

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

828 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 30, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 751 – Entitlement/Policy – Applicant: Anthony Lee – Engineer/Representative: Rick Stokes – Fifth Supervisorial District – Pass and Desert Zoning District – Western Coachella Valley Area Plan: Community Development: Medium Density (CD-MDR) (2-5 du/ac) – Location: Northerly of Dillon Road, southerly of Camino Idilio, easterly of Palm Drive, and westerly of Via Corto – 3.0 Gross Acres – Zoning: General Commercial (C-1/C-P) – REQUEST: The general plan amendment proposes to amend the Western Coachella Valley Area Plan from “Community Development: Medium Density (CD-MDR) (2-5 du/ac) to “Community Development: Commercial Retail” (CD-CR) (0.2-0.35 FAR).

BACKGROUND:

Comments were requested from the Planning Commission on September 17, 2008. The Planning Commission provided comments in the form of a unanimous recommendation that the Board of Supervisor’s adopt an order initiating General Plan Amendment No. 751.

General Plan Amendment No. 751 is accompanied by Plot Plan No. 20563, which proposes to construct a commercial retail center on the 3-acre site. The original proposal consists of two acres. However, the site was not large enough to accommodate the applicant’s proposal for an approximately 40,000 square-foot, two-story building within a building footprint of 21,000 square feet. The applicant has since purchased two adjacent lots and will resubmit an amended site plan.

At the September 17, 2008 Planning Commission meeting, after listening to staff and the applicant’s presentations, Commissioner Snell voiced concerns about the Flood Control District’s recommendation to raised finished floors four feet above existing grade due to the severe flood hazard within the site’s vicinity. He stated that this proposal will present an engineering challenge within the relatively small project site. Commissioner Zuppardo concurred

Ron Goldman
Planning Director

RCJ:mb

REVIEWED BY EXECUTIVE OFFICE

DATE 10/9/08
Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Fifth

Agenda Number:

15.7

The Honorable Board of Supervisors
RE: General Plan Amendment No. 751
Page 2 of 2

with staff's recommendation and agreed that raising the finish floor level four feet above existing grade will be challenging.

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. 751. The adoption of such an order does not imply that the proposed general plan amendment will be approved.

**PLANNING COMMISSION
MINUTE ORDER SEPTEMBER 17, 2008
CITY OF LA QUINTA COUNCIL CHAMBERS**

- I. **AGENDA ITEM 6.4: GENERAL PLAN AMENDMENT NO. 751 (Entitlement/Policy)** – Applicant: Anthony Lee - Engineer/Representative: Rick Stokes - Fifth Supervisorial District - Pass and Desert Zoning District - Westerly Coachella Valley Area Plan: Community Development: Medium Density Residential (CD-MDR) (2-5 DU/AC) - Location: Northerly of Dillon Road, westerly of Via Corto, southerly of Camino Idillio, and easterly of Palm Drive - 3.0 Gross Acres - Zoning: General Commercial (C-1/C-P) and Controlled Development Areas (W-2) - APN: 657-122-004, 013, 014, 018, 019, 020, and 021.
- II. **PROJECT DESCRIPTION**
The General Plan Amendment proposes to amend the Western Coachella Valley Area Plan from Community Development: Medium Density Residential (CD-MDR) (2-5 DU/AC) to Community Development: Commercial Retail (CD-CR) (0.2-0.35 FAR).
- III. **MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner: Maurice Borrows, Ph: (760) 863-8277 or E-mail mborrows@rctlma.org.
- The following spoke in favor of the subject proposal:
Rick Stokes, Applicant's Representative
- No one spoke in neutral or opposition of the subject proposal.
- IV. **CONTROVERSIAL ISSUES**
NONE
- V. **PLANNING COMMISSION ACTION**
The Planning Commission, by a vote of 5-0, recommended initiation of the subject proposal to the Board of Supervisors.
- VI. **CD**
The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell M. Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

PC
MB
Agenda Item No.:
Area Plan: Western Coachella Valley
Zoning District: Pass and Desert
Supervisory District: Fifth
Project Planner: Maurice Borrows
Planning Commission: September 17, 2008

General Plan Amendment No. 751
Entitlement/Policy
Applicant: Anthony Lee
Engineer/Rep.: Rick Stokes

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan from "Community Developmental: Medium Density Residential" (CD-MDR) to "Community Development: Commercial Retail" (CD-CR) for an approximately 3-acre property. The project is located northerly of Dillon Road, southerly of Camino Idilio, westerly of Via Corto, and easterly of Palm Drive within the Pass and Desert Zoning District.

