



Staff Report

City Council

Item No. 4.B

Meeting Date: May 8, 2024

From: Sandra Molina, Deputy Development Services Director

Title: Rio Vista Village/Verano Specific Plan Amendment 97-55D
Tentative Tract Map Nos. 38709, 38710, 38711, 38712, and 38713

RECOMMENDATION:

1. Find that no further environmental review is required under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15162 (Subsequent EIRs and Negative Declarations) and that the project is exempt from CEQA pursuant to State CEQA Guidelines section 15183 (Projects consistent with a Community Plan, General Plan or Zoning) based on the findings and conclusions contained in the staff report and the CEQA Consistency Analysis; and
2. Introduce, provide first reading, by title only, and waive further reading of an ordinance adopting Specific Plan Amendment 97-55D to the Rio Vista Village/Verano Specific Plan, based on the findings and conclusions contained in the staff report; and
3. Approve Tentative Tract Map Nos. 38709, 38710, 38711, 38712, and 38713 and Density Transfer, based on the findings and conclusions contained in the staff report and subject to the attached conditions of approval.

FINDINGS:

FIND THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO STATE CEQA GUIDELINES SECTION 15162 (SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS); AND THAT THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO SECTION 15183 (PROJECTS CONSISTENT WITH A COMMUNITY PLAN, GENERAL PLAN OR ZONING) BASED ON THE FOLLOWING FINDINGS AND THE ATTACHED CEQA CONSISTENCY ANALYSIS:

1. Find that the previously adopted Mitigated Negative Declaration (the "Adopted MND") prepared for the Rio Vista Village Specific Plan (the "Specific Plan") approved on January 14, 1998, has adequately identified the impacts associated with the Project and no further review is required pursuant to Section 15162 of the California Environmental Quality Act ("CEQA") and based on the following findings:
-

a. No substantial changes are proposed to the previously-approved Project which will require major revisions of the Adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project analyzed in the Adopted MND (the "Approved Project") allows for development of 1,362 residential units within the entire 303-acre Specific Plan area. The currently proposed Project would result in an amendment to the Specific Plan and six associated Tentative Tract Maps for the development of the remaining 834 units (of the original 1,362 units of which 470 have been previously constructed), consisting of 459 single-family residences and 375 multi-family residential condominium units, along with parking, landscape, and park areas. The currently proposed Project is consistent with, or results in lesser impacts than the impacts identified in the Adopted MND. The currently proposed Project will occur within the Specific Plan area and will not exceed the number of previously approved build-out units. As identified in the CEQA Consistency Analysis (Attachment 14), there are no new significant environmental effects or a substantial increase in the severity of previously identified significant effects resulting from the modifications to the Approved Project. Therefore, the proposed Project would not require any revisions to the Adopted MND; and

b. No substantial changes have occurred with respect to the circumstances under which the Project is being undertaken which will require major revisions to the Adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Specific Plan has been partially constructed, and no change in land area or build out unit count is proposed. The General Plan continues to maintain the same land use designations for the Project area, The currently proposed Project's impacts can be mitigated through the imposition of measures identified in Attachment 10, which are consistent with the mitigation measures applied to the adopted Specific Plan. Therefore, the circumstances under which the Project is undertaken have not changed substantially, and no revisions to the Approved Mitigated Negative Declaration are required; and

c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Adopted MND was approved, has been identified. The Specific Plan area is partially developed, and vacant areas are significantly disturbed. The currently proposed Project continues with the orderly development of the Specific Plan area in a manner consistent with the Specific Plan and will implement similar mitigation measures which are consistent with those imposed on the adopted Specific Plan. Conditions in and around the Specific Plan boundaries have not changed, nor have surrounding projects caused an increase in impacts in the general area since the Adopted MND was completed. The existing mitigation measures were found to be effective and feasible at the time of adoption of the Adopted MND, and there have been no substantial changes to the Project or the Project's circumstances that would result in substantial changes to the Adopted MND mitigation measures, as evidenced in Attachment 10. Therefore, no new information that contradicts the analysis in the Adopted MND has become available since the Adopted MND was approved by the City Council in 1998.

2. Find that the Project is consistent with the development density established by the previously adopted General Plan Environmental Impact Report (State Clearinghouse No. 201808101) certified by the City Council on July 28, 2021, for the Cathedral City General Plan Update (the "CCGP EIR"). The CCGP EIR has adequately identified the impacts associated with the Project; the Project is Statutorily Exempt under State CEQA Guidelines Section No. 15183 (Projects consistent with a Community Plan, General Plan or Zoning), based on the following findings:

a. The Project is consistent with the development density established for the Project site by the CCGP EIR. The Project site has a General Plan designation of Low Density Residential (RL) on the westerly parcels (APNs 677-050-027, -031 through -034) and Medium High Density Residential (RMH) and High Density Residential (RH) on the easterly parcels (APNs 677-050-017 and -018). The westerly parcels (APNs 677-050-027, -031 through -034) are zoned Single Family Residential (R1) while the easterly parcels (APNs 677-050-017 and -018) are zoned Multiple Family Residential (R3). The Project would construct 459 single-family dwellings on the RL designated and R1 zoned westerly parcels and 375 multi-family dwellings on the RMH and RH designated and R3 zoned easterly parcels. The Project would result in a net density of 4.0 du/ac for the RL designated area, including constructed units, approved units and the project's proposed 459 single-family dwelling units. Additionally, the Project would result in a net density of 20.1 du/ac for the RMH area, 18.7 du/ac for the RH area and 19.3 du/ac for the combined RMH and RH areas, which is consistent with the allowed density for those designations; and

b. There are no Project specific effects which are peculiar to the Project or its site, and which the CCGP EIR failed to analyze as significant effects, including effects associated with air quality emissions, biological resources, cultural resources and traffic which the project will mitigate through mitigation measures applied to the Specific Plan. The subject property is vacant desert land adjacent to the balance of the Specific Plan area which has been constructed, is generally flat with sparse native and non-native vegetation, similar to other properties in the area. Its land use designation and zoning is consistent with surrounding properties, and the Project will result in a residential neighborhood similar to surrounding neighborhoods in terms of character and development types. The Project site does not support any peculiar environmental features, and the Project would not result in any peculiar effects; and

c. There are no Project specific impacts which the CCGP EIR failed to analyze as significant effects. As demonstrated in the CEQA Consistency Analysis prepared for the Project, implementation of the proposed Project would not result in any significant and unavoidable impacts. All Project-specific impacts have been mitigated to less than significant levels and are consistent with the impacts identified in the CCGP EIR; and

d. There are no potentially significant offsite and/or cumulative impacts which the CCGP EIR failed to evaluate. The Project is consistent with the density and land use characteristics of the development considered by the CCGP EIR and would represent a small part of the growth that was forecasted for build-out of the General Plan; and

e. There is no substantial new information which results in more severe impacts than anticipated by the CCGP EIR. The Project is consistent with the density and land use designations of the development considered by the CCGP EIR. All potential impacts were evaluated within the CCGP EIR.

ADOPT AN ORDINANCE APPROVING SPECIFIC PLAN AMENDMENT 97-55D OF THE RIO VISTA VILLAGE/VERANO SPECIFIC PLAN BASED ON THE FOLLOWING FINDINGS:

1. The proposed SPA is consistent with the established goals, policies, and objectives of the Specific Plan. The SPA will establish development regulations, standards, and guidelines consistent with the intent and development of the Specific Plan, which allows up to a maximum of 1,362 dwelling units. Further, the SPA continues the purpose of the

Specific Plan in providing flexibility and establishing a unique and suitable set of development policies, regulations and guidelines based on the Ahwahnee Principles (sustainable urban planning practices); and

2. The proposed SPA is consistent with the General Plan. The Project site has a General Plan designation of Low Density Residential (RL) on the westerly parcels (APNs 677-050-027, -031 through -034) and Medium High Density Residential (RMH) and High Density Residential (RH) on the easterly parcels (APNs 677-050-017 and -018). The westerly parcels (APNs 677-050-027, -031 through -034) are zoned Single Family Residential (R1) while the easterly parcels (APNs 677-050-017 and -018) are zoned Multiple Family Residential (R3). The RL designation allows for a maximum of 4.5 dwelling units per acre (du/ac), the RMH designation allows for a maximum density of 20 du/ac and the RH designation allows for a maximum density of 24 du/ac. TTM 38710, 38711, 38712, 38713 would result in a density of 4.0 du/ac for the RL designated area, including constructed units, approved units and the project's proposed 459 single-family dwelling units. Additionally, TTM 38902 would result in 20.1 du/ac for the RMH area, 18.7 du/ac for the RH area and 19.3 du/ac for the combined RMH and RH areas, which is consistent with the allowed density for those designations. The SPA is also consistent with General Plan Land Use Element goals and policies, including but not limited to Goal 1, Goal 2 and Policies 1, 2, 3 and 9, by providing residential developments with safe, wholesome and enhancing environments for living, enjoyment, growth and development of all residents, by providing residential developments of distinctive character with a full range of housing types and products, by managing existing residential neighborhoods and vacant residential lands to enhance the character of each and assure compatibility of each, encouraging in-fill development on partially built-out subdivided lands and encouraging the use of specific plans to master plan mixes of uses with open space areas; and

3. The proposed SPA is consistent with the General Plan Housing Element. A portion of the Specific Plan is identified in the city's land inventory for moderate and above moderate units. As stated in the Housing Element, moderate and above moderate units are considered "market rate units" in the City, and the development of the units proposed in the Specific Plan area, combined with other units proposed and approved in the City, will provide the City with sufficient moderate and above moderate-income units to meet its Regional Housing Needs allocation. The Project is also consistent with General Plan Housing Element goals and policies, including but not limited to Goal 1 and Policies 1.A and 1.A.2, by providing a broad range of housing types which meet the needs of existing and future households, ensuring that sufficient residentially designated lands and appropriate zoning exist to meet the City's future housing needs and maintaining land use and zoning designations that allow for diversity of housing types and densities.

