



CITY COUNCIL STAFF REPORT

DATE: September 7, 2016

PUBLIC HEARING

SUBJECT: SERENA PARK – PALM SPRINGS COUNTRY CLUB LLC, FOR A GENERAL PLAN AMENDMENT, PLANNED DEVELOPMENT DISTRICT IN LIEU OF A ZONE CHANGE, MAJOR ARCHITECTURAL APPLICATION, DEVELOPMENT AGREEMENT AND TENTATIVE TRACT MAP FOR THE REDEVELOPMENT OF THE PALM SPRINGS COUNTRY CLUB AND APPROXIMATELY 126 ACRES OF PREVIOUSLY-DISTURBED LAND FOR 137 ATTACHED RESIDENCES, 292 DETACHED RESIDENCES, STREETS, PRIVATE OPEN SPACE AND PUBLIC PARK LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH (CASE NOS. 5.1327 PD-366, ZC, DA, MAJ AND TTM 36691).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

On August 3, 2016, the City Council held a public hearing to consider a proposal to repurpose the former Palm Springs Country Club golf course. After taking public testimony, the City Council provided direction to staff and the applicant, and continued the item to the September 7th City Council meeting. The applicant and staff have worked to address the issues raised by City Council, and the applicant has prepared revised exhibits and environmental analyses to support the proposed changes. Some of the proposed changes include the following:

- Reduction in the unit count to 386 residential units;
- Minor increase in open space;
- Proposal for a third access point at Francis Drive;
- Revisions to the construction staging and phasing plan to balance construction traffic to and from the project; and
- Realignment of the interim CV Link Trail to reduce conflicts between trail users and vehicular traffic.

RECOMMENDATION:

1. Re-open the public hearing and receive public testimony;
2. Adopt Resolution #_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CERTIFYING AN ENVIRONMENTAL

ITEM NO. 7.C.

IMPACT REPORT FOR A PROPOSED GENERAL PLAN AMENDMENT, A PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A MAJOR ARCHITECTURAL APPLICATION, AND A TENTATIVE MAP FOR A 386-UNIT RESIDENTIAL DEVELOPMENT ON A 156-ACRE SITE FORMERLY KNOWN AS THE PALM SPRINGS COUNTRY CLUB GOLF COURSE, GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH."

3. Adopt Resolution #____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077, MODIFYING THE LAND USE DESIGNATION FROM "OPEN SPACE – PARKS/RECREATION" TO "VERY LOW DENSITY RESIDENTIAL" ON A 126-ACRE PROJECT SITE FOR A 386-UNIT RESIDENTIAL DEVELOPMENT GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH."
4. Waive the reading of the ordinance text in its entirety and introduce for first reading Ordinance #____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT (PD-366) IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 126-ACRE SITE FORMERLY KNOWN AS THE PALM SPRINGS COUNTRY CLUB GOLF COURSE GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH."
5. Adopt Resolution #____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR A 386-UNIT RESIDENTIAL DEVELOPMENT ON A 126-ACRE DEVELOPMENT PARCEL GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH (CASE 5.1327 PD-366/MAJ).
6. Adopt Resolution #____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 36691 FOR THE SUBDIVISION OF 156.18 GROSS ACRES INTO 386 RESIDENTIAL LOTS, PUBLIC AND PRIVATE STREETS, A PARK, PRESERVED OPEN SPACE, AND PRIVATE OPEN SPACE, GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY, AND SOUTHWEST OF THE WHITEWATER RIVER WASH (TTM 36691).
7. Defer consideration of the Development Agreement to a date uncertain and provide direction to staff on the terms of the agreement.

BACKGROUND:

A complete background and analysis of the submitted applications is provided in the staff report from the August 3, 2016 City Council meeting and is included as Attachment #8 to this report. At the August 3, 2016 City Council meeting, the Council provided specific direction on the following elements of the project:

- **Number of units:** The Council directed the applicant to reduce the number of units in the project from 429 units to 386 units in accordance with the recommendation from the Planning Commission.
- **Open Space:** The Council directed the applicant to provide between 47% and 50% open space across the site.
- **Third Vehicular Access Point:** The Council stipulated that a third access point should be provided to the development, and requested that staff work with the applicant to identify where the additional vehicular access point would be located.