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. Proposed GPA No. 751 is considered an Entitlement/Policy GPA as described in Section 2.4 of that ordinance.

Proposed GPA No. 751 is associated with Plot Plan Case No. 20563 which proposes to construct two retail buildings with a total building area of approximately 31,000 square feet at a building height of about 40 feet. The associated cases are not subject to discussion or comment by the Commission at this time. The general plan amendment and associated cases were submitted in June 2005.

For additional information, refer to the attached Worksheet for General Plan Amendment Initiation Consideration Analysis. Flood and drainage issues are likely to be significant in the future project review.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|--|
| 1. Existing Land Use (Ex. #1): | Vacant |
| 2. Surrounding Land Use (Ex. #1): | Vacant to the north, south, east, and west |
| 3. Existing Zoning (Ex. #3): | C-1/C-P |
| 4. Surrounding Zoning (Ex. #3): | C-1/C-P and W-2 to the north and east; C-1/C-P to the south and west |
| 5. Riverside County General Plan | Medium Density Residential (MDR) |
| 6. Project Data: | Total Acreage: 3 |
| 7. Environmental Concerns: | Not applicable at this time |

RECOMMENDATIONS:

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 751 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, no letter in opposition or in favor of this project has been received.
 2. The project site is not located within:
 - a. Fringe Toed Lizard sand source area
 - b. California Gnatcatcher, Quino Checkerspot Butterfly habitat.
 - c. Not within a redevelopment area
 3. The project site is located within:
 - a. The boundaries of the Palm Springs Unified School District.
 - b. The boundaries of the Mission Springs Water District
 - c. Fringe Toed Lizard fee area
 4. The project site is currently designated as Assessor's Parcel Numbers 657-122-004, 013, 014, 018, 019, 020, and 021.
-

ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA No. 751 Supervisorial District: Fourth Existing Zoning: General Commercial (C-1/C-P)

Area Plan: Western Coachella Valley Acreage: 3.0

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development (CD)

Existing General Plan Land Use Designation: Medium Density Residential (MDR)

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

Existing Map(s) of Issue (cite GP figure # and page #): N/A

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: Community Development (CD)

Proposed General Plan Land Use Designation: Commercial Retail (CR)

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): N/A

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

CHECK LIST

Affected by	Yes	No	Comments
Coachella Valley MSHCP Conservation Area		X	Within fee area
Western Riverside County MSHCP Cell		X	
Agricultural Preserve		X	
Airport Compatibility Zone		X	
Flood Plain (Zone A -- 100 Year)	X		Zone AO, flood plane review required; The entire site is located within the 100 year Zone AO floodplain limits as delineated on the Flood Insurance Rate Maps issued in conjunction with the National Flood Insurance Program administered by the Federal Emergency Management Agency (FEMA). This is an area of severe flood hazard. The applicant shall propose a project that would allow for flow through in the event of a flood event. Additionally the finished floors shall be elevated a minimum of 4 feet above highest adjacent ground and erosion protection shall extend a minimum of 7 feet below finished grade.
FTL Sand Source Area or FTL Preserve		X	Located within the FTL fee area
Fault Zone		X	
Faults within 1/2 Mile		X	
Liquefaction Potential; Subsidence	X		Moderate liquefaction potential zone
High Fire Area		X	
Code Compliant	X		
MSHCP Conserved Land		X	
Access / Alternate Access Issues	X		From Palm Drive and Dillon Road
Water / Sewer Issues	X		Connection to sewer is required. Sewer is available along Dillon Road