APPROVE DENSITY TRANSFERS WITHIN PLANNING AREAS 5.1, 5.3, 5.4, 6.1, 6.2 and 6.3 OF THE RIO VISTA VILLAGE/VERANO SPECIFIC PLAN BASED ON THE FOLLOWING FINDINGS:

1. The Specific Plan permits flexibility in adjusting the number of residential units allocated to any Planning Area in response to market demand and subdivision design considerations and allows units/density to be transferred to other residential Planning Areas--provided any increase or decrease in the number of units allocated to a Planning Area does not result in an overall dwelling unit count that exceeds 1,362 units, pursuant to the Specific Plan. The transfer and receiving Planning Areas are properly designated residential Planning Areas within Rio Vista Village Specific Plan, as evidenced on Exhibit 4-C Land Use Plan and Exhibit 4-D Planning Areas of the Specific Plan, as amended by the SPA; and

2. The transfer and receiving Planning Areas comply with all development standards and requirements of the Specific Plan and other applicable regulations, as amended by the SPA; and

3. The transfer and receiving Planning Areas can accommodate such density adjustments in terms of the serving infrastructure and no adverse environmental impacts will result from such transfer. The Density Transfer transfers 11 units within sub-areas 5.1, 5.3 and 5.4 of Planning Area 5 and 12 units within sub-areas 6.1, 6.2, and 6.3 of Planning Area 6 and occurs within areas covered by Tentative Tract Map Nos. 38711, 38712 and 38713. The Tentative Tract Maps include information on proposed infrastructure improvements, the underlying density is maintained within the Planning Areas, and the Density Transfer does not exceed the allowable maximum dwelling unit count of 1,362 dwelling units at build out of the Specific Plan. As demonstrated in the CEQA Consistency Analysis (Attachment 12), implementation of the proposed Density Transfer would not result in any new or increased significant impacts. All Project-specific impacts are less significant than or consistent with the impacts identified in the Adopted MND and CCGP EIR; and

4. The accompanying documentation, including the SPA and tentative tract maps, is sufficient to show the Density Transfer is consistent with the applicable zoning of R-1 Single Family Residential, consistent with the Specific Plan (as amended by the SPA), which allows for density transfers within the Specific Plan area, and consistent with the General Plan, as stated above; and

5. Subdivision maps and revised specific plan maps and land use tables have been provided to account for the Density Transfer, as provided within the Specific Plan.

APPROVE TENTATIVE TRACT MAP NOS. 38709, 38710, 38711, 38712, AND 38713, SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL AND BASED ON THE FOLLOWING FINDINGS:

1. The proposed Tentative Tract Maps (TTMs) are consistent with the General Plan, zoning and applicable specific plan for the property. The project site has a General Plan designation of Low Density Residential (RL) on the westerly parcels (APNs 677-050-027, -031 through -034) and Medium High Density Residential (RMH) and High Density Residential (RH) on the easterly parcels (APNs 677-050-017 and -018). The westerly parcels (APNs 677-050-027, -031 through -034) are zoned Single Family Residential (R1) while the easterly parcels (APNs 677-050-017 and -018) are zoned Multiple Family Residential (R3). The RL designation allows for a maximum of 4.5 dwelling units per acre (du/ac), the RMH designation allows for a maximum density of 20 du/ac and the RH designation allows for a maximum density of 24 du/ac. TTMs 38710, 38711, 38712, 38713 would result in a density of 4.0 du/ac for the RL designated area, including constructed units, approved units and the project's proposed 459 single-family dwelling units.; and

The proposed TTMs are also consistent with General Plan Land Use Element goals and policies, including but not limited to Goal 1, Goal 2 and Policies 1, 2, 3 and 9, by providing residential developments with safe, wholesome and enhancing environments for living, enjoyment, growth and development of all residents, by providing residential developments of distinctive character with a full range of housing types and products, by managing existing residential neighborhoods and vacant residential lands to enhance the character of each and assure compatibility of each, encouraging in-fill development on partially built-out subdivided lands and encouraging the use of specific plans to master plan mixes of uses

with open space areas and

2. The proposed TTMs are consistent with the density identified in the General Plan and Zoning designations assigned to these properties, as set forth in finding no. 1 above, as well as the land use densities identified in the Specific Plan for these properties, and approval of these TTMs will result in no net loss of residential units as identified in California Government Code 66300; and

3. That the design or improvement of the proposed subdivisions are consistent with applicable general and specific plans. The improvement of the subdivisions is consistent with the allowable residential densities identified in the general plan Low Density Residential, Medium High Density Residential and High-Density Residential land use designations. The design and improvement of the subdivision are consistent with the design and improvement standards of the specific plan as set forth in Section 5.9 of the Specific Plan amendment and the amendment's objective to provide a variety of home sizes and densities; and

4. The site is physically suitable for the type and proposed density of development. The specific plan designates properties for residential development at densities ranging from 4 to 24 units per acre, and implements the density provided in the General Plan, as set forth in finding no. 1, and unit count provided in the specific plan. The site is physically suitable for residential development as it is relatively flat and infrastructure is available to serve the project; and

