

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

923B



REVIEWED BY EXECUTIVE OFFICE

DATE 5/29/10/TMG
Tina Grande
Departmental Concurrence

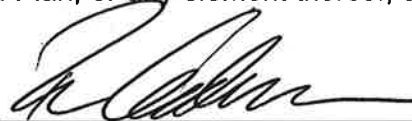
FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 26, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 1092 (Community Development) – Applicant: Seymour Lazar – Engineer/Representative: MSA Consulting – Fourth Supervisorial District – Cathedral City-Palm Desert – Western Coachella Valley Area Plan: Community Development: Medium Density Residential (CD-MDR) (2-5 DU/AC) and Public Facilities (CD: PF) (.20 - .35 FAR); and Rancho Mirage Sphere Of Influence Policy Area – Location: Northerly of Ramon Road, southerly of Interstate 10, and westerly of Bob Hope Drive – 178 Gross Acres – Zoning: Controlled Development Areas (W-2-20) – REQUEST: The applicant proposes to amend the subject property's General Plan Designation from Community Development: Medium Density Residential (CD: MDR) (2-5 DU/AC) to Community Development: Commercial Retail (CD: CR) (.20 - .35 FAR) on an approximate 8.60 acre portion of a 103 acre parcel and further amend the subject property's General Plan Designation on two additional contiguous parcels of approximately 75 acres from Community Development: Public Facilities (CD: PF) (< 0.60 FAR) to Community Development: Medium Density Residential (CD: MDR) (2-5 DU/AC).

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors adopt an order initiating the above referenced general plan amendment based on the attached report and direct the project applicant to submit appropriate development applications to be processed concurrently with the General Plan Amendment in order to ensure adequate and sufficient acreage is designated for the requested Land Use Designations and that satisfactory development plans are provided to justify the changes in Land Use Designations. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.


Ron Goldman
Planning Director


Initials
RG:jo 

(continued on attached page)

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
Nays: None
Absent: None
Date: June 8, 2010
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

Prev. Agn. Ref **ATTACHMENTS FILED** District: Fourth Agenda Number:

BACKGROUND:

The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA application, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director
Planning Department
 Ron Goldman · Planning Director

923B

DATE: May 24, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Desert Office

SUBJECT: GENERAL PLAN AMENDMENT NO. 1092
 (Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|--|---|
| <input type="checkbox"/> Place on Administrative Action (Receive & File; EOT)
<input type="checkbox"/> Labels provided If Set For Hearing
<input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day
<input type="checkbox"/> Place on Consent Calendar
<input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC)
<input checked="" type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
<input type="checkbox"/> Publish in Newspaper:
SELECT Advertisement
<input type="checkbox"/> **SELECT CEQA Determination**
<input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day
<input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided)
Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |
|--|---|

Designate Newspaper used by Planning Department for Notice of Hearing: NONE - GPIP

Please schedule on the June 8, 2010 BOS Agenda

JUN 8 2010 15.2
 Desert Office · 38686 El Cerrito Road
 Palm Desert, California 92211
 (760) 863-8277 · Fax (760) 863-7555

Ray
6-24-10

**PLANNING COMMISSION
MINUTE ORDER APRIL 7, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. AGENDA ITEM 6.3: GENERAL PLAN AMENDMENT NO. 1092** - Entitlement / Policy - Applicant: Seymour Lazar - Engineer/Representative: MSA Consulting - Fourth Supervisorial District - Cathedral City - Palm Desert Zoning District - Western Coachella Valley Area Plan: Community Development: Medium Density Residential (CD: MDR) (2 - 5 Dwelling Units per Acre) and Public Facilities (PF) (< 0.60 Floor Area Ratio)- Location: Northerly of Ramon Road, southerly of Interstate 10, easterly/westerly of Bob Hope Drive, extended - 178 Gross Acres - Zoning: Controlled Development Areas - 20 Acres Minimum (W-2-20) - **APNs:** 670-240-003, 670-250-003 and 670-250-004
- II. PROJECT DESCRIPTION**
The applicant proposes to amend the General Plan map designation from Community Development: Medium Density Residential (CD: MDR) (2 - 5 Dwelling Units per Acre) to Community Development: Commercial Retail (CD: CR) (.20 - .35 Floor Area Ratio) on an approximate 8.60 acre portion of a 103 acre parcel and further amend the General Plan map on two additional contiguous parcels of approximately 75 acres from Community Development: Public Facilities (CD: PF) (< 0.60 Floor Area Ratio) to Community Development: Medium Density Residential (CD: MDR) (2-5 Dwelling Units per Acre). This general plan initiation proposal is partially in anticipation of the Ramon Road/Bob Hope Drive Interchange Project along Interstate 10.
- III. MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner: Jay Olivas, Ph: (760) 863-7579 or E-mail jolivas@rctlma.org
- The following spoke in favor of the subject proposal:
Craig Yamasaki, Applicant
Marvin Roos, Applicant's Representative, 34200 Bob Hope Dr, Rancho Mirage, CA 92270
- No one spoke in a neutral position or in opposition of the subject proposal.
- IV. CONTROVERSIAL ISSUES**
NONE
- V. PLANNING COMMISSION ACTION**
The Planning Commission commented on the General Plan Amendment. If you wish to listen to the entire discussion, see Section VI below. Additionally, the comments of individual Commissioners are summarized in the Planning Director's Report and Recommendation 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 Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.:
Area Plan: Western Coachella Valley
Zoning District: Cathedral City-Palm Desert
Supervisory District: Fourth
Project Planner: Jay Olivas
Planning Commission: April 7, 2010

General Plan Amendment No. 1092
(Entitlement/Policy Amendment)
Applicant: Seymour Lazar
Engineer/Representative: MSA Consultants

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The applicant proposes to amend the subject property's General Plan Designation from Community Development: Medium Density Residential (CD: MDR) (2-5 DU/AC) to Community Development: Commercial Retail (CD: CR) (.20 - .35 FAR) on an approximate 8.60 acre portion of a 103 acre parcel and further amend the subject property's General Plan Designation on two additional contiguous parcels of approximately 75 acres from Community Development: Public Facilities (CD: PF) (< 0.60 FAR) to Community Development: Medium Density Residential (CD: MDR) (2-5 DU/AC).

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

Commissioner John Roth: None

Commissioner John Snell: None

Commissioner John Petty: None

Commissioner Jim Porras: Concerns about recent newspaper article regarding construction funding for the I-10 Ramon Road/Bob Hope Drive Interchange. This is addressed since heavy construction work is already proceeding based on field visit.

Commissioner Jan Zappardo: None

Agenda Item No.: 6.3
Area Plan: Western Coachella Valley
Zoning District: Cathedral City - Palm Desert
Supervisorial District: Fourth
Project Planner: Jay Olivas
Planning Commission: April 7, 2010

GENERAL PLAN AMENDMENT NO. 1092
Applicant: Seymour Lazar
Engineer/Rep.: MSA Consulting

J.O.
DM.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the subject property's General Plan designation from Community Development: Medium Density Residential (CD: MDR) (2 - 5 DU/AC) to Community Development: Commercial Retail (CD: CR) (.20 - .35 FAR) on an approximate 8.60 acre portion of a 103 acre parcel and further amend the General Plan designation on two additional contiguous parcels of approximately 75 acres from Community Development: Public Facilities (CD: PF) (< 0.60 FAR) to Community Development: Medium Density Residential (CD: MDR) (2-5 DU/AC). This general plan initiation proposal is partially in anticipation of the Ramon Road/Bob Hope Drive Interchange Project along Interstate 10.