City Sphere of Influence	X	City of Desert Hot Springs
Proposed Annexation/ Incorporation Area		X
Other Issues* (see below)	X	Project cleared by ALUC and FAA

ENTITLEMENT/POLICY FINDINGS *(Check all that apply)*

Is there a reasonable possibility that the first two findings listed below and any one or more of the subsequent findings listed below can be made?*

Finding	Yes	No	Comment
The proposed change does not involve a change in or conflict with: the Riverside County Vision; any General Planning Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.	X		The current Medium Density Residential land use designation does not best contribute to the achievement of the purposes of the General Plan. The GPA responds to the increased need for commercial retail use within the area. The proposed project is located at the intersection of two county general plan roads in an area with dense residential development. The nearest commercial land use is located more than one mile from the proposed project.
The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.	X		The proposed general plan amendment does not involve a change in the Foundation Component; it will remain in the Community Development Foundation Component.
Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.	X		The GPA responds to the increased need for commercial retail use within the area. The proposed project is located at the intersection of two county general plan roads.
A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.		X	
An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.		X	
An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.		X	
An amendment is required to address changes in ownership of land or land not under the land use authority of the Board of Supervisors.		X	

*** THE ADOPTION OF AN ORDER BY THE BOARD OF SUPERVISORS INITIATING AMENDMENT PROCEEDINGS SHALL NOT IMPLY ANY SUCH AMENDMENT WILL BE APPROVED.**

Case: ENTITLEMENT/POLICY GPA 751

Printed: 9/3/2008 11:03:43 AM

File: Y:\11_PLANNING Primary Folder\Planning Cases-Desert Office\GPA00751\Entitlement Policy Findings GPA 751 Checklist.doc

STAFF COMMENTS:

Department	Comments
Planning	The project is currently being reviewed by the Planning Department
Transportation	Project is currently being reviewed by the Transportation Department.
EPD	None
Fire	Project is cleared by the Fire Department for a public hearing at the Planning Commission
Flood	Project is cleared by the Riverside County Flood Control District for a public hearing at the Planning Commission with conditions of approval in the LMS
Building and Safety	Project is cleared by the Building and Safety Department for a public hearing at the Planning Commission
Geologist	Project is not cleared by County geologist.