5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, as supported in the CEQA Consistency Analysis. Mitigation measures were imposed under the mitigated negative declaration adopted in 1998 for the Specific Plan and CCGP EIR and as demonstrated in the CEQA Consistency Analysis (Attachment 10), implementation of the proposed project would not result in any new or increased significant impacts. All project-specific impacts are less than the significance or consistent with the significance identified in the MND and CCGP EIR; and

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems. The subdivisions are proposed on vacant land designated for residential development and neighbor other residential development. As demonstrated in the CEQA Consistency Analysis (Attachment 10), implementation would not result in any new or increased significant impacts. A Health Risk Assessment was prepared to evaluate the potential impacts on future sensitive receptors living at the multifamily site from trains on the adjacent Union Pacific Railroad line. As demonstrated in the HRA, and CEQA Consistency Analysis, future residents would not be exposed to any significant health risk level. The subdivisions will be required to reduce potential blowing dust and noise impacts, as provided in the environmental analyses; and

7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. There is sufficient water supply available for the units proposed within the tentative tract maps. The property is subject to a Domestic Water and Sanitation System Installation Special Agreement with the Coachella Valley Water District (CVWD) dated 2002 and revised on July 8, 2022. The Agreement with CVWD entitles the Applicants to the number

of water meters needed for buildout of the undeveloped portions of the Project. The Agreement was further amended December 28, 2023 allowing for 1,362 units with the completion of certain improvements, including a 2.5 million gallon reservoir and 24-inch pipeline. The project is also consistent with the latest CVWD Urban Water Management Plan.

PROJECT DESCRIPTION:

1. Specific Plan Amendment 97-55D to the Rio Vista Village Specific Plan, proposes to:

- Establish development standards for single and multiple family development, contained in Section 5.9 of the SPA.
- Update the Landscape Master Plan (Section 4.7) to allow climate appropriate trees in addition to mesquite trees for better longevity and appearance since mesquite trees have not weathered well the impacts of strong winds.
- Modify the circulation plan of the SP to provide additional egress to Verona Road, aligned with Ventura Drive to the south.
- Modify the size of neighborhood parks within the Specific Plan Amendment Area and a number of smaller open spaces from the originally approved Exhibits 4-H, 4-I, 4-I.5.
- Omit the requirement for alley loaded units along Rio Vista Drive.
- Modify the design and programming of the recreation center by eliminating the “Beach Club and Water Park” and adding sports courts and gathering spaces.
- Provide updated technical studies to assess future development within the SP. Where appropriate, mitigation developed under the 1997 SPA will be updated accordingly based on the updated technical studies and implemented for proposed future development under the SPA.
- Update the RVVSP second dwelling unit provisions to be consistent with current State law governing second dwelling units (Government Code section 65852.2 or as subsequently amended).
- Modify the circulation plan to be consistent with Tentative Maps 38709, 38710, 38711, 38712, 38713, and 38902, including the elimination of a traffic signal at the intersection of Landau Blvd. and Rio Vista Drive.

2. Tentative Tract Maps 38709, 38710, 38711, 38712 and 38713 cumulatively propose up to 459 single family lots of record in accordance with the provisions of the Specific Plan and SPA.

3. Density Transfer by transferring 9 dwelling units within the sub-areas of Planning Area 5 and transferring 12 units within the sub-areas of Planning Area 6.

4. Tentative Tract Map 38713 proposes multiple family development of up to 375 multiple family units of various housing types, such as detached and attached dwelling units, including duplexes, five-plexes and detached single family dwelling units.

SPA 97-55D is a legislative act subject to the City Council’s approval, upon recommendation of the Planning Commission. The Planning Commission is the review authority on tentative tract maps and unless appealed they are not heard by the City Council. In this instance, because the public hearing to approve the Tentative Tract Maps (TTMs) for the proposed single family lots is being held with the SPA, the City Council would act on the SPA, Density Transfer and TTM 38709 through TTM 38713.

BACKGROUND:

On April 23, the Planning Commission conducted a discussion item on SPA 97-55D for the purpose of informing the Commission on the proposed SPA in anticipation of the May 1, 2024 public hearing. The Commission received the report, conducted a discussion and provided feedback relating to wall height and landscape trees.

On May 1, 2024, the Planning Commission conducted a public hearing on proposed SPA 97- 55D, Tentative Tract Maps 38709, 38710, 38711, 38712 and 38713 for up to 459 single family lots, Tentative Tract Map 38902 for a condominium map to allow up to 375 multiple family units, Density Transfer and CEQA Consistency Analysis.

The Planning Commission considered the staff report and public testimony and voted to adopt a resolution recommending City Council approve the CEQA Consistency Analysis, adopt SPA 97-55D and approve Tentative Tract Maps 38709, 38710, 38711, 38712 and 38713. Although the Planning Commission discussed Tentative Tract Map 38902 for condominium purposes, the hearing for this tentative tract map was continued, and the Planning Commission may act on it, provided SPA 97-55D is approved.