In addition to the specific direction given above, the City Council also discussed issues relative to construction phasing and access, the provision and maintenance of a public park, the route of the proposed interim alignment of the CV Link trail, vehicular gates to the development, the access easement to Golden Sands Drive, and the terms of the proposed development agreement.

STAFF ANALYSIS:

The following is a general summary of the proposed changes to the development plan based on the discussion and direction provided at the City Council meeting of August 3, 2016.

Number of Units/Site Plan Layout:

Per the direction of City Council, the applicant has revised the site plan to decrease the project to 386 units, which represents a 10% reduction in the overall number of units proposed for the site. The revised site plan depicts the "spine" road moved towards the center of the site, with the park area remaining at the southeast entrance to the development. The northern subarea will have 92 attached single-family units on 5,000 square foot lots and 20 detached single-family units on lots with a minimum area of 8,000 square feet. The southern subarea will include 214 single-family units on lots with a minimum area of 5,000 square feet, and 60 units with a minimum lot area of 8,000 square feet. The unit count and revised layout of the site reflects the direction provided by City Council, as shown in Figure 1.

Open Space:

With the reduction in the number of units, the percentage of open space has increased slightly from 73.30 acres (46.93%) to 73.84 acres (47.28%). It should be noted that the calculation of open space does not include any private yard areas on the individual residential lots. The applicant has provided a detail of the paseos for the residential lots in the southern subarea on either side of the spine road, which demonstrates that front

yard areas that immediately abut the paseo will be barrier free and open to the green space, thereby increasing the amount of perceived open space in the project. If these front yard areas were to be included in the open space calculation, open space would increase to over 48%. As such, the proposed open space would be in conformance to the direction given by City Council at the August 3, 2016 meeting.



Figure 1: The modified site plan includes a total of 386 residential units, a 4.3 acre park, and a revised alignment for the interim CV Link Trail.

3rd Access Point:

City Council directed staff to work with the applicant to designate a third vehicular access point to the development. The Planning Commission had recommended a preference for a third access point at the entrance to the Palm Springs Country Club near Farrell Drive and Racquet Club Road; they identified Francis Drive as an alternative entrance point. In reviewing the Farrell/Racquet Club option, the vehicular gate to the Palm Springs Country Club would need to be moved further to the northeast in order to accommodate access to both of the cul-de-sac streets proposed adjacent to the gated entrance. While the applicant has met with the various associations within the Country Club to discuss relocating the gate, he has not been able to secure approval. A

portion of the last lot on the east cul-de-sac has limited frontage on the public right-of-way, but the frontage is inadequate to serve as a third access point for the development.

The other option identified by the Planning Commission was to utilize Francis Drive as a third access point. The Francis Drive alignment does not present the difficulties that the Farrell/Racquet Club option has, in that the development has direct access to the Francis Drive right-of-way. The traffic study submitted as part of the EIR has been updated to include an analysis of the traffic impact to Francis Drive if the access point were to be approved. The analysis concludes that not more than 12% of the total traffic would utilize the Francis Drive access point, and that levels of service on Francis Drive and adjacent streets will not be degraded. If utilized, the Francis Drive entrance would result in a 5% decrease of traffic at the Golden Sands Drive entrance and a 7% decrease at the Whitewater Club Drive entrance. Based on this update, the study concludes that the Francis Drive access point will have minimal benefit overall in dispersing traffic from the project.

Construction and Phasing:

At the August 3rd City Council meeting, staff was directed to further investigate temporary construction access from Gene Autry Trail across the undeveloped parcels to the east of the project site as a means to alleviate the temporary impacts during construction to adjacent residential neighborhoods. The temporary construction road would traverse three undeveloped parcels, including a parcel owned by the Agua Caliente Band of Cahuilla Indians ("Tribe"). Planning staff met with staff from the Tribe to discuss the possibility of a temporary construction road; while generally receptive, concern was expressed regarding the construction timeframe and its impact on future plans for the parcel. One of the other parcels is owned by an allottee of the Tribe, and an agreement for construction use would require approval through the Bureau of Indian Affairs, should the owner consent to construction access. In addition, the temporary construction access was not analyzed as part of the EIR, and further study would be required to adequately assess the impacts. Based on these factors, staff would recommend that construction access for the site be limited to the Whitewater Club Road and Golden Sands Drive access points, as originally analyzed in the EIR.