Supervisor Ashley
District 5
Date Drawn: 9/6/07

PP20563 GPA00751
DEVELOPMENT OPPORTUNITY

Planner: Maurice Borrows
Date: 11/7/07
Exhibits Overview

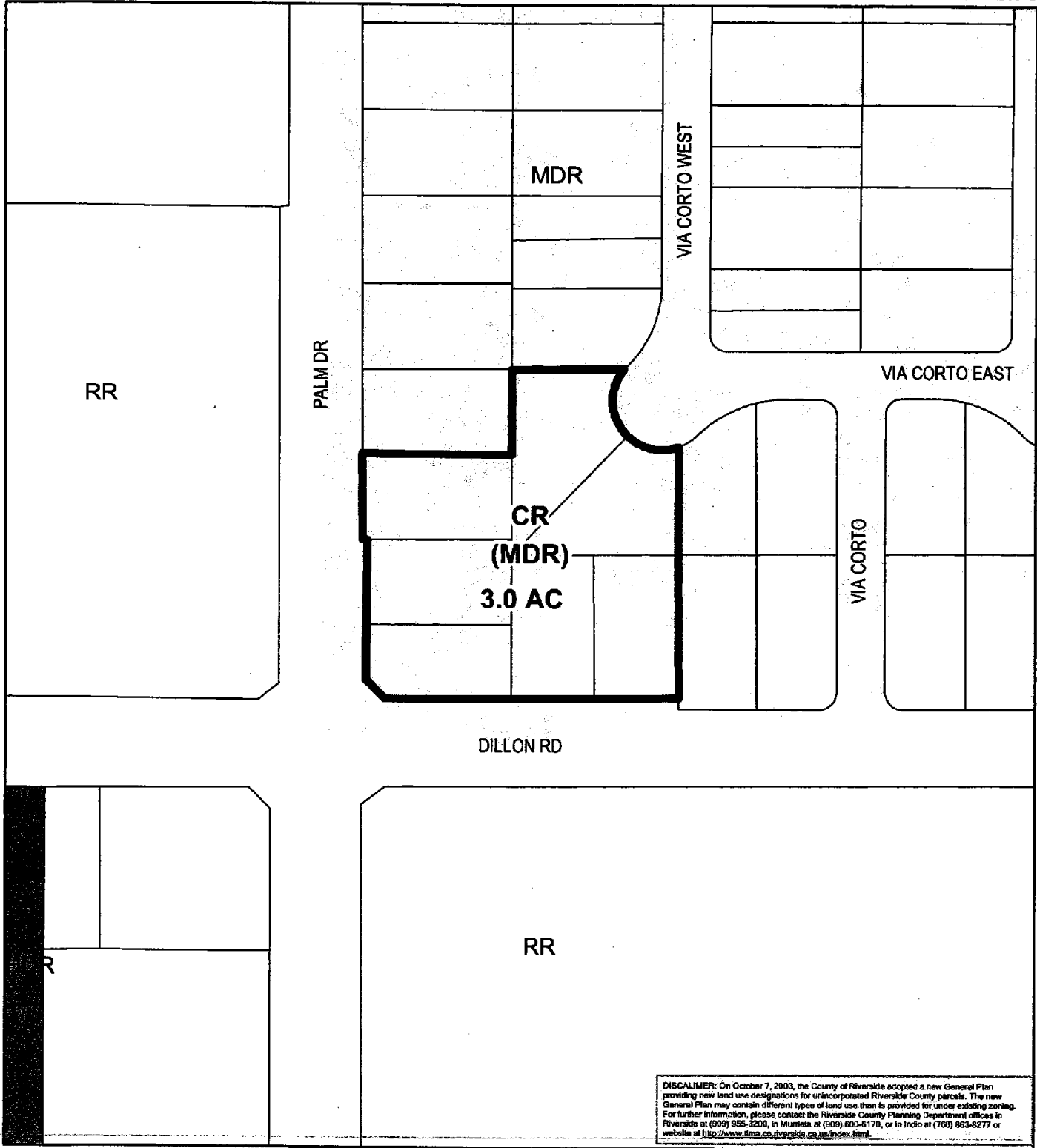


RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: Pass & Desert
Township/Range: T3SR5E
Section: 7



Assessors
Bk. Pg. 657-12
Thomas
Bros. Pg. 726 J2



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (909) 955-3200, in Murietta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.plm.co.riverside.ca.us/mrpx.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: **Pass & Desert**
Township/Range: **T3SR5E**
Section : **7**