The Rio Vista Village Specific Plan (SP) was originally adopted by the City of Cathedral City in 1998 encompassing 303 acres. The SP provides for a mix of single and multi-family residential uses, limited commercial development at the northeast end of the site, as well as infrastructure improvements, including opens space and recreation. The SP allows for development of 1,362 residential units calculated at a gross density of the entire 303-acre SP area.

The City entered into an Amended and Restated Purchase and Performance Agreement (PAPA), dated June 2022 and recorded in July 2022, that addresses the Specific Plan and property. The PAPA includes covenants and obligations for the developer and provides that, to the maximum extent permitted by law, the City must take any and all actions as may be necessary or appropriate to ensure that the rights under the PAPA are vested, including guaranteeing a density to a maximum of 1,362 units.

Currently, a total of 470 residential units have been constructed, as well as a clubhouse, open space parks, an elementary school, circulation and drainage improvements and an additional 58 multiple family units have been approved for a total of 528 constructed or approved dwelling units. The SPA maintains the approved maximum unit count of 1,362 dwelling units approved for the Specific Plan area.

DISCUSSION:

Specific Plan Amendment

The SPA (Attachment 2) applies to approximately 128 acres designated for residential development and comprised of the vacant land on the west portion of the SP area and the vacant land at the northeast portion of the site adjacent to Landau Blvd. The SPA proposes:

Land use categories. The SPA would change the Land Use category of PA 5.3 to R-6 and PAs 5.4, 6.1 and 6.2 to R-5. R-5 is intended to accommodate lots of a minimum of 5,000 SF in area and the R-6 designation is intended to accommodate lots of a minimum 6,000 SF in area, instead of 8,000 SF. The proposed redesignation of the planning areas does not affect the overall maximum Specific Plan build-out of 1,362 dwelling units.

Development standards. The proposed Single Family Detached Development Standards listed in Table 5.1 of the SPA apply only to the PAs included within the accompanying tentative tract maps for single family development (PAs 3.1, 5.1, 5.2, 5.3, 5.4, 6.1, 6.2, 6.3, 6.4, and 6.5). The proposed Multi-Family Detached Development Standards listed in Table 5.2 of the SPA apply only to PAs 1.1 and 1.2.

The current SP standards require each single-family unit to include a two-car garage and requires one off-street guest parking space for every two units only when a non-traditional lot pattern is used and on-street parking is not already provided. The SPA (SPA Table 5.1) requires two parking spaces per unit for single family units; however, only one space is required to be covered. Additionally, the SPA requires 0.25 space per unit for guest parking. The proposed multi-family unit parking standards requires 1.5 parking spaces per unit, with one space per unit required to be covered, plus 0.25 space per unit for guest parking.

The SPA establishes a maximum building coverage limit of 60 percent and a maximum height of 35 feet. 300 square feet of private open space per unit is required; and in certain instances it may be combined with common open space calculations.

Regarding building height, the Specific Plan allows for residential building heights of 35 feet, or two stories and this standard is being maintained with the proposed SPA. The Specific Plan allows commercial structures to be constructed at a height of 40 feet, and this remains in place.

Alley-loaded requirement. The SPA proposes to remove the requirement for alley-loaded units along Rio Vista Drive and to allow front-loaded units with direct access to Rio Vista Drive within the Specific Plan area. (various sections within Specific Plan).

Circulation plan. The Circulation Plan has been amended to provide an additional access point via the extension of Ventura Drive at the west portion of the site. Within the Specific Plan area the street is referred to as Rio Janiero Rd. The most westerly roundabout is also proposed to be removed. The SPA also proposes the elimination of a traffic signal at the intersection of Rio Vista Drive and Landau Boulevard. The elimination of the traffic signal is supported by a traffic signal warrant.

Open space plan. The SPA revises the Open Space and Landscape Master Plans to reflect the previous change from the original design of 4-acre city park from a water park with sandy beaches located in the southeast corner of the Specific Plan (original Exhibits 4-H and 4-I) to a community recreation facility with a swimming pool, sports court, and picnic area within PA 2.4. This site is not included in the City's General Plan Park and Recreational Element, and is a community park. As is typical of master planned communities, the Specific Plan provides internal recreational amenities for project residents.

The Open Space Plan also identified three new neighborhood parks. The parks are proposed to be dedicated to the City; however, the development and maintenance of the parks will be the responsibility of the developer and HOA.

Landscape plan. The Landscape Master Plan (Section 4.7) is proposed to be amended to allow climate appropriate trees in addition to mesquite trees for better longevity and appearance since mesquite trees have not weathered well the impacts of strong winds. Section 5. 3.9 states that the Boulevard landscape treatment shall include trees a minimum

of 15-gallon size. In response to the Planning Commission's input, a plant palette has been incorporated into the Appendix of the Specific Plan and trees sizes have been increased to minimum 24-inch box trees.

Phasing plan. The phasing plan has been updated to reflect current conditions and expected implementation schedule.

Accessory dwelling units. Updates the Specific Plan ADU provisions to reference that they are permissible in accordance with state law. City regulations and state law prohibit the use of ADU permitted after January 1, 2020, for short term occupancy. City ordinance prohibits short term rentals in R1 zones. While this prohibition does not preclude STVR Homeshares, HOA approval is still required.