The applicant has provided a letter that is intended to address some of the construction concerns raised in the public hearing process. The letter is included as Attachment #4 to this report, and includes the following proposed modifications:

- Develop and maintain a paved surface along the future alignment of the spine road as part of the first phase of development, so as to balance traffic by having both entrances available to construction traffic;
- Restricting idling or queuing outside of the construction gates prior to 7:00 a.m.;
- Limit deliveries of materials and equipment to the hours of 9:00 a.m. to 3:00 p.m. so as to avoid peak traffic hours; and
- Restrict staging areas within 500 feet of existing residences.

These proposed requirements have been added to the conditions of approval for the project.

Golden Sands Drive:

San Rafael Road (also known as Golden Sands Drive) is a private street east of North Sunrise Way, and is maintained by the Four Seasons development. The applicant has proposed this alignment as the northwest entrance point for the development, with the conversion of the roadway to a public street. The applicant has provided a letter from the Board of Directors of the Four Seasons association, authorizing the applicant to act on behalf of the association in negotiating with the City of Palm Springs in converting Golden Sands Drive to a public roadway (a copy of the letter is provided as Attachment #5). However, a vote of the association membership would still be required prior to dedicating the roadway as a public street. Dedication of this portion of the street as a public right-of-way is appropriate, as it would provide access to both the Serena Park development and the existing mobile home park. Staff has conditioned the approval of the Tentative Tract Map application upon the dedication of Golden Sands Drive as a public street; approval of the map is null and void if the dedication does not occur. This dedication is also necessary with the requirement that the central spine road through the project be dedicated as a public street.

Park & Maintenance:

The applicant had originally proposed a five-acre public park at the southeast corner of the site. The Parks and Recreation Commission recommended against accepting the public park due to concerns about the size and location of the parcel, its dual use as a detention basin, and concerns about parking and amenities. The Planning Commission supported the park as a public benefit of the project, provided it was maintained in perpetuity by the homeowners' association. At the August 3rd City Council meeting, support for the park as a public benefit was generally expressed, subject to some form of private maintenance.

The applicant has objected to maintenance of the park by the homeowners' association. As an alternative, a Community Facilities District (CFD) could be established to provide a funding mechanism for maintenance of the park. This would result in an additional tax to the homeowners within the development, but would provide for perpetual maintenance and reduce the financial burden of the City in maintaining the park. If this approach were to be pursued, the park would need to be dedicated to the City.

Based on the negative recommendation of the Parks and Recreation Commission, staff cannot support the dedication of the park to the City or the use of a CFD for funding maintenance obligations. Staff supports the recommendation of the Planning Commission in requiring the HOA to maintain and own the park, but to allow access by the general public as a means to satisfy the public benefit requirements of the Planned Development District.

The specific details of the park maintenance, ownership and amenities should be addressed in the development agreement. It is proposed the development agreement specifically address the following issues:

- Maintenance obligations for the park by the HOA and its accessibility to the general public;
- Design, recreational amenities, and other park improvements to be provided by the applicant; and
- Construction and completion schedule for the park.

CV Link Interim Route:

The applicant has proposed an interim route for the CV Link Trail through the development connecting to North Sunrise Way. In reviewing the proposed site plan at the August 3rd City Council meeting, the Council directed the applicant to make revisions to the trail alignment to reduce street crossings and potential conflicts between vehicles and trail users. The modified site plan depicts the interim trail in the same approximate location, but has eliminated one of the street crossings and now aligns along the north side of Golden Sands Drive. The trail alignment would provide a 14-foot wide path for bicycles and pedestrians within a landscaped buffer, with electric vehicle traffic directed to the central spine road through the project.

Development Agreement:

While the applicant has made significant progress in addressing many of the concerns related to the entitlement applications of the project, there are still a number of details relative to the proposed development agreement that have not yet been finalized. It is recommended that Council proceed in certifying the EIR and taking action on the entitlement applications for the project (General Plan Amendment, Planned Development District in lieu of Change of Zone, Major Architectural Application, Tentative Tract Map), conditioned upon the subsequent approval of the development agreement.

ENVIRONMENTAL DETERMINATION

In accordance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, the City of Palm Springs (Lead Agency) conducted an Initial Study and determined that the project raised potentially significant concerns. An Environmental Impact Report (EIR) was prepared to assure adequate review and analysis of potentially significant impacts associated with the project.

On December 23, 2014, the City of Palm Springs prepared and distributed the Initial Study and Notice of Preparation (NOP) to public agencies, including responsible and trustee agencies, members of the public, and the California office of Planning and Research, State Clearinghouse. In accordance with CEQA requirements, this began the 30-day public review period which concluded on January 21, 2015.