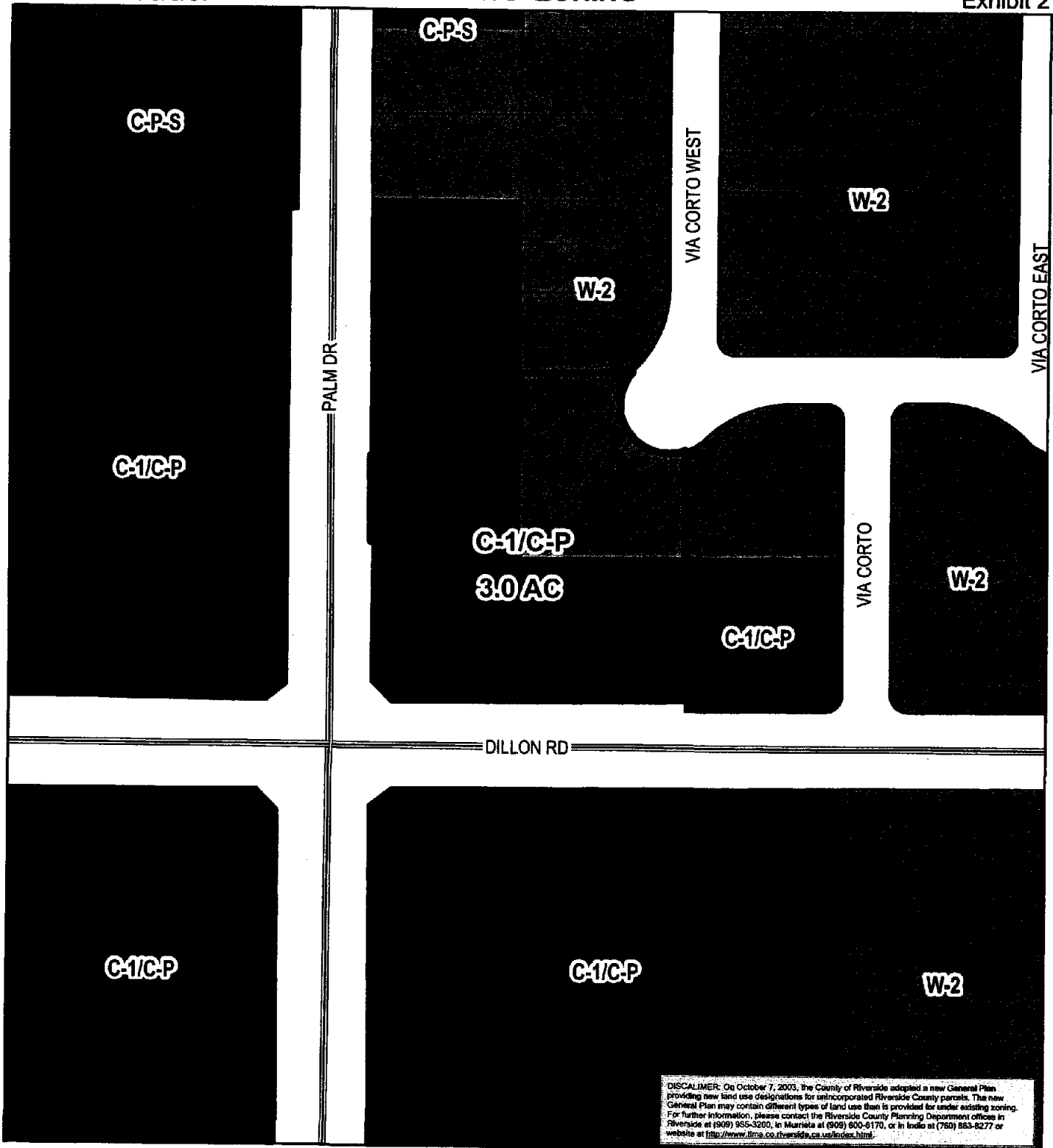
ASSESSORS
BK. PG. **657-12**
THOMAS
BROS.PG **726 J2**



Supervisor Ashley
District 5
Date Drawn: 9/6/07

PP20563 GPA00751
EXISTING ZONING

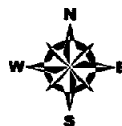
Planner: Maurice Borrows
Date: 11/7/07
Exhibit 2

