



**City of Cathedral City**  
**Planning Commission Minutes for January 19, 2005**  
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## **Attendance**

Commissioners Present: Chair Gene Touchet; Vice Chair Doug Diekmann; Commissioner Sonja Marchand. Commissioner Bill Feist arrived at 7:00 PM.

Commissioners Absent: Commissioner Stan Barnes (Excused)

Staff Present: City Planner Joe Richards, Associate Planner Rich Malacoff, Development Project Manager Jerry Jack, and Deputy City Attorney Michael J. Shirey.

## **Approval of Minutes from December 15, 2004**

A motion was made by Marchand, seconded by Diekmann to approve the December 15, 2004 Minutes. The motion was approved by a 3-0 vote with Barnes and Feist not voting since they were absent.

## **Public Hearing Items**

### **Conditional Use Permit No. 04-015, Nextel Communications**

Richards presented the staff report and described the project which consists of a 45 foot mono-palm and an equipment enclosure located at 68625 Perez Road. The mono-palm will be located in an existing planter within the business park and have 5 shade trees around it. Staff requested through a Condition of Approval that the applicant replace a chain link fence with a wrought iron fence and additional landscaping. Staff recommended that the project be approved subject to the Conditions of Approval and the attached Resolution.

Barbara Saito of Nextel stated that she concurred with the staff report and thanked staff for their assistance with the project.

A Motion was made by Diekmann, seconded by Marchand, approved by a 3-0 vote, with Barnes and Feist being absent, to approve a Categorical Exemption pursuant to CEQA Section 15303,(Class 3) for Conditional Use Permit No. 04-015 and approving Conditional Use Permit No. 04-015.

### **Tentative Tract Map No. 32858, Sol Pac LLC.**

Malacoff presented the staff report. The project consists of the subdivision of 10.1 acres into 52 single family lots north of Rio Valencia and Verona Roads, south of Rio Largo Road, and west of Avenida Quintana in the Rio Vista Area. Malacoff



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stated that the notice and agenda had a typographical error and that the correct area was 10.1 acres not 100.1 acres. Malacoff stated that the project was previously approved under Tentative Tract Map No. 29752 which expired in March of 2001. The Commission's action tonight is to determine consistency with the Rio Vista Specific Plan and that staff had analyzed the proposal and found it consistent with those standards. Therefore, staff was recommending approval.

Marchand expressed concern over street names sounding similar.

Feist asked Malacoff whether anything can be done about the size of the lots. Malacoff responded that the Specific Plan had already adopted the lot size and we were just approving the consistency with the Specific Plan. The Commission also asked how many units were previously approved and Malacoff said he could E-mail the information to them as soon as the information is available.

Feist expressed concern over the lack of progress and how the project will develop. Jack explained that there is demand and the existing 118 homes sold very quickly. The reason that there has not been any additional development is that the Master Developer has not kept pace with the infrastructure. World Development has taken over from Burnett and they are working towards installing the infrastructure. The approval of this tract will assist the Master Developer in completing the infrastructure. The Commission was satisfied that there was potential for this project to be successful.

Marchand asked about the Commercial component. Malacoff explained that there was a commercial element and there were two projects outside the Specific Plan on the east and west side of Vista Chino at Landau Boulevard. Marchand wanted to know if there were any other zoning designations in the Specific Plan and Malacoff responded that there were two other designations; Multiple Family and Commercial on the southeast corner near Verona Road.

Feist asked about the parks components and Malacoff responded that there were pocket parks on each block.

Marchand expressed frustration over the fact that the City had no Inclusionary Housing Ordinance and that this was putting the City further in debt each time a new housing tract was approved. In addition, she stated that the amount of housing was not keeping pace with the City's ability to provide service especially; Fire and Police.



Touchet thanked Jack helping the Commission understand the project.

**Touchet opened the public comment portion of the public hearing.**

Rob Stone of Sol Pacific stated that his company has acquired 120 lots and is eager to get started. Stone felt that the market is strong for this product.

**Touchet closed the public comment portion of the public hearing.**

A Motion was made by Diekmann, seconded by Touchet, carried by a 3-1 vote, with Marchand voting No and Barnes not voting since he was absent that the City Council recommend that the City Council adopt a Finding Of Consistency with the previous Mitigated Negative Declaration For Tentative Tract Map Nos. 28639, 29748, 29749, 29750, 29751, 29753, 29754, 29756, & 29790 and Approval Of Tentative Tract Map No. 32858 with a change in the size of the parcel to 10.1 acres and the addition of Tentative tract No. 29752 be included in the list of previous Mitigated Negative Declarations.

**Design Review 04-021, Citicom Development**

Malacoff presented the project which consists of a 6,250 square foot commercial building in an existing shopping center located between Date Palm Drive and San Eljay Avenue. The project is in Specific Plan 87-20 with an underlying zone of PCC (Planned Community Commercial) District. The project is consistent with all zoning standards and exceeds the parking requirement. The project is exempt from CEQA due to its size. The Architectural Review Committee changed the ground cover from dirt to desertscape. Malacoff thanked Marchand for informing staff that Condition 4.12 should be deleted since a building would have to exceed 15,000 square feet to apply the Arts in Public Places Ordinance

Touchet asked about Condition 4.24 as to whether the alarms in the bathroom were to be inaudible. Malacoff said that he checked with Jack on this requirement and the condition was stated correctly that the bathroom alarms are inaudible and only flash a strobe light.