In addition, the City held a public scoping session on January 8, 2015 to provide an overview of the project and discuss the scope of the EIR analysis. The scoping session also provided an additional opportunity for the public to express comments and concerns, including those that should be addressed in the EIR.

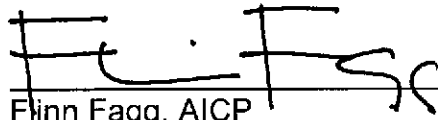
After receiving comments at the scoping session and during the NOP comment period, a Draft EIR was prepared. The document provided a comprehensive review and analysis of environmental impacts associated with the proposed project. The Draft EIR was released for public review on June 29, 2015. The Final EIR was prepared after the 45-day review period closed, and included responses to the comments received during the review period.

City Council discussion of the project has resulted in minor revisions to the proposed site plan, some of which have required additional investigation and analysis of the environmental impacts. A memorandum has been prepared to address the revisions requested by City Council; the analysis concludes that the proposed modifications to the project will result in impacts that are equal to or less than those analyzed under the EIR. The memorandum is included as Attachment #3 to this report.

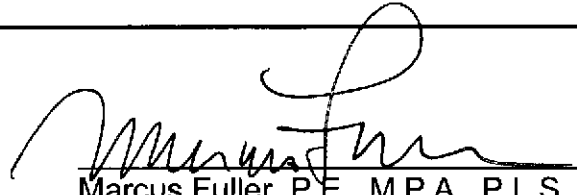
Section 21100(b)(2)(A) of the State CEQA Guidelines provides that an EIR shall include a detailed statement setting any significant effect on the environment that cannot be avoided if the project is implemented. Accordingly, the EIR provides a summary of the significant and unavoidable environmental impacts of the proposed project that cannot be mitigated to a less than significant level. While the project is consistent with projected growth patterns, the existing land use designation is Open Space. Due to the non-attainment status of the Coachella Valley and the re-designation of the site from Open Space to Residential, the project will result in cumulative unavoidable impacts to air quality and greenhouse gases during project operations. A Statement of Overriding Considerations has been prepared for adoption by the City Council.

CONCLUSION

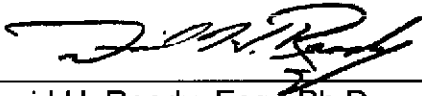
The applicant has made significant progress in addressing the issues and concerns raised by the City Council and the Planning Commission, and has revised the site plan based on Council direction. Further environmental analysis has been provided to analyze the impacts of the proposed changes where required. Generally, the analysis concludes that the changes to the project are minor in nature and have an overall effect of reducing the potential environmental impacts of the proposed development. Certain specifics of the project, such as the design and amenities for the park space, will be addressed as part of the development agreement. Approval of these entitlement applications will be contingent upon the subsequent approval of the development agreement.