The project is located adjacent to Thousand Palms near the existing Agua Caliente Casino, more specifically, northerly of Ramon Road, southerly of Interstate 10, and westerly of Bob Hope Drive.

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.

GENERAL PLAN AMENDMENT NO. 1092

PC Staff Report: April 7, 2010

Page 2 of 4

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. 1092 is considered an Entitlement/Policy GPA as described in Section 2.4 of that ordinance.

Proposed General Plan Amendment No. 1092 is a stand alone case. The first portion of this GPA for APN 670-250-004 proposes to modify an existing 8.90 acre portion of "Medium Density Residential" land on the General Plan to "Commercial Retail" (CR). The applicant supports this change to commercial retail due to likely future freeway oriented uses since the land is in close proximity to significant freeway noise and vibration sources from Interstate 10 and existing railroad tracks. The overall site is 103 acres which and is currently vacant. Surrounding land uses consist of railroad tracks and Interstate 10 to the north, an existing hotel casino to the south, vacant land to the west, and railroad tracks and Interstate 10 to the east. This general plan amendment initiation from "Medium Density Residential" to "Commercial Retail" would encourage future freeway oriented uses which this area is suited. The "Commercial Retail" designation would be compatible with this urbanizing area that includes an existing multi-story hotel casino with existing improvements for the hotel casino along Ramon Road and Bob Hope Drive, with likely upcoming improvements including new freeway bridge access along Bob Hope Drive to Thousand Palms.

Planning staff met briefly with the Transportation Department to obtain more information about I-10 Coachella Valley Corridor Improvement Projects. For the Ramon Road/Bob Hope Drive Interchange, it was indicated that work has already begun on this interchange due to existing K-Rails within Interstate 10 and evidence of re-location of utilities along Varner Road and Rio Del Sol on the north side of Interstate 10 in Thousand Palms. Project details for this interchange within the Coachella Valley Corridor Improvement Projects pamphlet (10/09) indicate the following project details:

- Add new eight-lane overcrossing and extend Bob Hope Drive to Varner Road.
- Add new interchange just west of the existing Ramon Road Interchange.
- Add new six lane bridge over Union Pacific Railroad.
- Modify on and off ramps.
- Realign Rio Del Sol.
- Widen portions of Varner Road.
- Remove all Ramon Road ramps, except for eastbound on-ramp.

Additionally, staff would like to note some potential concerns about the proposed Commercial Retail portions for parcel APN 670-250-004 which may be too narrow as depicted on the site plan exhibit due to an elevated freeway bridge as the result of the Ramon Road/Bob Hope Drive Interchange. To address this, staff is recommending the applicant to submit a development plan to possibly expand this commercial area at the implementation stage if the general plan amendment is initiated by the Board of Supervisors. Staff has also asked the applicant's representative about existing power lines and existing utility easements within the APN 670-250-004 which representative has stated existing SCE utility poles only affect a small portion of the westerly parcel and the likelihood of commercial usage being more compatible than residential usage.

The second portion of this GPA for APN's 670-240-003 and 670-250-003 proposes to modify approximately 75 acres from Community Development: Public Facilities (CD: PF) (< 0.60 FAR) to Community Development: Medium Density Residential (CD: MDR) (2-5 DU/AC). Planning staff has recommended the applicant include these two parcels and that they be changed from the current Public Facilities designation to Medium Density Residential since all contiguous parcels within this GPA

GENERAL PLAN AMENDMENT NO. 1092

PC Staff Report: April 7, 2010

Page 3 of 4

proposal are under the same owner (M. Martindale), and there are no future plans by the county or other public agency or private developer for any public related facilities. The PF portion was originally proposed for the Palm Springs land fill and has been previously been proposed for removal from PF to MDR under the 2008 County General Plan Update. However, due to pending countywide general plan update and EIR, planning staff recommends we include the two PF parcels at this time to be changed to MDR. MDR is likely to be an interim designation until a potential Specific Plan is proposed for this area if it's in the County or potential future annexation by the City of Rancho Mirage. The owner and applicants are not opposed to this change based on their attached letter dated March 16, 2010.

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 land
2. Surrounding Land Use (Ex. #1):	Hotel Casino, Interstate 10, Railroad, Vacant land, Planned Residential Development
3. Existing Zoning (Ex. #2):	Controlled Development Areas (W-2-20)
4. Surrounding Zoning (Ex. #2):	Controlled Development Areas (W-2-20)
5. Riverside County General Plan (Ex. #6)	"Medium Density Residential" (MDR) (2-5 du/ac) and "Public Facilities" (PF) (< .60 FAR)
6. Project Data:	Total Acreage: 178 Acres City of Rancho Mirage Sphere of Influence
7. Environmental Concerns:	Not applicable at this time

RECOMMENDATIONS:

The Planning Director's recommendation is **Initiation of General Plan Amendment No. 1092**. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment 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. General Plan Policy Overlay Area
 - b. California Gnatcatcher, Quino Checkerspot Butterfly habitat
 - c. Redevelopment Area
 - d. Conservation Area
3. The project site is located within:
 - a. The boundaries of the Coachella Valley Unified School District.
 - b. The boundaries of the Coachella Valley Water District.
 - c. The Coachella Valley MSHCP fee area.
 - d. Floodplain Management Area
4. The project site is currently designated as Assessor's Parcel Number 670-250-004.