Blow sand mitigation program. Based on an updated analysis conducted for the Project, the SPA proposes to update the blow sand mitigation program contained in Section 6.6.1 of the Specific Plan. Additionally, blow sand maintenance within the development will be the responsibility of the HOA.

Density Transfer

Section 4.3.2 of the Specific Plan permits density transfers between Planning Areas to provide flexibility in response to market demands and subdivision design if the overall residential units within the Specific Plan area do not exceed 1,362, as permitted in the Specific Plan.

The Density Transfer would transfer 9 dwelling units within the sub-areas of PA 5 and transfer 12 dwelling units within the sub-areas of PA 6. The Density Transfer is permissible as the overall maximum dwelling unit count of 1,362 units is not exceeded.

Tentative Tract Maps

A discussion of the proposed tentative tract maps follows below. The tentative tract maps will be served by the construction of public roads and the extension of utilities to serve the resultant lots. Within the multifamily project, the interior roads will be private.

Tentative Tract Map 38709

TTM 38709 proposes to subdivide approximately 8.63 gross acres into 65 single family lots and one lettered (Lot A) open space/landscape. TTM 38709 is designated as R-4 requiring a minimum lot size of 4,000 SF, and all proposed residential lots meet or exceed this requirement. It is located on the north side of existing Rio Rosalia Dr. and west of the extension of Avenida Quintana. A new road, Rio Sacramento Rd., will be on the north side of the TTM. These roadways will be public, improved as part of the project, and maintained by the City and HOA in the same manner as the public roadways in the developed portions of the Specific Plan and consistent with the street maintenance obligations specified in the PAPA. The lots within this TTM will be served by a public alley. (Attachment 3)

The open space/landscape lot will remain privately and maintained by HOA. A condition has been added to the TTM to require improvement plans for Lot A to be prepared by the developer and to include shade and/or amenities appropriate for the lot size.

Adjacent to TTM 38709 is a lot identified in the Open Space Plan as a neighborhood park. The lot has already been dedicated to the City, and a condition has been added requiring the developer to improve the park, to include shade and/or amenities. The park will be

maintained by the HOA.

Tentative Tract Map No. 38710

TTM 38710 proposes to subdivide approximately 23.32 gross acres into 121 single family numbered lots and three lettered lots. Lots A and C are to be open space/landscape lots and Lot B is proposed to be a neighborhood park. TTM 38710 is designated as R-4 requiring a minimum lot size of 4,000 SF, and all proposed residential lots meet or exceed this requirement.

The TTM is located west of the extension of Rio Guadalupe Rd. and north of the extension of Rio Plata Rd. A small portion of the TTM is located north of proposed TTM 38709. Rio Sacramento, Rio Rosalia and Rio Plata Rds. Will be extended westward to serve the lots. New streets that will be constructed are Rio Hondo Rd. and Rio Janiero Rd. These roadways will be public, improved as part of the project, and maintained by the City and HOA in the same manner as the public roadways in the developed portions of the Specific Plan and consistent with the street maintenance obligations specified in the PAPA. The lots within this TTM will be front loaded. (Attachment 4)

Lots of A and C are open space/landscape lots that will remain privately owned and maintained by HOA. A condition has been added to the TTM to require improvement plans for the two lots to be prepared by the developer and to include shade and/or amenities appropriate for the lot size.

Lot B is proposed to be a park. A condition has been added to the TTM requiring the proposed park (Lot B) to be offered to the City for park purposes as part of the Final Tract Map approval. Lot B is required to be improved, to include shade and/or amenities, and maintained by the subdivider or HOA.

Adjacent to TTM 38710 are two lots identified in the Open Space Plan as neighborhood park. These lots have already been dedicated to the City, and a condition has been added requiring the developer to improve the park, to include shade and/or amenities. The park will be maintained by the HOA.

Tentative Tract Map No. 38711

TTM 38711 is proposing to subdivide approximately 21.04 gross acres into 88 single family numbered lots and one lettered lot, Lot A proposed to be a park.

Based on the proposed SPA and original SP designations, the designations within TTM 38711 are R-4, R-5 and R-6 with minimum lot sizes for lots of 4,000, 5,000 or 6,000 SF, and all proposed lots meet the applicable minimum lot size requirements. Therefore, the project is consistent with the Specific Plan, as amended.

TTM 38711 is located between the extension Rio Guadalupe Rd. and the west boundary of the SP area and south of TTM 38710. Rio Plata and Rio Oso Rds., and Rio Vista Dr. are also proposed to be extended within the TTM boundaries. These roadways will be public, improved as part of the project, and maintained by the City and HOA in the same manner as the public roadways in the developed portions of the Specific Plan and consistent with the street maintenance obligations specified in the PAPA. The lots within this TTM will be front loaded. (Attachment 5)

A condition has been added requiring the proposed park (Lot A) to be offered to the City for park purposes as part of the Final Tract Map approval. Lot A is required to be improved, to

include shade and/or amenities, and maintained by the subdivider or HOA.