Flinn Fagg, AICP
Director of Planning Services



Marcus Fuller, P.E., M.P.A., P.L.S.
Assistant City Manager



David H. Ready, Esq., Ph.D.
City Manager

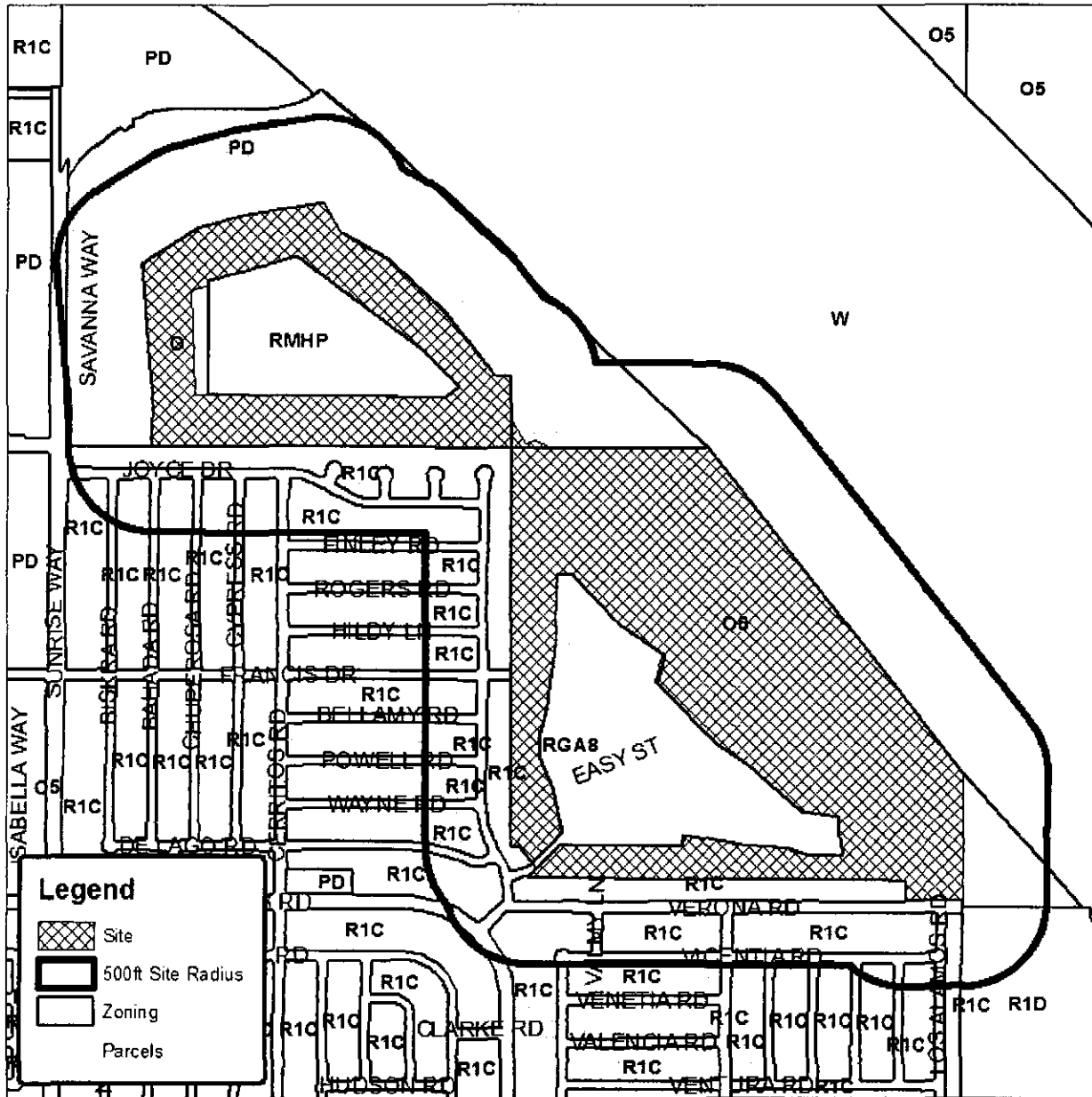
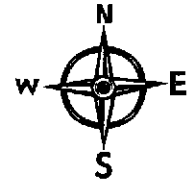
Attachments:

1. Vicinity Map
2. Draft Resolutions, Ordinance, Conditions of Approval
3. Memorandum – Revisions to Proposed Final EIR (August 25, 2016)
4. Letter from Applicant – Construction Access for Serena Park (August 23, 2016)
5. Letter from Four Seasons – Golden Sands Driver (April 8, 2014)
6. Revised Site Plan and interim CV Link Alignment
7. Excerpt of City Council Minutes (August 3, 2016)
8. City Council Staff Report (August 3, 2016) and public comment letters
9. Public hearing notices and notice of continuance

ATTACHMENT #1



Department of Planning Services Vicinity Map



Legend

- Site
- 500ft Site Radius
- Zoning
- Parcels

CITY OF PALM SPRINGS

ATTACHMENT #2

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CERTIFYING AN ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED GENERAL PLAN AMENDMENT, A PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A MAJOR ARCHITECTURAL APPLICATION, AND A TENTATIVE TRACT MAP FOR A 386-UNIT RESIDENTIAL DEVELOPMENT ON A 156-ACRE SITE FORMERLY KNOWN AS THE PALM SPRINGS COUNTRY CLUB GOLF COURSE, GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS AND DETERMINES AS FOLLOWS:

