on applicable line.)

Proposed General Plan Foundation: N/A

Proposed General Plan Land Use Designation: Commercial Office (CO)

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): \_\_\_\_\_

Proposed Revision(s) to GP Text: (Attach redline/strike-out of text): N/A

Case: **ENTITLEMENT/POLICY GPA #876**

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