In addition, the south portion of TTM 38711 encompasses Rio Vista Boulevard and the detention basin. A condition has been added that the Final Map be revised to depict the Rancho Vista Drive detention basin as separate letter lot(s). The detention basin is required to be improved by the subdivider. It will also be privately owned and maintained by the subdivider or HOA.

Tentative Tract Map No. 38712

TTM 38712 is proposing to subdivide approximately 18.80 gross acres into 94 single family numbered lots and one lettered lot, Lot A proposed to be landscape/open space. Based on the proposed SPA and original SP, the TTM has a designation of R-5, and minimum lot sizes are required to be at least 5,000 SF. All the residential lots within the TTM meet the minimum lot size requirement. Therefore, the project is consistent with the Specific Plan, as amended.

TTM 38712 is located between the extensions of Rio Guadalupe and Rio Janiero Rds. and on both side of new Rio Hondo Rd. East-west streets are Rio Vista Dr., Rio Madre and Rio Naches Rds. These roadways will be public, improved as part of the project, and maintained by the City and HOA in the same manner as the public roadways in the developed portions of the Specific Plan and consistent with the street maintenance obligations specified in the PAPA. The lots within this TTM will be front loaded. (Attachment 6)

Lot A is an open space/landscape lot that will remain privately owned and maintained by HOA. A condition has been added to the TTM to require improvement plans for the two lots to be prepared by the developer and to include shade and/or amenities appropriate for the lot size.

Tentative Tract Map No. 38713

TTM 38713 proposes to subdivide approximately 23.40 gross acres into 91 single family numbered lots and three lettered lots. Lot A is to be landscape/open space and Lots B and C are proposed to be a park. TTM 38713 covers a portion of PAs 6.3 and 6.4 and all of PA 6.5. The SPA designates these PAs as R-5 with lots measuring a minimum of 5,000 SF. All the residential lots within TTM 38713 are a minimum of 5,000 SF in size and consistent with the Specific Plan, as amended.

Pursuant to the proposed SPA and original SP, all lots meet the minimum lot size requirement of 5,000 SF for the R5 designation. Therefore, the project is consistent with the Specific Plan, as amended.

TTM 38713 is located between the extensions of Rio Guadalupe and Rio Janiero Rds. And on both side of new Rio Hondo Rd. East-west streets are Rio Naches, Rio Largo and Rio Veracruz Rds. These roadways will be public, improved as part of the project, and maintained by the City and HOA in the same manner as the public roadways in the developed portions of the Specific Plan and consistent with the street maintenance obligations specified in the PAPA. The lots within TTM 38713 are proposed to be front loading. (Attachment 7).

Lot A is an open space/landscape lot that will remain privately owned and maintained by HOA. A condition has been added to the TTM to require improvement plans for the two lots to be prepared by the developer and to include shade and/or amenities appropriate for the lot size.

Adjacent to TTM 38713 are two lots identified in the Open Space Plan as neighborhood park at the couplet of proposed Rio Largo and Rio Guadalupe Road. These lots have already been dedicated to the City, and a condition has been added requiring the developer to improve the park, to include shade and/or amenities. The park will be maintained by the HOA.

Lots B and C are proposed to be a new park. The proposed park is separated from the already dedicated park space at the couplet, identified above. Staff recommended to the applicant that the proposed park (Lots B and C) be placed adjacent to the couplet park to provide a larger usable park space. The applicant has agreed to this and this revision will be shown on the Final Tract Map.

A condition has been added to the TTM requiring the proposed park (Lots B and C) to be offered to the City for park purposes as part of the Final Tract Map approval. The lots are required to be improved, to include shade and/or amenities, and maintained by the subdivider or HOA.

TRIBAL REVIEW

The SPA requires consultation with Native American Tribes pursuant to SB 18. The cases were transmitted to local and regional Tribes to initiate a 90-day consultation period in compliance with SB 18 review on September 21, 2023. Replies were received from the following tribes:

The Cahuilla Band of Indians responded on September 29, 2023, and requested copies of the project-specific Cultural Resource Assessment. A consultation meeting between the City and the tribe occurred on December 13, 2023. The tribe stated they would defer to Agua Caliente Band of Cahuilla Indians who are located in closer proximity to the Project site. Consultation concluded on December 13, 2023.

The Morongo Band of Mission Indians responded on October 5, 2023, stating that the Project is not located within the boundaries of the ancestral territory or traditional use area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians. Thus, the tribe did not request consultation and deferred to tribes historically affiliated with the area.

The Agua Caliente Band of Cahuilla Indians responded to the City's letter and requested consultation and copies of project-specific CRA. A consultation meeting was held on December 21, 2023. The Tribe requested the following conditions be applied to the project. Consultation was concluded in April 2024 when the City, agreed to incorporating the following conditions into the project conditions:

- Prior to the commencement of ground-disturbing activities, the applicant shall contact the Tribal Historic Preservation Office for the Agua Caliente Band of Cahuilla Indians to arrange cultural monitoring.
 - The presence of an approved Agua Caliente Native American Cultural Resource monitor during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Professional Qualifications Standards for Archaeology) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.
 - Copies of any cultural resource documentation (report and site records) generated in
-

connection with this project shall be provided to the Agua Caliente Band of Cahuilla Indians.