GENERAL PLAN AMENDMENT NO. 1092

PC Staff Report: April 7, 2010

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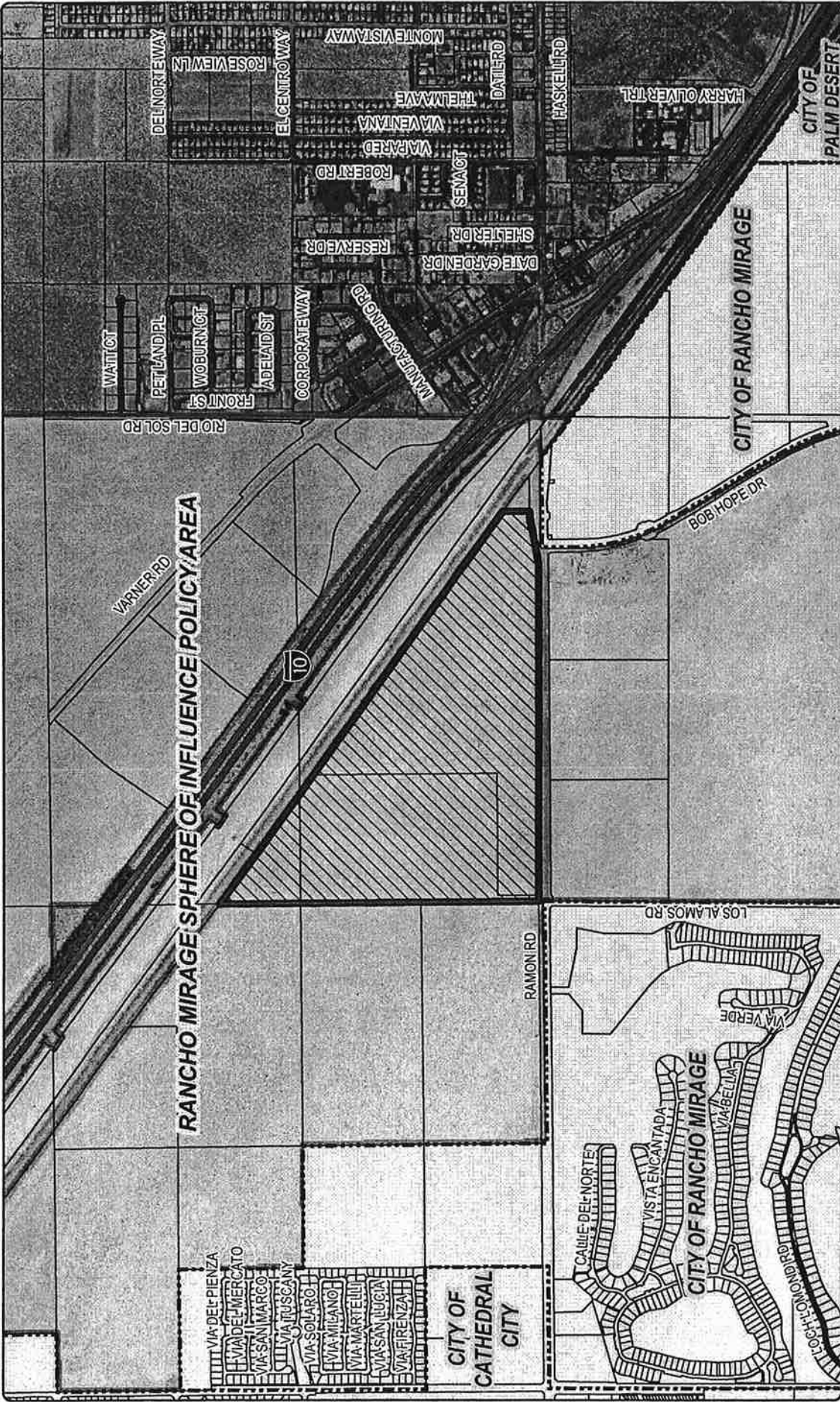
5. This project was filed with the Planning Department on December 30, 2009.
 6. ~~Deposit Based Fees charged for this project, as of the time of staff report preparation, total approximately \$5000.00~~
-

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**RIVERSIDE COUNTY PLANNING DEPARTMENT
GPA01092
VICINITY/POLICY AREAS**

Supervisor Benoit
District 4

Date Drawn: 3/16/2010
Vicinity Map



Zoning District: Cathedral City - Palm Desert
Township/Range: T4SR5E
Section: 13

Assessors Bk. Pg. 670-25
Thomas Bros. Pg. 788 A2 & B2
Edition 2009

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 (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.riverside.ca.gov/index.html>.



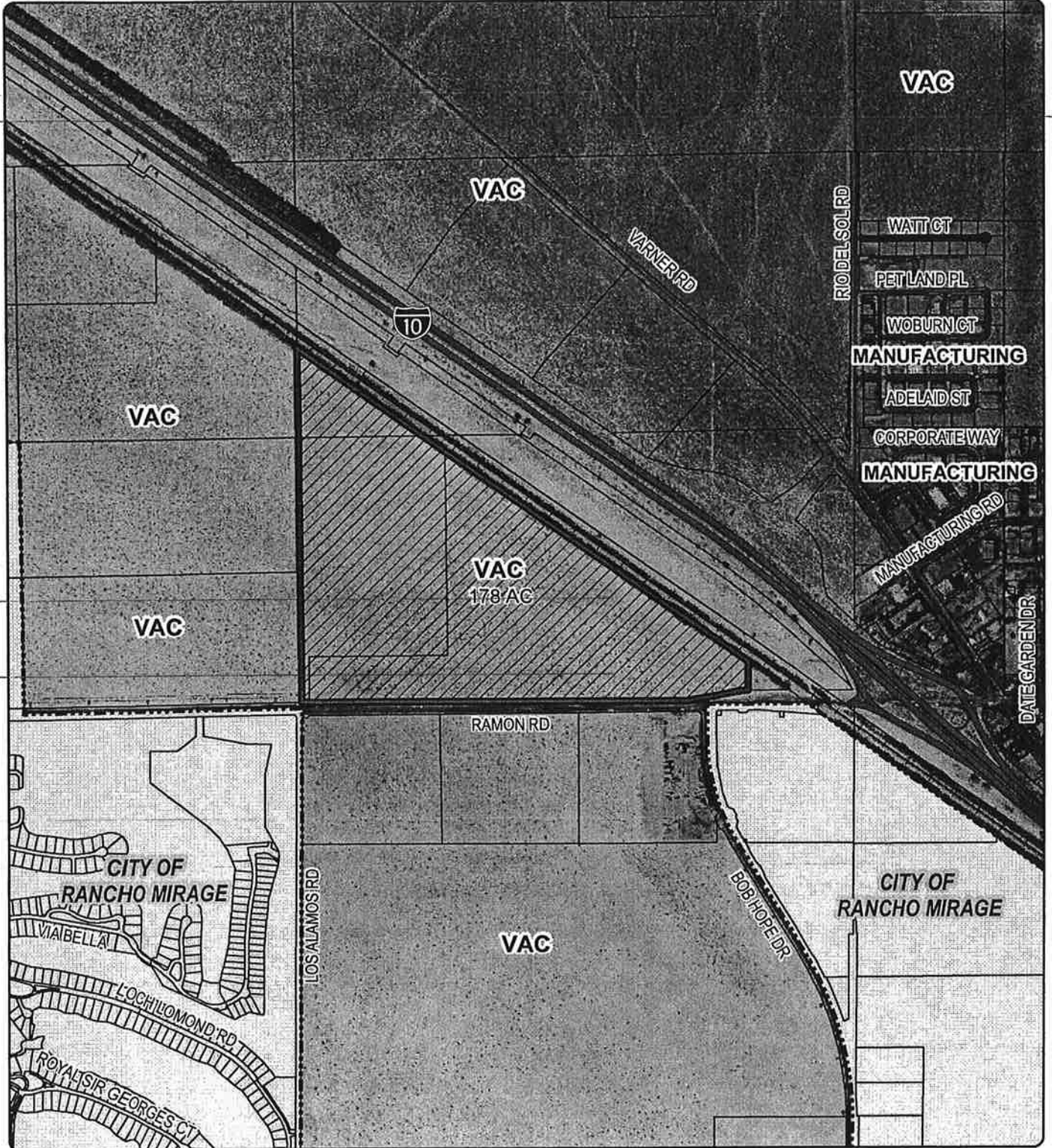
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01092

