



City of Cathedral City
Planning Commission Minutes for September 1, 2004
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Commissioners present: Chair Gene Touchet; Vice Chair Doug Diekmann;
Commissioners Stan Barnes, Bill Feist, and Sonja Marchand.

Staff Present: Interim City Planner Joe Richards, Associate Planner Rich Malacoff, Housing Programs Manager Warren Bradshaw, and Deputy City Attorney Michael Shirey.

Minutes

It was moved/seconded Barnes/Marchand and carried 5-0 to approve the August 4, 2004 Planning Commission meeting Minutes with the following revisions:

1. Marchand recommended the following revisions:
 - a. Insert the location of the Sunflower Plaza in place off the word “where” for DR04-011;
 - b. Insert correct spelling for the applicant’s and real estate broker’s names under Public Hearing comments;
 - c. Insert the number of units for Date Palm Terrace North in place of the words “how many” for DR04-008; and
 - d. Revise DR04-008 vote tally to show one (1) Commissioner absent not voting in “abstention.”

Public Hearings

Conditional Use Permit 04-010 for Consignment Store submitted by Lisa Thomas.

Malacoff reported that the application was withdrawn by the applicant; it is not needed because an antique store is a permitted use in the zone.

Tentative Tract Map No. 32614 in the Rio Vista Village Specific Plan submitted by World Development.

Malacoff summarized the project and presented the staff report. The following issues were discussed:

Touchet questioned how blow sand in the area will be mitigated.

Touchet and Feist expressed concern over affordable housing issues. Bradshaw informed the Commission that this project will require that 61 affordable housing units be added to the



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City's affordable housing stock, at the City's cost. Bradshaw also stated that the City currently relies on \$200,000/year and proceeds from a \$3 million bond issue to meet affordable housing needs and that most of that funding is targeted for home improvements, not for adding to the City's affordable housing stock. Bradshaw concluded with a statement that the City will investigate subsidies and grants to meet the City's affordable housing needs.

Feist asked if the City is doing anything at all concerning affordable housing. Bradshaw stated that currently the City will remain "at status quo" concerning affordable housing and use assessment districts (like Dream Homes) and other measures to provide for affordable housing and improvements in low income areas. Commissioner Feist asked whether Indian land was included in the affordable housing needs of the City. Bradshaw responded that the Indian land was included. Marchand expressed that the City should stop development if "we are digging an affordable housing hole."

Touchet asked if developers are supposed to contact the City's Housing office to discuss affordable housing for their projects. Bradshaw said that the City's "unofficial" position is that developers are supposed to voluntarily contact the City's Housing office to discuss affordable housing issues.

Diekmann asked whether the project could be conditioned to provide affordable housing units or pay a fee. Richards said no and Shirey stated that since there is currently no affordable/inclusionary housing ordinance, the project cannot be conditioned to provide affordable units or make in-lieu payments.

Touchet asked Gary Werner, Project Applicant, how blow sand and PM-10 will be mitigated for the project. Werner said that World Development has retained a new engineer and is currently working on a PM-10 plan, which AQMD has reviewed. Werner also said they have a certified PM-10 inspector on staff and will be in full compliance once the PM-10 plan is complete.

Feist still had concerns about affordable housing. Werner said that World Development believes that the subject tentative maps never expired because of the Rio Vista Assessment District and that World Development is only in front of the Commission as a courtesy. Shirey informed the Commission that an assessment district does not keep a tentative map from expiring, as a development agreement would, and that it is the City Attorney's office's position that the subject tentative maps have expired and that World Development must process a new tentative map, and that is why World Development is before the Commission. Shirey also reiterated that he does not recommend that the Commission deny the project on affordable housing issues and that instead a Commissioner could make a recommendation on the matter to City Council if one was so inclined.

Marchand asked if the City has any liability by allowing development in a blow sand area. Shirey said there is probably no liability, especially if the project is conditioned to mitigate blow sand. Richards said that condition of approval # 4.25 addresses blow sand mitigation.



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Shirey added that the Commission could add a condition of approval requiring the developer to disclose the blow sand issues in the area to potential home buyers. Werner said that World Development does not object to a blow sand disclosure condition of approval.

Diekmann asked whether World Development would meet with the City Housing office to discuss ways of providing affordable housing and Werner responded that they would.

Barnes said that CVWD currently mitigates blow sand in this area and that World Development should meet with them to discuss this issue.

Bradshaw suggested that an instrument be recorded disclosing blow sand issues in the area on the affected lots. Shirey stated that some type of notice may be able to be recorded, however, the County Recorder only records certain designated documents, so this matter would have to be looked into. Werner said that this would cloud title to those lots and he would object to this condition at City Council. Barnes felt that a real estate disclosure notice was enough concerning blow sand and that a recorded instrument was not needed. Marchand agreed with Barnes. Malacoff said that the requirements of blow sand condition of approval # 4.25 will also be reviewed by staff and the Architectural Review Committee.

It was moved/seconded by Barnes/Feist to recommend to the City Council the approval of Tentative Tract Map No. 32614, World Development (Rio Vista), with the following revisions:

1. Revise Resolution to indicate 408 single-family lots and 3 common area lots (not 411 single-family lots);
2. Condition 4.25 shall be amended to add the following text to the end of the condition: The applicant shall disclose to all future buyers the "Blowsand Control Plan". Said disclosure shall consist of a pamphlet to be approved by the City Planner.
3. Recommend to City Council to investigate City-wide blow sand mitigation.

The motion was approved with a vote of 4-1 with Feist voting against and stating that the project will ultimately cost the City approximately \$2.4 million in affordable housing costs.

Minutes respectfully submitted by,

Rich Malacoff



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Associate Planner
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