



Attendance

Commissioners Present: Chair Gene Touchet; Vice Chair Doug Diekmann; Commissioners Bill Feist and Sonja Marchand,.

Commissioners Absent: Stan Barnes

A motion was made by Feist, seconded by Diekmann, and approved with a vote of 4-0 to excuse Barnes for his absence.

Staff Present: Associate Planner Rich Malacoff, Interim City Planner Joe Richards and Deputy City Attorney Michael Shirey.

Approval of Minutes

There was no discussion on the September 6, 2004 Minutes and a motion was made by Marchand, seconded by Feist, and approved with a vote of 3-0-1, Diekmann abstained since he was not at the October 6, 2004 meeting and Barnes was not present for the vote.

Continued Public Hearings

General Plan Amendment No. 03-80 and Zone Change No. 03-319, Ramon Santoro Group, Applicant.

The Commission took this item out of order. Malacoff presented the staff report stating that this item was originally before the Commission on July 7, 2004 and was continued to the October 6, 2004 meeting where there was not a quorum and the item was automatically continued to tonight's meeting.

Touchet asked why this item was originally continued and Shirey responded that at the July 7, 2004 meeting, the applicant requested that additional acreage be added to the project. Shirey said that the item was noticed with a certain amount of acreage. Once the acreage changed the item had to be re-noticed and the applicant agreed to the continuance.

A motion was made by Marchand, seconded by Feist, and approved a Mitigated Negative Declaration for General Plan Amendment No. 03-80 and Zone Change No. 03-319 with a vote of 4-0. Barnes did not vote since he was not present at the meeting.



Design Review No. 04-015, Tony Barone of VIP Tile, Applicant.

The Commission took this item out of order. Malacoff presented the staff report stating that the parking for the project is based on trips generated by sales and thus the parking requirement had been satisfied.

Motion was made by Diekmann, seconded by Marchand, carried by a 4-0 vote, with Barnes being absent, to approve a Categorical Exemption for Design Review No. 04-015.

Zone Ordinance Amendment No. 04-003, (Recreational Vehicle (RV) Storage in Planned Unit Developments (PUD)). City of Cathedral City, Applicant.

The Commission took this item out of order. Malacoff presented the staff report and explained that major points of the ordinance that include the following:

1. Remove the mandate to provide Recreational Vehicle Storage, unless desired by the owner/developer.
2. Prohibit storage of Recreational Vehicles on individual lots less than 7,200 square feet and prohibit shared storage from other PUD's.
3. Establish a minimum standard for those who decide to incorporate storage of Recreational Vehicles into their prospective Planned Unit Developments.

Feist questioned the requirement of 40 square feet per dwelling unit and that it would not be enough area to store a RV. Richards and Malacoff explained that not all individuals residing in a PUD will own a RV and that this is for a common facility that all residents of the PUD would use. In addition, the ratio is not used to define one space but the size of the common facility.

Touchet indicated that the way that the ordinance amendment is proposed, individuals in a PUD could potentially park their RVs on their individually owned lots, and said that he believes that this ordinance amendment may be in conflict with the ordinance for Designated Parking Permits and Feist concurred.

Shirey explained that the City Attorney's office did have the same concerns and that additional provisions of the Municipal Code may be affected by implementation of this ordinance amendment and that, at a minimum, amending the ordinance as proposed by staff could create potential conflicts in the way that the Municipal Code is interpreted regarding RV storage. Malacoff informed the Commission that this change to the Code was directed by the City Council and that staff was moving it forward at their request. In



addition, staff is going to be doing a comprehensive zone code amendment and that this issue can be reviewed if needed.

Motion was made by Marchand, seconded by Diekmann, carried by a 4-0 vote, with Barnes being absent, to approve a General Rule Exemption for Zone Ordinance Amendment No. 04-003.

New Public Hearing Items

Conditional Use Permit No. 04-012, Canyon Mobile Home Park, Applicant.

The Commission took this item out of order. Interim City Planner Richards presented the staff report.

Touchet asked whether these additional lots added to the City's affordable housing stock. Richards said that he was not sure but can find out.

Diekmann said that he believed that mobile homes do count toward the City's affordable housing stock and that a dwelling must be attached to the ground. Diekmann also added that he believed that these additional units would hear a lot of noise from the adjacent commercial activities.

Motion was made by Feist, seconded by Diekmann, carried by a 4-0 vote, with Barnes being absent, to approve a Categorical Exemption for Conditional Use Permit No. 04-012.

Zoning Ordinance Amendment 04-004, (Night Sky Ordinance), City of Cathedral City, Applicant.

The Commission took this item out of order and Richards presented the staff report.

Commissioner Feist asked whether this ordinance would be applicable to street lights and Shirey and Richards both indicated that street lights were included within the ordinance.

Marchand said that she would like the following changes:

1. Acronyms being used in Section 9.89.020 should be spelled out. She also said that a word other than "prescribed" should be used in Section 9.89.030. Richards said that he would change the word "prescribed" to "required".