LAND USE

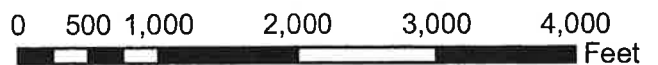
Supervisor Benoit
District 4

Date Drawn: 3/16/2010
Exhibit 1



Zoning District: Cathedral City - Palm Desert
Township/Range: T4SR5E
Section: 13

Assessors Bk. Pg. 670-25
Thomas Bros. Pg. 788 A2 & B2
Edition 2009



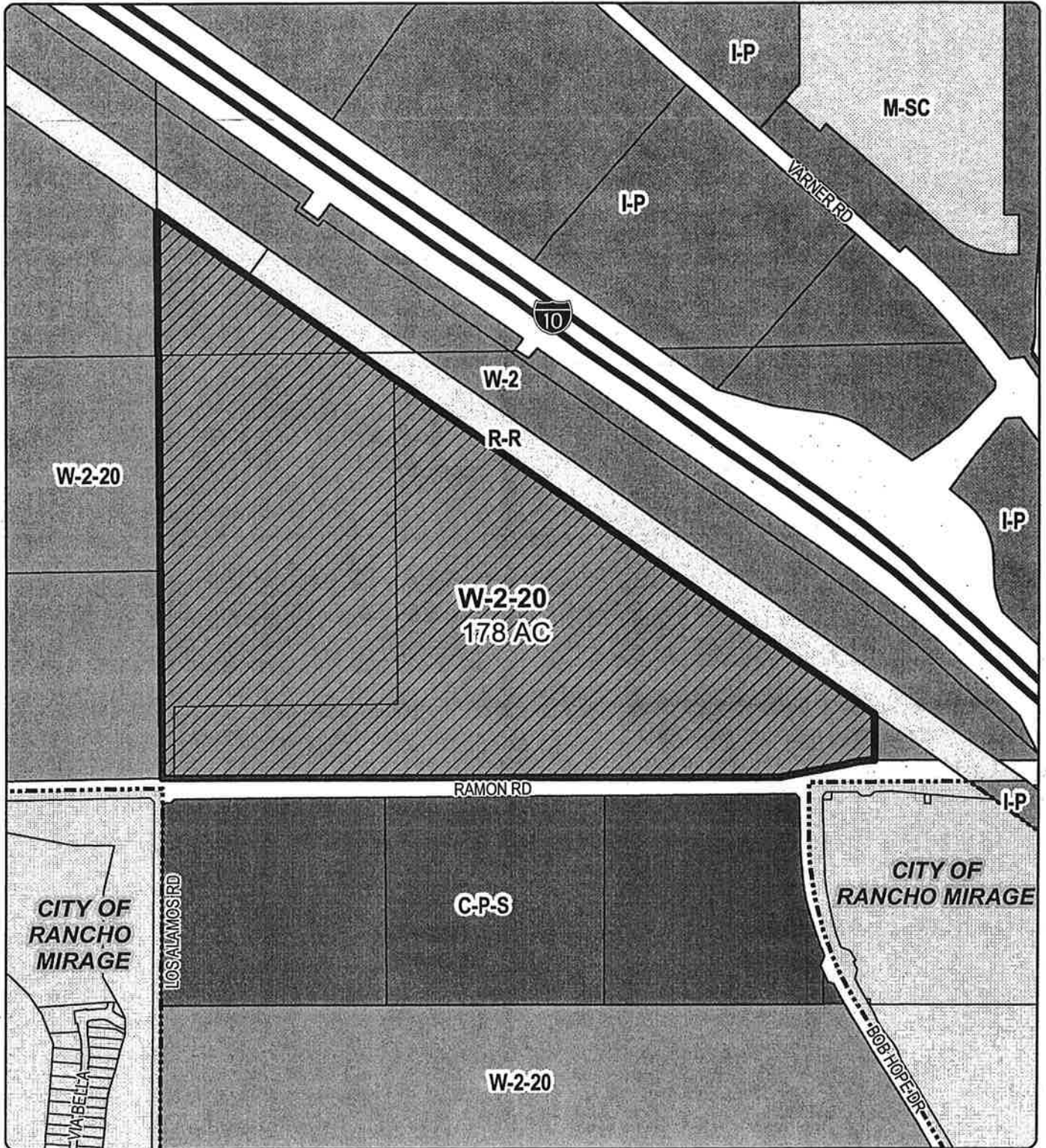
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RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01092
EXISTING ZONING

Supervisor Benoit
District 4

Date Drawn: 03/16/2010
Exhibit 2



Zoning District: Cathedral City - Palm Desert
Township/Range: T4SR5E
Section: 13

Assessors Bk. Pg. 670-25
Thomas Bros. Pg. 788 A2 & B2
Edition 2009



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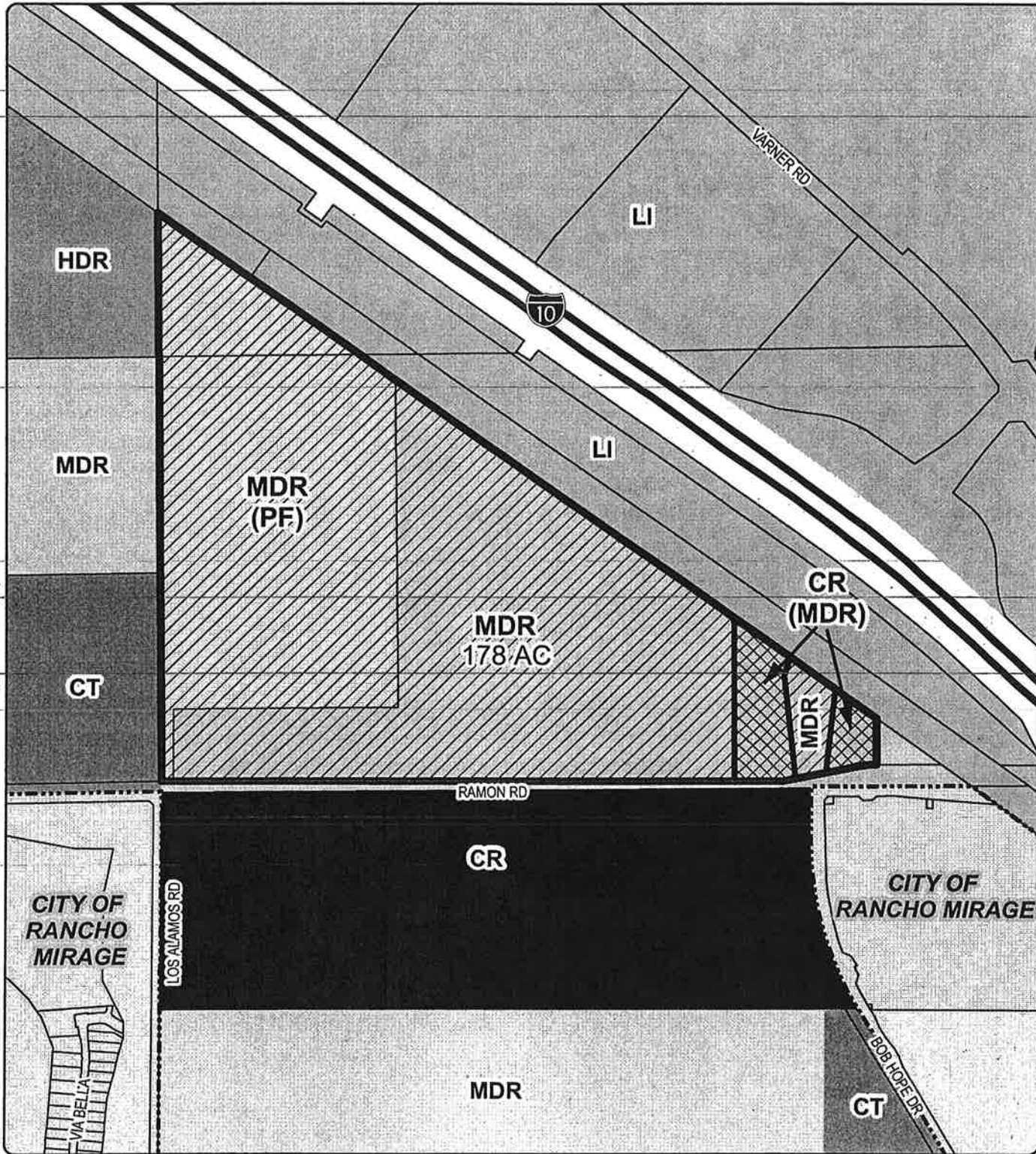
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01092