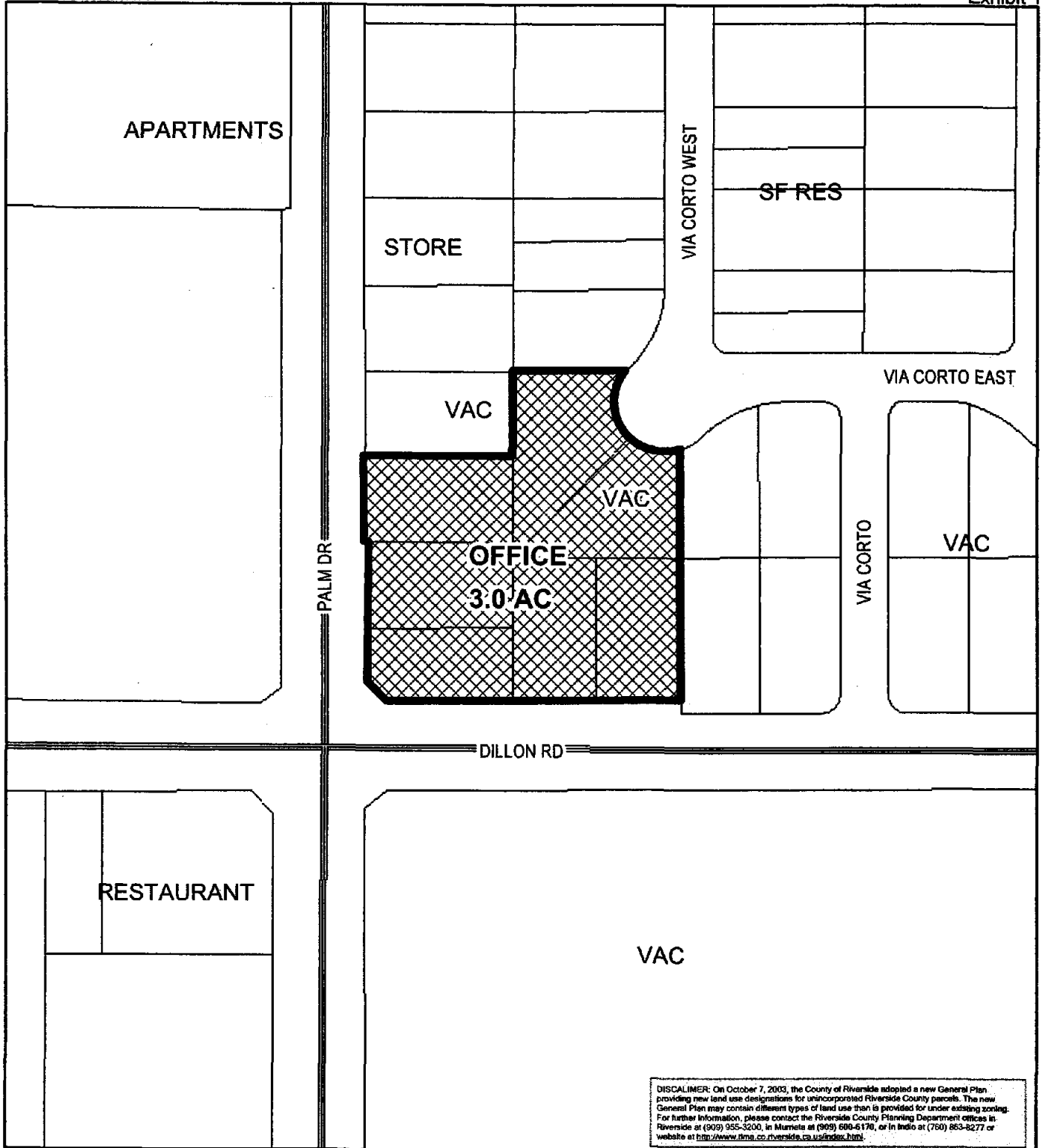


Zone
District: Pass & Desert
Township/Range: T3SR5E
Section : 7

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 657-12
Thomas
Bros. Pg. 726 J2