The Commission asked why the applicant was over parked and Malacoff responded that they used the wrong calculation. The Commission said that the extra parking would enhance the entire center.

Feist complimented the applicant on the use of the parking at the rear of the lot and the thru drive aisle. Malacoff responded that was a requirement of the Specific Plan.

Diekmann complimented staff and the applicant on the architecture having attractive elements on all four sides and said that he would like to see more of that in the future.



The Commission discussed the sidewalks and instructed staff to modify Condition 4.44 to delete the text "first final map".

**Touchet opened the public comment portion of the public hearing.**

Allen Steward, Citicom Development thanked Malacoff for his help with this project. The Commission commended the applicant on the architecture and the quality of the project. Steward said that he had worked with Malacoff previously and that there was an excellent working relationship which helped increase the quality of the project.

**Touchet closed the public comment portion of the public hearing.**

A Motion was made by Marchand, seconded by Feist, carried by a 4-0-1 vote, with Barnes being absent, to approve a Categorical Exemption pursuant to CEQA Code of Regulation 15303, Class 3 for Design Review No. 04-021 and approving Design Review No. 04-021 subject to the deletion of Condition 4.12 and the modification of Condition 4.44.

## **Discussion Items**

### **Night Sky Ordinance**

Richards stated the City Council asked that the Planning Commission examine modifications to the Night Sky Ordinance. Shirey stated that this could be approved through a Minute Motion. Richards stated that the City Council wanted New Auto Dealers that front on East Palm Canyon Drive to also be exempt. Richards said that the language was on Page 7 of the Ordinance. The Commission discussed the phrasing of the exemption.

Shirey stated that those changes should state the following:

"1. Nonconforming Fixtures. All outdoor light fixtures existing and fully and legally installed, prior to the effective date of this ordinance, may indefinitely remain in use as nonconforming structures provided that no change in use, replacement, structural alteration, or restoration of outdoor light fixtures, other than bulb replacement, is made unless such change conforms to the regulations of this chapter."

Shirey stated that the motion should read as follows:

That the Planning Commission recommend to the City Council approval of an ordinance of the City Council of the City of Cathedral City adding Chapter 9.89 "Outdoor Lighting Standards" to Title 9 "Planning and Zoning" of the Cathedral City Municipal Code,



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amending Sections 9.84.160 and 9.96.150(M) and repealing Sections 9.58.110 and 9.62.240 of the code with the revision to Section 9.89.080(1), deleting October 1, 2004 and replacing with "the effective date of this ordinance."

Marchand made a motion seconded by Feist that the ordinance should be changed as recommended by staff with the motion as read by the City Attorney.

**Street Trees at Jiffy Lube**

Jiffy Lube had requested that street trees be removed in front of their business. Richards explained that this is located at the terminus of Gerald Ford Drive at Date Palm Drive. Earnest Ramirez from Jiffy Lube was present. Richards stated that the City Engineer has the authority to grant removal of street trees and that this existing landscaping should be reviewed by the Commission prior to him making a decision. There was varied discussion by the Commission on different alternatives. The Commission was concerned about the visibility of motorists that were traveling in a southerly direction and suggested that the first four trees be moved to the vacant pad and be replaced by Date Palms.

**Commissioner's Comment**

The Commission asked about the status of the Tri-Millennium Project and Malacoff said they are moving forward and have applied for sign permits.

The Commission asked about the status of the McDonald's Building and if a car dealer was moving there. Malacoff responded that there is preliminary plan for this but O'Brien Motors has not applied for any planning entitlements.

The Commission also asked about the status of the Mobile Home Park behind the McDonald's and if the City was negotiating to buy the park and place affordable housing single family lots. Feist stated that this would be a terrible use for the property since it is a perfect place for apartments.

Diekmann complimented staff on the architecture used at Western Dental and that he was very pleased with the result. Malacoff thanked Diekmann and said that his prior work with Citicom in the City of Redlands really helped get a better product for the City of Cathedral City.

Marchand expressed concern over the traffic at Verona Drive and the amount of space left to drive with cars parking on the street. Malacoff said that he would have Jack examine the situation and respond to the Commission.



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Touchet expressed concern over the trash enclosure at Trader Joe's having trash stacked too high on top of the trash enclosure. Malacoff said he would report it to Code Enforcement Officer Sandra Martinez.

The Commission also expressed concern about the vehicles stacking up and storing of vehicles at Chuck's Automotive. Malacoff said he would report this also to Martinez.

**City Attorney's Report**

None

**City Planner's Report**

None

Touchet adjourned the meeting at 8:15 PM.

Minutes respectfully submitted by,

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Rich Malacoff, AICP  
Associate Planner  
City of Cathedral City  
January 4, 2004