



City of Cathedral City
Planning Commission Minutes for November 17, 2004
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Attendance

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

Commissioners Absent: None

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

Approval of Minutes

The Planning Commission had two corrections on the October 20, 2004 minutes which consisted of the following:

- a. Touchet requested that the PUD Ordinance minutes should mention that the City Council had previously directed that this ordinance be approved by the Commission so that it could be expeditiously forwarded to the City Council for review.
- b. Marchand said that on Page 5, second paragraph the end of the sentence should have the word "tan" replaced with "than".

A motion was made Marchand, seconded by Diekmann to approve the October 20, 2004 Minutes with the revisions as noted above. The motion was approved by a vote of 4-0-1 with Barnes abstaining because he did not attend the meeting.

The Planning Commission had two corrections on the November 3, 2004 minutes which consisted of the following:

- a. Marchand asked that staff research the occupancy ratio as quoted by the applicant whether it was 53 percent or that was their goal.
- b. The Commission requested on Page 1 that the date in the fourth paragraph be changed to "November 17, 2004".

A motion was made Barnes, seconded by Feist, to approve the November 3, 2004 Minutes with the revisions as noted above. The motion was approved by a vote of 5-0.



Public Hearing Items

Tentative Parcel Map No. 32807, Leo Turrigiano.

Richards presented the staff report stating that the parcels being created with this tentative parcel map, and ultimately with the recorded parcel map, reflect the footprint of the structure that is currently being constructed pursuant to prior staff approvals. After consultation with the City Attorney's office, the Categorical Exemption being applied to the project, in conformance with the California Environmental Quality Act, is a Class 32 exemption instead of a Class 15 exemption. Richards also informed the Commission of minor corrections to the resolution in sections 2b, 2d and 2e and Conditions of Approval 4.5 4.10 and 4.16 and also distributed a revised copy of the resolution to the Commission for review.

Feist asked why the project is being proposed as a triplex rather than a duplex. Richards said that a triplex meets the underlying zoning; therefore, the application is acceptable.

Touchet opened the public comment period of the public hearing.

John Sanborn, representing the applicant, introduced himself and said that he was available to answer any questions that the Commission may have.

Greg Landers addressed the Commission and said that he lives next door to the project. Landers said that the wall that the developer has constructed may encroach onto his parcel and in addition, the wall and grade are at a higher elevation than his parcel. Landers also submitted photographs of the newly constructed wall.

Dan Hurley, project owner/developer, said that the grading plan was approved by staff and that the wall is positioned at a maximum height of six feet above his project's finished grade, and not positioned in accordance with his neighbors existing grade; that is why the wall seems higher.

Richards said that staff will obtain Landers' telephone number and follow-up with him and the developer and will verify that the site was graded in accordance with the approved grading plan and that the wall was also constructed in accordance with staff approvals.

Shirey asked if the wood debris in the photographs that Landers submitted to the Commission was caused by the developer. Landers said that he did give the developer permission to remove the wood fence; therefore the wood debris is not an issue.

Touchet closed the public comment portion of the public hearing.



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Barnes said that he believes that the wall is structurally sound and that he hopes that the developer will be a good neighbor and resolve any potential issues with Lander regarding the wall.

Feist said that he expects staff to stay on top of this issue. Richards confirmed for Feist that staff will follow-up with Landers and the developer regarding the wall issue.

Motion was made by Marchand, seconded by Barnes, carried by a 5-0 vote, to approve a Categorical Exemption per Section 15332 (Class 32) for Tentative Parcel Map No. 32807, subject to the revisions noted above.

City Planner Report

Richards informed the Commission that the draft Coachella Valley Multiple Species Habitat Conservation Plan was distributed for formal comment and that the staff would be preparing comments and a report to the City Council.

Commissioner Comments

Feist mentioned the "Big Horn Sheep" lawsuit and said that he hopes that staff will monitor it. Feist also said that he went to the Rancho Mirage City Hall and reviewed the project that is being proposed across from The Lodge entrance and he believes that Rancho Mirage is allowing encroachment into the mountain slopes for this proposed project and they are not sensitive to environmental issues with regard to development in the mountains.

Feist also said that he has observed that the Auto Mall landscaping has commenced and that he believes that it is insufficient. Richards said that he is not familiar with the progress; however, he will investigate the matter with staff and give a report at the next Planning Commission meeting.

Feist also asked whether the "K-Mart Project" is being "pushed forward" by the City. Richards said that he is not familiar with the project. Marchand said that she believes that the project is going to be a legal document storage facility.

Feist asked what the status was of the Tri-Millennium Grand Opening. Richards said that he does not know the status of the project.

Marchand asked what is happening with the vacant gas station at the northeast corner of Date Palm Drive and Highway 111, and could the City use its powers of eminent domain to take this property to remove the blight. Shirey said that condemnation for this purpose is not an appropriate method to eliminate blight; rather a code enforcement and abatement process should be used.



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Minutes respectfully submitted by,

Rich Malacoff, AICP
Associate Planner
City of Cathedral City
November 17, 2004