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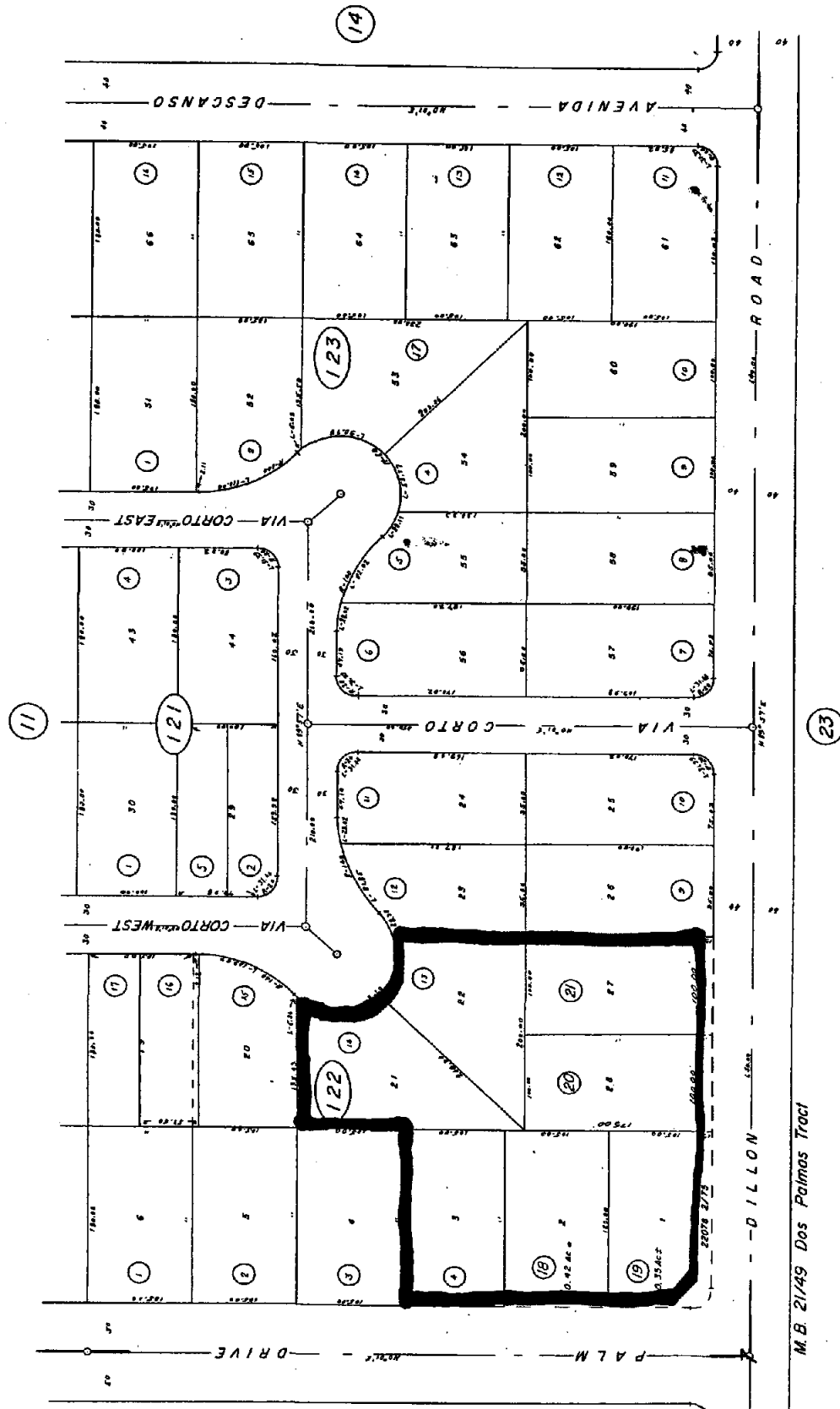
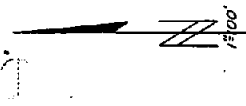
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: **Pass & Desert**
Township/Range: T3SR5E
Section : 7



ASSESSORS
BK. PG. 657-12
THOMAS
BROS.PG 726 J2





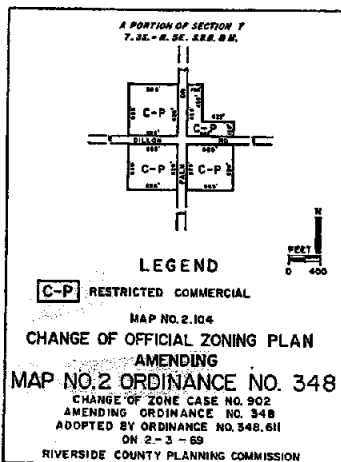
DATE	OLD No.	NEW No.
3/7/70	103-003	121-001
4/7/70	122-2	121-2
	125-5	121-5
10/7/80	122-007	121-007
10/7/80	122-008	121-008

ASSESSORS MAP BK 657 PG. 12
RIVERSIDE COUNTY, CALIF.