PROPOSED GENERAL PLAN

Supervisor Benoit
District: 4

Date Drawn: 3/16/2010
Exhibit 5

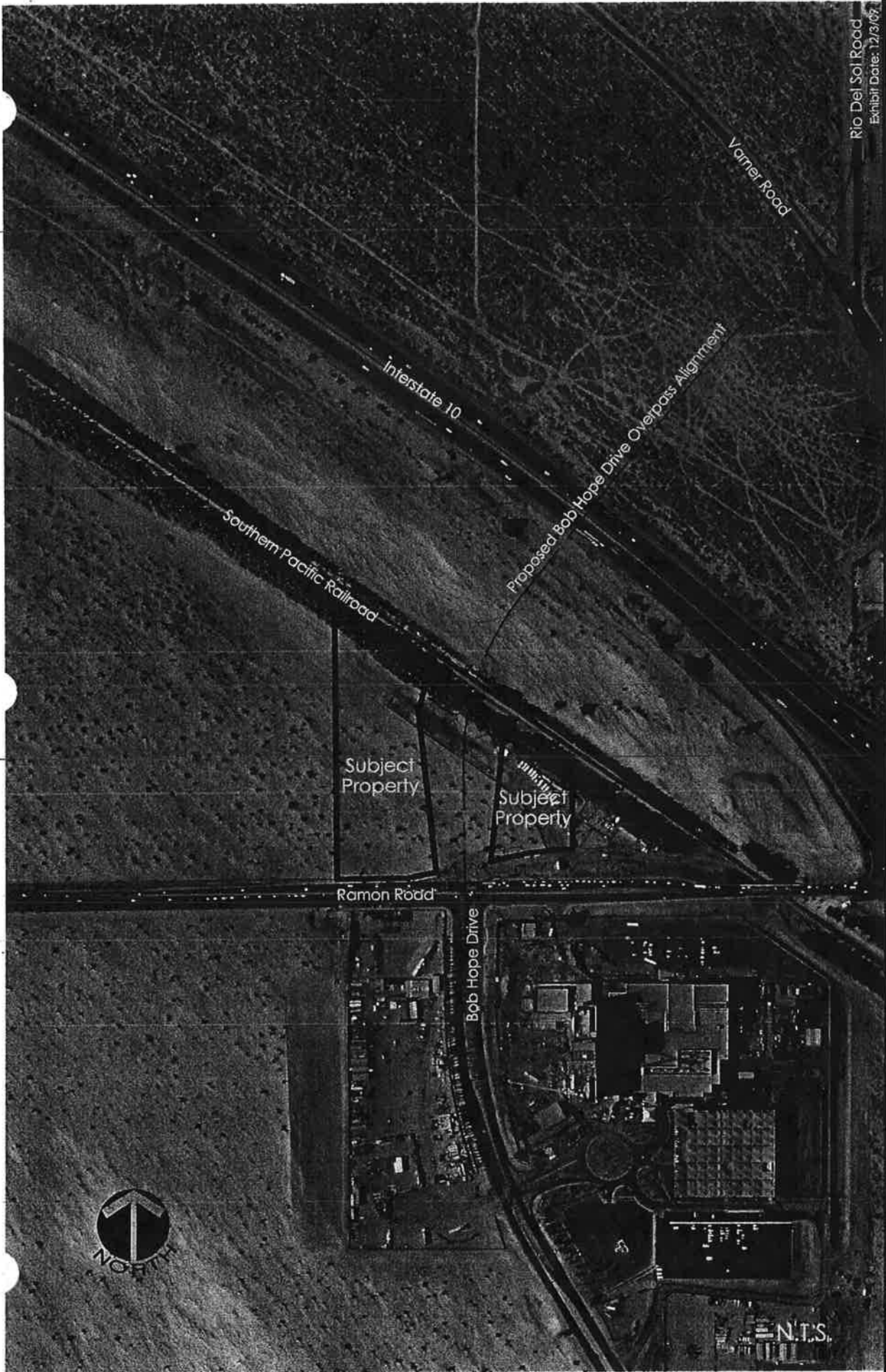


Zoning District: Cathedral City - Palm Desert
Township/Range: T4SR5E
Section: 13

Assessors Bk. Pg. 670-25
Thomas Bros. Pg. 788 A2 & B2
Edition 2009

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Rio Del Sol Road
Exhibit Date: 12/9/07

Existing Aerial Photograph

Seymour Lazar Property
General Plan Amendment

MSA CONSULTING, INC.
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

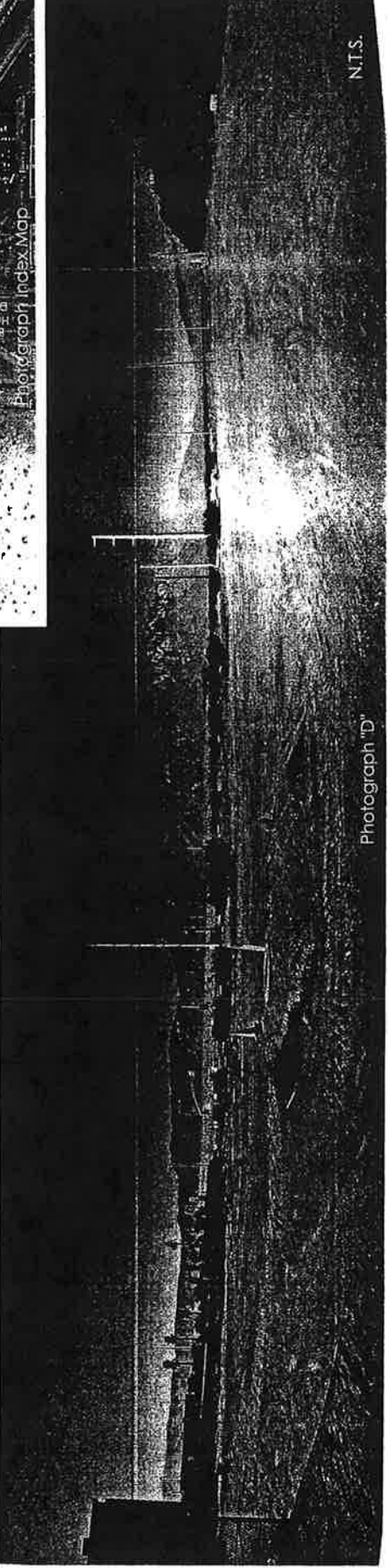
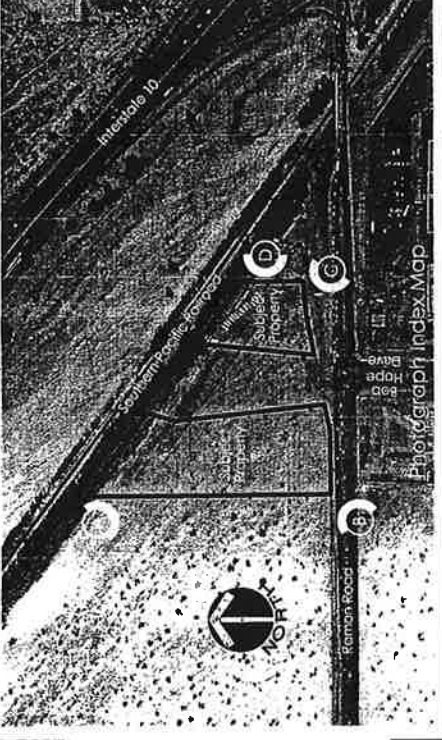
34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893