- A. Palm Springs Country Club, LLC ("Applicant") filed applications pursuant to Palm Springs Zoning Code (PSZC) Section 94.04 (Architectural Review), Section 94.07 (Change of Zone), Section 94.03 (Planned Development District), Palm Springs Municipal Code (PSMC) Section 9.63 (Subdivision of Land – Procedure) and California Government Code Sections 65350-65362 (General Plan Amendment) for a proposed 386-unit residential development (APN 501-190-002, 501-190-011, 669-480-027) ("Project").
- B. The Project is considered a "project" by the California Environmental Quality Act ("CEQA").
- C. On December 23, 2014, the City issued a Notice of Preparation (NOP) and Initial Study on the Project indicating that a draft Environmental Impact Report (DEIR) would be prepared on the proposal. Under State Clearinghouse No. 2014121075, the NOP was circulated to responsible agencies and interested groups and individuals for review and comment. A copy of the NOP and comments thereon are included in Appendix B of the Draft EIR. The NOP comment period ran from December 23, 2014 to January 21, 2015.
- D. On January 8, 2015, a public Scoping Meeting was held to receive comments on preparation of the DEIR.
- E. A Draft EIR was prepared that reflected the independent judgment of the City as to the potential environmental impacts of the Project.
- F. On June 29, 2015, the DEIR was released and circulated for public review under State Clearinghouse No. 2014121075, with the 45-day comment period ending on August 12, 2015.

G. The City received written comments on the DEIR and prepared responses that describe the disposition of environmental issues raised by the comments, and made changes to the DEIR. The comments, responses to comments, changes to the DEIR and additional information were published in a Final Environmental Impact Report (FEIR) dated October 2015. The DEIR, the FEIR, and all the appendices comprise the "EIR" referenced in these findings and this Resolution.

H. Notice of a public hearing of the Planning Commission of the City of Palm Springs to consider the Project was given in accordance with applicable law for the meeting of November 12, 2015. At the November 12th meeting, the Planning Commission continued the item without holding a public hearing to an adjourned meeting on November 18, 2015.

I. On November 18, 2015, the Planning Commission held a public hearing on the Project in accordance with applicable law; at this meeting the Planning Commission continued the item for further review at a study session.

J. On January 27, 2016, February 10, 2016, and March 14, 2016, the Planning Commission held study sessions to review the Project in further detail.

K. On April 13, 2016, the Planning Commission held a public hearing on the Project in accordance with applicable law. Upon reviewing and considering all evidence presented, the Planning Commission voted to recommend that the City Council certify the EIR, make all required findings and statements of overriding considerations, and adopt all mitigation measures.

L. On August 3, 2016, the City Council held a public hearing on the Project in accordance with applicable law. After taking public testimony, the City Council voted to continue the item to the meeting of September 7, 2016.

M. At the meeting of September 7, 2016, the City Council carefully reviewed and considered the information contained in the EIR, all of the evidence presented in connection with the meetings on the Project including, but not limited to, staff reports on all aspects of the Project, and all written and oral testimony presented, and found the EIR to be in compliance with CEQA and found that any significant environmental impacts outlined in the report will be adequately mitigated or that there are overriding considerations that render such impacts acceptable.

N. A Mitigation Monitoring Program prepared for the EIR pursuant to CEQA has been incorporated into the Project whereby environmental impacts will be mitigated to the extent feasible.

O. The certification of the Draft EIR, and approval of the Mitigation Monitoring Plan, and the Statement of Overriding Considerations is consistent with the provisions of CEQA.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES AS FOLLOWS:

SECTION 1. The EIR is an adequate assessment of the potential environmental impacts of the proposed Project under the guidelines of the CEQA. The EIR has been prepared, published, circulated and reviewed in accordance with CEQA, the State CEQA Guidelines and the provisions of the City of Palm Springs. With the exception of cumulative Air Quality and Greenhouse Gas Emissions, which the EIR identifies as significant and unavoidable impacts, the mitigation measures outlined in the Mitigation Monitoring Plan are sufficient and adequate to reduce potentially significant impacts to less than significant levels.

SECTION 2. The City Council has reviewed and considered the information contained in the EIR prior to approval of the Project and the EIR reflects the City's independent judgment and analysis.

SECTION 3. The City Council adopts the Findings of Fact attached to this Resolution as Exhibit A.

SECTION 4. The City Council adopts the Statement of Overriding Considerations attached to the Resolution as Exhibit B, including the specific finding that benefits of the Project outweigh the significant and unavoidable impacts to cumulative Air Quality and Greenhouse Gas Emissions.

