



# Cathedral City

## Legislation Details (With Text)

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**File created:** 5/29/2018      **In control:** Planning Commission  
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**Title:** CASE NO. Planned Unit Development Amendment No. 97-4B

APPLICANT: The Rilington Group/Noel Humphrey

LOCATION: Rio del Sol community/south side of Gerald Ford Drive, between Date Palm Drive and Da Vall Drive.

REQUEST: An amendment to the Planned Unit Development standards regarding setbacks and architectural style of proposed homes within the Rio del Sol community.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Rio del Sol Map, 2. Attachment 2 - HOA Letter, 3. Attachment 3 - Setback Exhibit, 4. Attachment 4 - Floor Plans, 5. Attachment 5 - Existing Homes, 6. Attachment 6 - Elevations, 7. Attachment 7 - Public Hearing Notice

Date	Ver.	Action By	Action	Result
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### *Planning Commission*

**MEETING DATE:** 6/6/2018

**CASE NO.** Planned Unit Development Amendment No. 97-4B

**APPLICANT:** The Rilington Group/Noel Humphrey

**LOCATION:** Rio del Sol community/south side of Gerald Ford Drive, between Date Palm Drive and Da Vall Drive.

**REQUEST:** An amendment to the Planned Unit Development standards regarding setbacks and architectural style of proposed homes within the Rio del Sol community.

**STAFF PLANNER:**

Robert Rodriguez, Planning Manager

**RECOMMENDATION:**

That the Planning Commission approve an amendment to Planned Unit Development No. 97-4 regarding front and rear yard setbacks and the architectural style of the proposed homes within the gated community of Rio del Sol and finding the request consistent with the previously approved

Negative Declaration.

**FINDINGS:**

**APPROVAL OF PLANNED UNIT DEVELOPMENT AMENDMENT NO. 97-4B**, based on the following findings:

1. No substantial changes are proposed in the project that would require major revisions of the previously approved CEQA Negative Declaration (approved on September 24, 1997) for Planned Unit Development No. 97-4 due to any new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. No substantial changes have occurred with respect to circumstances under which the project was undertaken that would require major revisions of the previously approved CEQA Negative Declaration due to any new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
3. 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 previous CEQA Negative Declaration was approved has been identified;
4. The revisions to the architectural style of the proposed homes are in harmony with the development and with the Rio del Sol community;
5. There are no proposed changes to the number of lots or units which would exceed the density permitted in the underlying R2 (Multiple-Family Residential) zoning district or as previously approved under Planned Unit Development 97-4; and
6. The amendment is consistent with the intent and purpose of Chapter 9.94 (Planned Unit Development) which permits greater flexibility in design than is possible through strict application of conventional zoning, including the establishment of special building setbacks and yard requirements.

**BACKGROUND:**

On September 24, 1997, a Planned Unit Development (PUD) and Tentative Tract Map (TTM) were approved for the development of 276 single-family residential lots on 50 vacant acres of land within the gated community of Rio Del Sol. The Rio del Sol development involves approximately 90 acres of land and received initial approvals in the early 1980s. This project would complete the comprehensive development plan for the community.

In the intervening years, the Tentative Tract Map (TTM No. 28561) was finalized and 56 homes were constructed in the different “villages” of the PUD. Through numerous lot line adjustments, the number of overall lots within the tract boundaries were reduced to 270, leaving 214 vacant lots to be developed (see Attachment 1).

The intent and purpose of a PUD is to facilitate comprehensively planned development of areas in accordance with applicable general and specific plans; encourage imaginative and innovative

planning of residential neighborhoods by offering a wide variety of dwelling units and building types and site arrangements with well-integrated community facilities and services; and permit greater flexibility in design than is possible through strict application of conventional zoning and subdivision regulation.

As an example, the typical residential subdivision provides for minimum lot sizes of 7,200 square feet, and often does not provide any shared common areas. Under a PUD, that same development area may provide 20 units, however, the lots may be smaller than 7,200 square feet but are balanced with common recreational amenities, and the density remains the same.