N.T.S.



Photograph "C"



Photograph "D"

N.T.S.

Photographs taken: 12/3/2009

ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quart 1

Case No. GPA No. 1092

Supervisory District: Fourth

Existing Zoning: W-2-20

Area Plan: Western Coachella Valley

Acreage: 178

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development (CD)

Existing General Plan Land Use Designation: Medium Density Residential (MDR) (2-5 DU/AC) and Public Facilities (PF) (< 0.60 FAR)

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) on an 8.59 Acre portion of 103 acres and Medium Density Residential (MDR) (2-5 DU/AC) on 75 acres.

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	
FLT Sand Source Area or FLT Preserve		X	
Fault Zone		X	
Faults within ½ Mile		X	
Liquefaction Potential; Subsidence	X		Moderate
High Fire Area		X	
Code Compliant		X	
MSHCP Conserved Land		X	
Access / Alternate Access Issues	X		Primary access from Ramon Road & Bob Hope Drive, extended
Water / Sewer Issues	X		Connection to water and sewer is required
City Sphere of Influence	X		City of Rancho Mirage
Proposed Annexation/Incorporation Area		X	

Other Issues* (see below)

X

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 GPA responds to increased need for potential commercial retail land uses which the change from Medium Density Residential to Commercial Retail on a portion of the land adjacent to Bob Hope Drive which is to be extended across Interstate 10 within an existing urban area containing an existing hotel casino, which land is also within the Sphere of Influence (SOI) of the City of Rancho Mirage. Plus responds to the need to change existing Public Facilities (PF) land to Medium Density Residential (MDR) since plan for a land fill has been abandoned.
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 amendment does contribute to the purposes of the General Plan as it proposes commercial retail land adjacent to Bob Hope Drive which is proposed to be extended across Interstate 10 within an existing urban area plus changing existing PF land to MDR.
Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.	X		The proposal supplies a need for commercial retail designated land within the community which the land is intended to be developed as the result of the general plan amendment with additional land being changed from PF to MDR.
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	

<p>An amendment is required to address changes in ownership of land or land not under the land use authority of the Board of Supervisors.</p>	<p>X</p>	
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*** THE ADOPTION OF AN ORDER BY THE BOARD OF SUPERVISORS INITIATING AMENDMENT PROCEEDINGS SHALL NOT IMPLY ANY SUCH AMENDMENT WILL BE APPROVED.**

S. F COMMENTS:

Department	Comments
Planning	None at this time
Transportation	None at this time
EPD	None at this time
Fire	None at this time
Flood	None at this time
Building and Safety	None at this time
Geologist	None at this time

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.

RECEIVED
DEC 30 2009

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: GPA01092

DATE SUBMITTED: 12/30/09
Riverside County
Transportation & Land
Management Agency
GRADING - INDIO

I. GENERAL INFORMATION

APPLICATION INFORMATION

Applicant's Name: Seymour Lazar E-Mail: _____

Mailing Address: 334 Hermosa Place

Palm Springs City Street CA 92262 ZIP
State

Daytime Phone No: (760) 320-0222 Fax No: (760) 320-0832

Engineer/Representative's Name: Marvin Roos c/o MSA Consulting, Inc E-Mail: mroos@msaconsultinginc.com
Rossetti ml@gmail.com

Mailing Address: 34200 Bob Hope Dr.

Rancho Mirage City Street CA 92270 ZIP
State

Daytime Phone No: (760) 320-9811 Fax No: (760) 323-7893

Property Owner's Name: SAME AS APPLICANT E-Mail: _____

Mailing Address: _____

City State ZIP

Daytime Phone No: () _____ Fax No: () _____

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.

Seymour Lazar

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.

Seymour Lazar

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

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): 670-250-004

Section: 13 Township: 4S Range: 5E

Approximate Gross Acreage: Area 1 - 6.36 acres / Area 2 - 2.23 acres

General location (nearby or cross streets): North of Ramon, South of

I-10, East of I-10, West of Los Alamos.

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

Thomas Brothers map, edition year, page number, and coordinates: Riv. 2007, page 788; B2

Existing Zoning Classification(s): W-2-20

Existing Land Use Designation(s): MDR

Proposal (describe the details of the proposed general plan amendment):

Amend the GP to allow commercial uses on both sides of Bob Hope Drive extended for the new interchange for I-10. The extension of Bob Hope Drive creates a 2.23 acre parcel on the east side of Bob Hope Drive that is clearly unsuited for MDR uses but is highly compatible freeway serving commercial uses. Property on the west side is more suited to such commercial uses.

Related cases filed in conjunction with this request:

A change of zone application will be files upon Board approval of GPA initiation of proceedings.

Has there been previous development applications (parcel maps, zone changes, plot plans, etc.) filed on the project site? Yes No

Case Nos. There are several County cases that relate to property north of I-10 that show up as applying to the subject property.

E.A. Nos. (if known) _____ E.I.R. Nos. (if applicable): _____

Name of Company or District serving the area the project site is located (if none, write "none.")		Are facilities/services available at the project site?	
		Yes	No
Electric Company	SCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gas Company	The Gas Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone Company	Verizon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water Company/District	CVWD	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewer District		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Is water service available at the project site: Yes No

If "No," how far away are the nearest available water line(s)? (No of feet/miles) _____

Is sewer service available at the site? Yes No

If "No," how far away are the nearest available sewer line(s)? (No. of feet/miles) _____

Is the project site located in a Recreation and Park District or County Service Area authorized to collect fees for park and recreational services? Yes No

Is the project site located within 8.5 miles of March Air Reserve Base? Yes No

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

Which one of the following watersheds is the project site located within (refer to Riverside County GIS for watershed location)? (Check answer): N/A

- Santa Ana River Santa Margarita River San Jacinto River Colorado River

HAZARDOUS WASTE SITE DISCLOSURE STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

The project is not located on or near an identified hazardous waste site.