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2. The actual date of adoption should be used in place of “October 1, 2004” in Section 9.89.080(1). Richards said that the October 1st date was in the ordinance because staff thought that the ordinance would have been adopted by that date; but that he will revise this October 1st date to the actual adoption date.
3. “Palm Springs Municipal Airport” should be changed to read as “Palm Springs International Airport” in Section 9.89.100(4). Richards said that he would make the revision.

Richards added that the Commission should be aware that the Auto Center is exempt from the ordinance.

Chairperson Touchet said that if the Ford dealership is not included in the Auto Center, then they should be required to turn off some of the lights that reflect onto the hillside along Highway 111.

Motion was made by Marchand, seconded by Feist, carried by a 4-0 vote, with Barnes being absent, to approve a Categorical Exemption for Zoning Ordinance Amendment 04-004.

Conditional Use Permit No. 04-011, Verizon Wireless (Velocitel), Applicant.

The Commission took this item out of order. Malacoff presented the staff report and presented a copy of the Mitigated Negative Declaration to the Commission. Malacoff also informed the Commission that a third live palm tree shall be added as mitigation and that the live palm trees shall be staggered and be the same “species” as the monopalm is represents.

Diekmann asked who would ensure that the landscaping is maintained. Malacoff said that Verizon or the landowner would maintain the landscaping.

Feist asked whether another location for the monopalm was reviewed. Malacoff said that he had been in contact with the residents in the area and that no one had protested the planned location of the monopalm.

Marchand asked if the live palm trees were going to be staggered and Malacoff said yes.

Mike Sloop, Velocitel Corporation which represents Verizon, said that he has no issues with planting the additional 55 foot palm tree.

Feist asked whether the monopalm could be relocated to the west, away from the existing residences. Sloop said that the other planter areas are too small for the facility



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and that they would not be able to plant the additional live palm trees; in addition, Verizon was trying to keep the monopalm situated away from Date Palm Drive. Feist said that the Commission usually gets pictures of proposed cell tower facilities. Sloop passed out photo simulations of the monopalm to all of the Commissioners.

Touchet mentioned that the City of Rancho Palos Verdes in Los Angeles County has 17 cell sites and that 16 of them are stealth (e.g., integrated into buildings or located on church steeples, flag poles, etc.). Sloop said that locating cell sites is based on coverage areas and the height of the cell tower to accommodate the antennas. He said that there are no buildings in the area that are tall enough to accommodate the antennas to meet the coverage for this area. Malacoff informed the Commission that staff does look for alternative cell sites while processing an application and that staff is also working on a comprehensive cell site ordinance.

Feist said that he believes that the neighboring City of Rancho Mirage is not picking up its fair share of cell sites and that Cathedral City has more than their fair share.

Marchand said that she believes that if the monopalms are properly installed, that they are almost indistinguishable from live palms and provide better phone service for our residents. Diekmann concurred with Marchand

Touchet said that he wanted Verizon to know that the Commission is going to be reviewing cell site locations more closely in the future and that Verizon and other cellular providers should explore trying to provide better stealth facilities.

Marchand said that Condition of Approval 4.17(e.) should read as follows:

*The applicant shall install a total of three "new" palm trees with heights as shown on the plans and the third palm **tree** shall comply with Mitigation Measure One and **shall be** a live palm tree with a minimum height of 55 feet.*

A motion was made by Diekmann, seconded by Marchand, and carried to approve a Mitigated Negative Declaration for Conditional Use Permit No. 04-011 with a vote of 3-1 with Feist voting no and Barnes not voting since he was not present at the meeting.

Conditional Use Permit No. 04-014, Nextel Communications, Applicant.

The Commission took this item out of order. Malacoff presented the staff report and added Condition of Approval 4.8 as follows:

Applicant shall replace all dead palm trees with live palm trees of similar height and install irrigation prior to installation of the generator.



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Diekmann said that he believed that the Conditions of Approval for the original CUP included a tree height requirement.

Ed Gala of Nextel Company in Irvine informed the Commission that this location was part of the first ten test case sites for installation of a mobile generator for emergencies. Gala also said that Nextel has no issues with the added Condition of Approval and said that Nextel should maintain the landscaping. Gala also informed the Commission that Nextel installed two of the stealth sites in Rancho Palos Verdes, one in a steeple and one in a 25 foot tall cross. Gala does not believe that there have been any decreases in property value for residences located adjacent to cell sites and that there was a study conducted in the Midwest that concluded that there has been no impact on property values.

Diekmann reiterated to Mr. Gala that he believed that the Conditions of Approval for the original CUP included a tree height requirement and he wanted Nextel management to be aware of that.

Motion was made by Diekmann, seconded by Marchand, carried by a 4-0 vote, with Barnes being absent, to approve a Categorical Exemption for Conditional Use Permit No. 04-004.

Commissioner Comments

Chairperson Touchet noted that the Auto Center pylon sign has been relocated and energized but the landscaping has not been revised in accordance with the prior approvals to relocate the pylon sign. Richards informed the Commission that the landscape plan is currently "in the works."

Minutes respectfully submitted by,

Rich Malacoff, AICP
Associate Planner
City of Cathedral City
October 20, 2004