AIRPORT LAND USE COMMISSION REVIEW

The SP area lies within Zone E of the Airport Influence Zone of the Palm Springs International Airport. Any project within the influence zone is subject to a review by the Airport Land Use Commission (ALUC). There are no use restrictions on residential development, but major sports stadiums, amphitheatres, and concert halls are discouraged. Additional review would be required for any structures or air space obstructions standing 100 feet or higher.

The applicant submitted an application for an administrative ALUC review. The Airport Land Use Commission considered the case at a hearing on March 14, 2024. The project was found consistent with the 2005 Palm Springs Airport Land Use Compatibility Plan. A consistency letter, dated March 14, 2024, with conditions of approval, is attached (Attachment 8). These conditions are included in the Conditions of Approval.

ENVIRONMENTAL REVIEW:

The original Specific Plan approved by the City of Cathedral City was evaluated pursuant to a mitigated negative declaration ("Adopted MND"). The Adopted MND was adopted by the City of Cathedral City on January 14, 1998, allowing for development of up to 1,362 residential units within the 303-acre Specific Plan area.

The applicant's environmental consultant conducted a CEQA Consistency Analysis to determine whether the proposed project (SPA and tentative tract maps) is consistent with the prior environmental analysis and that no further analysis is required pursuant to CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and, as a separate and independent basis, the project is exempt from CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning Ordinance for which an EIR was certified).

The CEQA Consistency Analysis was peer reviewed by the City's environmental consulting firm, Terra Nova Planning & Research, Inc. and determined to be appropriate and supportable. The 1998 Initial Study and Adopted MND (Attachment 9), CEQA Consistency Analysis and Appendices (Attachment 10) are attached.

Based upon the CEQA Consistency Analysis conducted, it has been determined that the 1998 environmental review and Adopted MND is still applicable and relevant to the proposed project. State CEQA Guidelines Section 15162 provides that no further review is required under CEQA when there are no substantial changes in the project, there are no substantial changes with respect to the circumstances under which the project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of adoption of the Negative Declaration.

In addition, State CEQA Guidelines Section 15183 (Public Resources Code Section 21083.3) provides that projects that are consistent with the development density and intensity established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site" and are therefore exempt from CEQA

Therefore, the project was found to not result in new or greater significant impacts beyond those identified in the previous CCGP EIR and the Adopted MND and overall Project impacts would remain less than significant after mitigation. The Adopted MND included mitigation measures applicable to the development of the Specific Plan. Where appropriate, some of the mitigation measures were revised based on the updated technical studies prepared for the SPA. Additionally, some of the mitigation measures have been completed by past development within the SP.

Refer to the attached CEQA Consistency Analysis which contains the status of outstanding mitigation measures, and applicable mitigation measures from the Adopted MND and General Plan EIR

The findings in support of CEQA Guidelines Sections 15162 and 15183 are contained in the Findings section of this report.

PUBLIC NOTIFICATION:

This project and the environmental determination were noticed in accordance with the City Municipal Code and CEQA. The notice also included the public hearing notice for the City Council meeting of May 8, 2024, with the understanding that the hearing is subject to the recommendations of the Planning Commission. (Attachment 11)

FISCAL IMPACT:

Pursuant to City Council resolution the applicant submitted application filing fees which are deposit based to cover the costs of staff time, and direct consultant costs. Several consultants were utilized on the project. When needed, additional deposits are required to be submitted to ensure that all costs are covered by the applicant. Therefore, no impact to the general fund will be incurred.

FIVE-YEAR STRATEGIC PLAN:

Goal F - EMBRACING, INCLUSIVE COMMUNITY

Objective: Cathedral City is valued and respected as a community that welcomes and embraces diversity, has an abundance of high quality and affordable housing options and vibrant businesses. Our neighborhoods are attractive, well-maintained, and issues surrounding homelessness have been compassionately addressed with thoughtful, coordinated, and collaborative programs.

ATTACHMENTS:

1. City Council Ordinance – SPA 97-55D
 2. Verano SPA_Final for PC_04.26.24
 3. TTM-38709
 - 3a. Conditions of Approval_TTM38709
 4. TTM-38710
 - 4a. Conditions of Approval_TTM38710
 5. TTM-38711
-

- 5a. Conditions of Approval_TTM38711
- 6. TTM-38712
- 6a. Conditions of Approval_TTM38712
- 7. TTM-38713
- 7a. Conditions of Approval_TTM38713
- 8. ALUC Approval Ltr_Final
- 9.1998 MND Initial Study
- 10. Verano CEQA_Consistency Analysis_Final 4-26-2024
- 10a. Appendices A through C
- 10b. Appendices D through F
- 10c. Appendices G through J
- 10d. Appendix K
- 10e. Appendix L
- 10f. Appendix M
- 10g. Appendix N
- 10h. Appendices O through Q
- 11. Public Hearing Notice