The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1) _____

Date

12/29/09

Owner/Representative (2) _____

Date _____

NOTE: An 8½" x 11" legible reduction of the proposal must accompany application.

II. AMENDMENTS TO THE AREA PLAN MAPS OF THE GENERAL PLAN:

AREA PLAN MAP PROPOSED FOR AMENDMENT (Please name):

Western Coachella Valley

EXISTING DESIGNATION(S): Medium Density Residential - MDR

PROPOSED DESIGNATION(S): Commercial Retail - CR

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

JUSTIFICATION FOR AMENDMENT (Please be specific. Attach more pages if needed.)

SEE ATTACHED

III. AMENDMENTS TO POLICIES: N/A

(Note: A conference with Planning Department staff is required before application can be filed. Additional information may be required.)

A. LOCATION IN TEXT OF THE GENERAL PLAN WHERE AMENDMENT WOULD OCCUR:

Element: _____ Area Plan: _____

B. EXISTING POLICY (If none, write "none." (Attach more pages if needed): _____

C. PROPOSED POLICY (Attach more pages if needed): _____

JUSTIFICATION FOR AMENDMENT

The proposed General Plan Amendment covers 8.59 +/- acres of an overall contiguous ownership of 102.65 acres. The proposal covers both sides of the planned northerly extensions of Bob Hope Drive for an interchange with I-10. The easterly remainder parcel is only 2.23 acres and is clearly unsuitable for standard MDR (medium density residential 2.5 d.u./acre) development due to size and proximity to significant noise and vibration sources including I-10 freeway, UPRR tracks, Ramon Road and the Bob Hope Drive interchange. The westerly 6.36 acre parcel is similarly imported. Both parcels are ideal for freeway oriented uses.

December 10, 2009

Mr. David Mares, Principal Planner
Riverside County
Planning Department
38686 El Cerrito Rd
Palm Desert CA 92211

Subject: Agent Authorization

Dear Mr. Mares,

I Marva Martindale am the Appointed Successor Trustee of The Section 13 Trust herein named and the forgoing statements and answers herein contained and the information herein submitted are in all respect true and correct to the best of my knowledge and belief, and I hereby acknowledge that Seymour Lazar of the Lazar Family Trust is an authorized agent of the subject property and is duly authorized to submit and act on the Trust's behalf.

Sincerely,



Marva Martindale
Appointed Successor Trustee of Section 13

c: Marvin Roos, MSA Consulting, Inc
Marco Rossetti, Spineillo Commercial Real Estate
Craig Yamasaki, Global Alliance

MARVA MARTINDALE

10450 WILSHIRE BLVD. # 9D

LOS ANGELES, CA. 90024

310-475-2100

March 15, 2010

Mr. Jay Olivas
Riverside County Planning Dept.
38686 El Cerrito Road
Palm Desert, CA 92201
Re: GPA01092 Lazar & APNs 670-240-003 & 670-250-003

RECEIVED

MAR 17 2010

Riverside County
Planning Department
Desert Office

Dear Mr. Olivas:

As the property owner for several contiguous parcels near the Bob Hope Drive and Ramon Road intersection, I understand that Riverside County Planning Department has already begun the process of amending the Riverside County General Plan to change the land use designation from PF (Public Facilities) to MDR (Medium Density Residential) for certain of our holdings. We agree with the change to eliminate the PF designation for parcels as the property was never involved with any public usage as researched by the County's staff and reported to us in an email from Phayvanh Nanthavongdouangsy to Marvin Roos on December 15, 2009 (transmitted separately to you by Mr. Roos).

I am aware that this change was already being processed by the County. If it helps move the GPA process forward, please be advised that I am in accord with the change to revise the General Plan as has been previously suggested by County Planning Staff. We see the MDR designation as something of a holding designation until a more detailed development concept is developed for the property.

If you have any questions please feel free to forward them to Mr. Roos or Mr. Craig Yamasaki who are assisting us in this endeavor.

Sincerely,



Marva Martindale

State of California }
County of Los Angeles }

On 03/16/2010 before me, Carlos A. Barreno - Notary Public personally
(Insert Name of Notary Public and Title)
appeared MRS. MARVA MARTINDALE TO SIGN A DESCRIPTION OF A
PARCEL

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

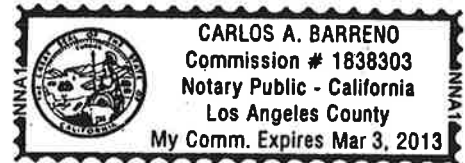
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



Olivas, Jay

From: Craig Yamasaki [yamasas1@yahoo.com]
Sent: Tuesday, March 16, 2010 12:24 PM
To: Olivas, Jay
Cc: Marvin Roos; Marco Rossetti; Marvin Roos
Subject: Fw: Martindale Approval Document for Lazar Property

Dear Jay,

Please see the note and draft of the letter below. I spoke with Marva, and she has signed the document and is arranging to have the letter notarized (to be sure) and will Fed Ex the affidavit to you. I trust that this confirmation will allow you to keep the discussion regarding the application on the April Agenda, and on track.

Thanks again for your consideration and assistance. I look forward to meeting you in person in the near future as the project progresses.

Regards,
Craig Yamasaki
Project Manager

----- Forwarded Message -----

From: Marva Martindale <mm@msquared1.com>
To: Craig Yamasaki <yamasas1@yahoo.com>
Sent: Tue, March 16, 2010 12:12:44 PM
Subject: Re: 956--FW: GPA01092 Lazar/THIS IS IT!!!

Dear Craig,

I have signed and notarized the letter as set forth below and mailed to Jay at the County at the address indicated.

Thanks,
Marva Martindale

On Mar 16, 2010, at 12:00 PM, Craig Yamasaki wrote:

----- Forwarded Message -----

From: "Roos, Marv" <MRoos@msaconsultinginc.com>
To: Craig Yamasaki <yamasas1@yahoo.com>
; Marco Rossetti <Marco@SpinelloCommercialRealEstate.com>; "Smith, Bob" <BSmith@msaconsultinginc.com>;
"Vann, Nicole" <nvann@msaconsultinginc.com>
Sent: Mon, March 15, 2010 2:56:26 PM
Subject: 956--FW: GPA01092 Lazar

Craig: Here is a draft letter that will be responsive to the request of Riverside County staff re the General Plan amendment. They requested that it come from Ms. Martindale.

Mr. Jay Olivas
Riverside County Planning Dept.
38686 El Cerrito Road
Palm Desert, CA 92201
Re: GPA01092 Lazar & APNs 670-240-003 & 670-250-003

Dear Mr. Olivas:

As the property owner for several contiguous parcels near the Bob Hope Drive and Ramon Road intersection, I understand that Riverside County Planning Department has already begun the process of amending the Riverside County General Plan to change the land use designation from PF (Public Facilities) to MDR (Medium Density Residential) for certain of our holdings. We agree with the change to eliminate the PF designation for parcels as the property was never involved with any public usage as researched by the County's staff and reported to us in an email from Phayvanh Nanthavongdouangsy to Marvin Roos on December 15, 2009 (transmitted separately to you by Mr. Roos).

I am aware that this change was already being processed by the County. If it helps move the GPA process forward, please be advised that I am in accord with the change to revise the General Plan as has been previously suggested by County Planning Staff. We see the MDR designation as something of a holding designation until a more detailed development concept is developed for the property.

