



STAFF REPORT

TO: Planning Commission
FROM: Community Development Technician
DATE: August 5, 2008

RE: Consideration of a Resolution to deny PC 08-03. Applicant Mike de la Torre of Global Premier Development is proposing a Conditional Use Permit for an 81 unit family apartment complex located on the east side of Mesquite Springs Road between El Paseo Drive and Sunnyslope Drive. RM Zone, APN 0618-161-08, Section 29, T1N, R9E.

RECOMMENDATION: That the Planning Commission adopt Resolution No. 08-14 (attached) to deny Case No. PC 08-03, an application for a Conditional Use Permit.

BACKGROUND: On July 1, 2008, the Planning Commission held a public hearing to consider a request from applicant Mike de la Torre, of Global Premier Development, to approve a Conditional Use Permit for an 81 unit family apartment complex. The project includes a playground, two tot lots, a pool, barbeque area, half-court basketball court, and a 3,243 sq. ft. recreation building with a computer room, laundry room, multipurpose room and kitchen, and a second story manager's unit. The project includes five apartment buildings with 16 two-bedroom units, 24 three-bedroom units and 40 four-bedroom units.

Attachments

1. Resolution No. 08-14
2. July 1, 2008 Staff Report and Attachments

Pursuant to state law, the applicant requested a 25% density bonus for affordable housing allowances under SB1818. The project is located on Mesquite Springs Road between El Paseo Drive and Sunnyslope Drive.

During their discussion of the proposed project at the July 1 meeting, several Planning Commissioners expressed concerns with accumulating too many affordable units in one site, particularly since the adjacent neighborhoods already contain a significant number of low income households. Concerns were expressed that such accumulation could increase crime in the area.

Another concern voiced by Commissioners was the increased demand on emergency services that are generated by multifamily affordable housing developments. The Fire Chief provided an oral report on the high number of calls generated by two existing multifamily affordable housing developments in the City.

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

There was also concern with the physical appearance of the proposed project, with one Commissioner stating their belief that the project looks like a housing project from back east.

After hearing public testimony and considering the project application, at the conclusion of the July 1st meeting, the Planning Commission directed staff to bring back to the Commission a Resolution denying the project. Attached to this Staff Report is a Resolution of denial.

CITY OF TWENTYNINE PALMS
PLANNING COMMISSION
RESOLUTION NO. 08-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, DENYING 08-03 — CONDITIONAL USE PERMIT FOR AN 81 UNIT FAMILY APARTMENT COMPLEX LOCATED ON THE EAST SIDE OF MESQUITE SPRINGS ROAD BETWEEN EL PASEO DRIVE AND SUNNYSLOPE DRIVE. RM ZONE, APN 0618-161-08, SECTION 29, T1N, R9E.

WHEREAS, on January 15, 2008 an application was received from Global Premier Development for approval of a Conditional Use Permit for an 81 unit multi-family apartment complex in the RM zone; and

WHEREAS, the land use designation (zoning) for the subject property is Multi-Family Residential (RM); and

WHEREAS, the applicant has requested a 25% Density Bonus per California Government Code Section 65915; and

WHEREAS, multi-family housing developments are permitted in the RM Zone with a Conditional Use Permit; and

WHEREAS, a Mitigated Negative Declaration was prepared for the project and circulated under the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on July 1, 2008 on the project, and considered testimony by persons appearing at the meeting; and

WHEREAS, at the conclusion of the meeting, the Planning Commission directed staff to return to the Planning Commission with a resolution denying the application.

NOW, THEREFORE, the Planning Commission of the City of Twentynine Palms hereby resolves as follows:

1. The Planning Commission hereby finds that the proposed design and location of the project and the conditions under which the project will be operated will be detrimental to the public health, safety, and welfare, and materially injurious to uses, properties or improvements in the vicinity, in that:

a. The architectural features of the project are aesthetically unappealing and are not in keeping with the architectural features typically found in new development in the City and County;

b. The accumulation of a significant number of affordable units in a neighborhood already characterized as low income would result in a higher concentration of emergency service calls to the neighborhood, which would limit the availability of such limited services to other communities; and

c. The accumulation of a significant number of affordable units in a neighborhood already characterized as low income could result in higher crime and truancy rates in the neighborhood.

2. The Planning hereby denies PC 08-03 — Conditional use permit for an 81 unit family apartment complex located on the East side of Mesquite Springs Road Between El Paseo Drive and Sunnyslope Drive. RM Zone, APN 0618-161-08, Section 29, T1N, R9E.

APPROVED AND ADOPTED THIS 5th DAY OF AUGUST, 2008.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Commission Chair

ATTEST:

_____, Secretary

I hereby certify that the foregoing is a true copy of Resolution No. _____ duly adopted by the Planning Commission of the City of Twentynine Palms in a meeting held on the _____ day of _____, in Twentynine Palms, California.

Dated this _____ day of _____, _____.

_____, Secretary