M.B. 21/49 Dos Palmas Tract

Date:

MAN 1000



**ORDINANCE NO. 348.611
AN ORDINANCE OF THE COUNTY
OF RIVERSIDE AMENDING
ORDINANCE NO. 348 RELATING
TO ZONING**

The Board of Supervisors of the County of Riverside, State of California, do ordain as follows:

Section 1. Section 4.2 of Article IV of Ordinance No. 348 and Official Zoning Plan Map No. 2, as amended, are hereby further amended by changing a portion of the zoned area located in the Desert Hot Springs area shown upon said map by placing and establishing such portion within that certain zone indicated and shown on the attached map entitled "Change of Official Zoning Plan Amending Map No. 2, Ordinance No. 348, Map No. 2.104," which said map is made a part hereof and is hereby referred to for a particular description of the amended portion of said map and the zone pertaining thereto.

Section 2. This ordinance shall take effect 30 days after its adoption.

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

By /s/ **RAYMOND T. SEELEY**, Chairman

Attest:
DONALD D. SULLIVAN, Clerk
By **AGNES HUGHES**, Deputy
(SEAL)

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

I HEREBY CERTIFY that at a regular meeting of the board of Supervisors of said county held on February 3, 1969, the foregoing ordinance consisting of Two sections was adopted by said Board by the following vote:

AYES: Supervisors Jones, Davis, McCall and Seeley.

NOES: Supervisor Anderson.

ABSENT: None.

Dated: February 3, 1969.

(SEAL)

DONALD D. SULLIVAN,
Clerk of the Board
By **AGNES HUGHES**,
Deputy

2/11t1

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department
Ron Goldman · Planning Director

**APPLICATION FOR AMENDMENT TO THE
RIVERSIDE COUNTY GENERAL PLAN**

SECTIONS I, II, AND VI BELOW MUST BE COMPLETED FOR ANY AMENDMENT TO THE AREA PLAN MAPS OF THE GENERAL PLAN.

FOR OTHER TYPES OF AMENDMENTS, PLEASE CONSULT PLANNING DEPARTMENT STAFF FOR ASSISTANCE PRIOR TO COMPLETING THE APPLICATION.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: GPA 00151 DATE SUBMITTED: 2/13/07

I. GENERAL INFORMATION

APPLICATION INFORMATION

Applicant's Name: ANC DEVELOPMENT LLC E-Mail: ANCLLEE@VERIZON.NET

Mailing Address: 49645 MAGNOLIA DR.
MORONGO VALLEY CA 92256
City State ZIP

Daytime Phone No: (760) 250-3436 Fax No: (760) 329-9510

Engineer/Representative's Name: H. KIM E-Mail: _____

Mailing Address: 2251 STERNGOODMAN ST. SUITE H
FULLERTON CA 92833
City State ZIP

Daytime Phone No: (213) 999-1225 Fax No: (714) 773-9263

Property Owner's Name: ANTHONY LEE E-Mail: ANCLLEE@VERIZON.NET

Mailing Address: 49645 MAGNOLIA DR.
MORONGO VALLEY CA 92256
City State ZIP

Daytime Phone No: (760) 250-3436 Fax No: (760) 329-6100

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

ANTHONY YONGHAE LEE Anthony Yonghae Lee
PRINTED NAME OF APPLICANT SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

ANTHONY YONGHAE LEE Anthony Yonghae Lee
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)
CHRISTINE M. LEE Christine M. Lee
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 657-122-04, 18, 19, 20, 21
Section: 7 Township: 35 Range: 5E
Approximate Gross Acreage: 2.01 ACRES 90,180 SF
General location (nearby or cross streets): North of DILLON ROAD, South of CAMINO 10140, East of PALM DRIVE, West of VIA CARTA.

FIRST CLASS

GPA 751

Anthony & Christine Lee
49645 Magnolia Dr.
Morongo Valley, CA 92256

Kingdom Group
Attn: Kim H.
940 Burleigh Dr.
Pasadena, CA 91105

FIRST CLASS

GPA 751