If you have any questions please feel free to forward them to Mr. Roos or Mr. Craig Yamasaki who are assisting us in this endeavor.

Sincerely,

Marvin D. Roos, AICP
Director of Design Development
MSA Consulting, Inc.

From: Olivas, Jay [<mailto:JOLIVAS@rctlma.org>]
Sent: Monday, March 15, 2010 10:21 AM
To: Roos, Marv
Subject: GPA01092 Lazar

Marv,

A couple of land use issues have come about that we need to discuss ASAP. Please call me at your earliest convenience.

Regards,

Jay T. Olivas, Planner IV
Riverside County Planning Dept.
38686 El Cerrito Road
Palm Desert, CA 92201

Olivas, Jay

From: Roos, Marv [MRoos@msaconsultinginc.com]
Sent: Tuesday, March 02, 2010 4:35 PM
To: Olivas, Jay
Cc: Marco Rossetti; Craig Yamasaki; Dewegeli, David
Subject: FW: 956--RE: GPA01092 Lazar
Attachments: 0956-02 GP Site Plan Sht 1 (1).pdf

Jay: Yes there is an easement for the SCE utility poles over a small portion of the westerly parcel but the site still can be put to use for the commercial uses allowed by the General Plan and Zoning. Certainly the commercial usage is far more compatible than the low density residential designation now on the property. While there would not be buildings constructed under any overhead utilities, the area would be perfect for drainage, retention and even some parking. The attached image was included in our submittal but let me know if you didn't get this exhibit.

Thanks for your concern and feel free to call if you have further thoughts or questions.

Marvin D. Roos, AICP
Director of Design Development
MSA Consulting, Inc.

From: Roos, Marv
Sent: Tuesday, March 02, 2010 2:14 PM
To: 'Olivas, Jay'; 'rossettime@gmail.com'
Cc: Harris, Chuck; 'Craig Yamasaki'
Subject: 956--RE: GPA01092 Lazar


Thanks for the heads up. We'll review the easement documents and let you know.

Marvin D. Roos, AICP
Director of Design Development
MSA Consulting, Inc.

From: Olivas, Jay [mailto:JOLIVAS@rctlma.org]
Sent: Tuesday, March 02, 2010 1:50 PM
To: Roos, Marv; 'rossettime@gmail.com'
Subject: GPA01092 Lazar

Marv, we are working on the staff report, however, I drove by yesterday and there are some huge utility poles and power lines within the area of the proposed GPA (within the proposed section for Commercial Retail). I am not sure if future commercial bldgs could be located underneath these power lines, so this may affect our recommendation, but maybe you can address further. Let me know your thoughts. Thanks.

Jay T. Olivas, Planner IV
Riverside County Planning Dept.
38686 El Cerrito Road
Palm Desert, CA 92201
Ph: (760) 863-8277
Fax: (760) 863-7555
Email: jolivas@rctlma.org
Website: www.rctlma.org/planning



Riverside County
Waste Management Department

Huns W. Kernkamp, General Manager-Chief Engineer

November 23, 2009

Ron Goldman, Director
Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92502-1629

RE: Palm Springs Landfill (DA #20) – APNs 670-240-003 and 670-250-003

Dear Mr. Goldman:

On October 13, 2009, Riverside County Waste Management Department's (Department) planning staff, Sung Key Ma, received a request from Phayvanh Nanthavongdouangsy of your staff to verify the status of the Palm Springs Landfill, which is described by the above-referenced APNs (see enclosed site map). The current land use designation for Palm Springs Landfill property under the General Plan 2008 Update is MDR with "Closed Landfill Overlay".

In response to the Planning Department's request, Department staff conducted a search of our inactive landfill site files. The record search revealed that there was a great deal of activity in the late 1950s by the County to find a replacement landfill site for the Palm Springs City Dump and the Cathedral City Dump. In 1959, a private property became available (i.e., the property in question), which the County purchased and designated as the Palm Springs Landfill (also known as the Ramon Road Disposal Site). According to the attached correspondence regarding the Palm Springs Landfill, dated May 29, 1969, residents in the area protested against using the site. Further, the 1984 County Solid Waste Management Plan (CoSWMP) includes the property, but Table XI-4 of the CoSWMP states, "...the development of this site never got beyond the negotiation stage." There is no record in the Department files that the County ever used the property as a landfill.

On October 26, 2009, Department staff inspected the site. The only apparent disturbance to the site is a single lane dirt road along the western and southern boundaries. There was no exposed waste, broken glass, soil discoloration or disturbance, or other physical signs which would indicate that the site could have been a landfill. In addition, the Department contacted Laurie Holk of the Department of Environment Health Local Enforcement Agency (LEA) and found no permitting, monitoring, or citation records in regards to the Palm Springs Landfill. The LEA has never been involved in any regulatory oversight of a disposal site at this location, further indicating that a landfill did not exist at the property.

Based on our investigation, the Department found no evidence that the property in question was ever used as a landfill. The Department will permanently remove the Palm Springs Landfill from the Inactive/Closed County Disposal Sites inventory. Therefore, the "Closed Landfill Overlay" land use designation is not applicable for the property as described by APNs 670-240-003 and 670-250-003 and should be removed from the General Plan 2008 Update. If you have any questions, or require additional information, please do not hesitate to contact me at (951) 486-3200.

Sincerely,



Hans W. Kernkamp
General Manager-Chief Engineer

HWK/JRM/AE:kj/ae

Enclosures: Site Map
Letter regarding the proposed Ramon Road Disposal Site, dated May 29, 1969

cc: Phayvanh Nanthavongdouangsy, Planning Dept.
Anne Ennesser
~~Andy Cortez~~
Kevin Joyce
Sung Key Ma

PALM SPRINGS CLOSED LANDFILL

20

670240003

LANDFILL
RECLOSED LIMITS

670250003

RAMON RD

Al Fleming

May 29, 1969

The Honorable Board of Supervisors
County of Riverside
Courthouse
Riverside, California

Re: Ramon Road Disposal Site

Fourth Supervisorial District

Gentlemen:

In 1967 your board accepted a deed to an 80-acre parcel of land on the north side of Ramon Road and west of Interstate Route 10 for use as a disposal site.

The conditions attached to the conveyance provided for a reversion if the site was not used for a disposal site within four years of the date of acceptance.

The residents of Thousand Palms made a strong protest against the proposed use of the site, based upon the strong wind conditions which they felt would carry all kinds of debris across the state highway and into their community.

Subsequently, we found a section of government-owned land, Section 26, T. 3 S., R. 5 E., S.B.M., and established a cut and cover disposal operation to serve the area.

The Ramon Road site has never been used, and it is our recommendation that your Board authorize your Chairman to execute the attached quitclaim deed, conveying any interest the County may still have in the site to the grantors, Cowgill and DeBonchamps.

May we ask to have the quitclaim deed returned to us for recording.

Respectfully submitted,

A. C. Keith, County Surveyor
and Road Commissioner

JM
Jack C. Ruth,
Senior Right of Way Agent

JCR/fj

Attachment: Quitclaim deed
cc: Al Fleming

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Marvin Roos
if questions

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: 760.320.9811

Date: _____ **Agenda #** 15.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____