In accordance with PUD regulations (Chapter 9.94), special building setback or yard requirements may be established which are based on design and relation of buildings to each other and to topography. However, all structures shall be set back from the right-of-way of public or private streets at least 10 feet and garages shall maintain a minimum setback of twenty feet from the front property line.

The applicant (Noel Humphrey representing The Rilington Group) has requested changes to the current rear setback (the distance from the rear property line to the rear of the house or nearest attached structure) and the front yard setback to the garage (the distance from the front property line to the front of the garage), and revisions to the architectural style of the homes. This request is supported by the home owner's association (see Attachment 2).

#### **ANALYSIS:**

As noted above, the minimum front yard setback to the residence is 10 feet and to the garage a minimum of 20 feet within a PUD. However, when this PUD was established, and later amended, a standard was approved which permitted the garage to be 4 feet to 12 feet from the front property line, with the residence a minimum of 10 feet.

The applicant has found in their planning of the project, that parking is limited within the tract, and will continue to be, due to the established front yard setback standards and the existing street widths. The requested change to the front yard setback would permit up to a 20-foot setback to the garage and allow additional parking in the driveway. This setback would be consistent with the PUD requirement and typical residential development.

However, to provide similarly sized homes and the extended driveway, the proposed homes will not meet the minimum 10-foot rear yard setback on some of the irregularly shaped or smaller lots within the PUD (see Attachment 3). Therefore, the applicant has requested to reduce the rear yard setback from 10 feet to 5 feet for the PUD. This would affect a relatively small number of lots, with only a few at the minimum of 5 feet (for the areas that have been planned by the applicant). The PUD regulations do not have a minimum rear yard setback standard. The setback may be established with the approval of the Planning Commission

The current PUD setbacks are as follows:

Front, to residence: a minimum of 10 feet

Front, to garage: from 4 feet to 12 feet

Side: 0 feet and 4 feet

Rear: a minimum of 10 feet

If the requested changes are approved, the PUD setbacks would be as follows:

Front, to residence: a minimum of 10 feet

Front, to garage: from 4 feet to 20 feet

Side: 0 feet and 4 feet

Rear: a minimum of 5 feet

In the PUD, there were four “villages” approved (Espana, Montecito, Palazzo and Elements), each offering a different lot size, house size and architectural style (see Attachment 1). The applicant has provided new floor plans and building elevations for three of the four villages. The proposed floor plans (see Attachment 4) will be similarly sized to the existing homes in each village, ranging from 1,400 square feet in Espana to 2,274 square feet in Palazzo. There are no proposed changes to the number of lots or lot sizes.

The existing architectural elevations were approved in 1997 (see Attachment 5). The applicant has submitted updated elevations for the Espana, Montecito and Palazzo villages (see Attachment 6). For each floor plan, there are multiple architecture style/elevation options. Staff has reviewed the elevations and found them consistent in material and scale and complimentary to the existing homes.

The existing Conditions of Approval for Planned Unit Development No. 97-4, Tentative Tract Map No. 28561 and Specific Plan No. 10-018 would remain applicable to this project or any future development within the community, unless specifically revised and approved by the City in accordance with Chapter 9.94.

#### **ENVIRONMENTAL ANALYSIS:**

In processing this time extension request, staff reviewed the application in accordance with Section 15162 of the CEQA guidelines. It has been determined that since the approval of the CEQA Negative Declaration on September 24, 1997, there have been no substantial changes to the overall project, no new significant environmental effects, no substantial increase in the severity of the previously-identified impacts, and no new information of substantial importance that would change or modify the conclusions reached in the initial document. Therefore, no additional environmental action is required.

#### **PUBLIC NOTIFICATION:**

This project and the environmental determination were noticed in accordance with the City Municipal

Code and CEQA (see Attachment 7).

**ATTACHMENTS:**

Attachment 1: Rio del Sol Map

Attachment 2: HOA Letter

Attachment 3: Setback Exhibit

Attachment 4: Floor Plans

Attachment 5: Elevations

Attachment 6: Existing Homes

Attachment 7: Public Hearing Notice