SECTION 5. The City Council hereby certifies the EIR and adopts the Mitigation Monitoring Plan for the project, attached to this Resolution as Exhibit C. The documents that constitute the record of proceedings are located at 3200 E. Tahquitz Canyon Way, Palm Springs, California 92262, and the custodian for these documents is the City Clerk.

ADOPTED THIS 7TH DAY OF SEPTEMBER, 2016.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on the 7th day of September, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077, MODIFYING THE LAND USE DESIGNATION FROM "OPEN SPACE – PARKS/RECREATION" TO "VERY LOW DENSITY RESIDENTIAL" ON A 126-ACRE PROJECT SITE FOR A 386-UNIT RESIDENTIAL DEVELOPMENT GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS AND DETERMINES AS FOLLOWS:

- A. Palm Springs Country Club, LLC ("Applicant") filed an application pursuant to Palm Springs Zoning Code (PSZC) Chapter 94 and State of California Governmental Code Sections 65350-65362 to modify the General Plan land use designation of the subject site from "Open Space – Parks/Recreation" to "Very Low Density Residential" for the development of a 386-unit residential development, public and private streets, a park and open space on 126 acres of previously-disturbed land (APN 501-190-011 and 669-480-027) ("Project").
- B. The Applicant submitted related Project applications, including a Planned Development District in lieu of a Change of Zone (Case 5.1327 PD-366) to establish development standards for the Project site; a Major Architectural application (Case 5.1327 PD-366/MAJ) to review proposed architecture pursuant to PSZC Section 94.04.00; a Tentative Tract Map application (Case TTM 36691) to subdivide the Project land into 386 residential lots, public and private streets, and open space; and a Development Agreement (Case 5.1327 DA) to establish conditions, terms and obligations for the Project.
- C. A notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law, and on April 13, 2016, the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the Project, including but not limited to the staff report, and all written and oral testimony presented and voted 5-1 to recommend approval to City Council of the Project.
- D. On August 3, 2016, a public hearing on the applications for the Project was held by the City Council in accordance with applicable law. After taking public testimony, the City Council voted to continue the items to the meeting of September 7, 2016.
- E. At the meeting of September 7, 2016, the City Council carefully reviewed and

considered all of the evidence presented in connection with the hearing on the Project including, but not limited to, the EIR (Draft and Final versions), the staff reports on all aspects of the proposed Project, and all written and oral testimony presented. The City Council makes the following specific findings based on specific evidence as described after each finding:

1. *Findings of compatibility of the proposed VLDR (Very Low Density Residential) land use designation with existing adjacent land uses and development patterns.*

The subject site is currently designated OS-P/R (Open Space – Parks/Recreation) by the General Plan Land Use map, which is used for regional, local, and neighborhood parks and other “active” recreational uses. The site borders residential development on nearly all sides of the Project. A portion of the Project site borders the Whitewater River Wash. The proposed land use density of VLDR is consistent with the adjacent and surrounding land uses, and the proposed VLDR designation for the Project site is a logical continuation of those land uses and densities. Thus, the proposed VLDR land use designation on the Project site is compatible with adjacent land uses and will continue the same pattern of development.

2. *Finding that there are no potential adverse impacts to existing or future development in the area.*

The proposed General Plan Amendment would allow an increase in density, however, it is in a continuation of the adjacent land use and will provide a consistent development pattern to that which exists currently in the area. Through the environmental review and hearing processes, it is anticipated that potential adverse impacts to existing or future developments in the area will be addressed.

3. *Findings that the Transfer of Density is consistent with the General Plan.*

Under the Administration Element of the General Plan, there is a process for modifying and amending the General Plan. Such amendments may include changes in land use. In the proposed request, the Applicant seeks approval to transfer density to a land use designated for open space. General Plan Policy LU2.2 states that changing “...Open Space – Parks/Recreation to developable areas (for residential, commercial, etc.) must either offer in-kind replacement of such open space elsewhere in the City, make payment of in-lieu fees, or replace the converted open space through the use of a density transfer.” The Applicant proposes terms for providing payment of in-lieu fees, and thus, the proposed transfer of density is consistent with the General Plan.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES AS FOLLOWS:

SECTION 1. CEQA.

The Project is considered a "project" pursuant to the California Environmental Quality Act (CEQA). An EIR has been prepared for the Project that evaluates the potential environmental impacts of the Project. The City Council has reviewed and considered the information in the final EIR and has, by separate resolution, certified the final EIR in accordance with CEQA.

SECTION 2. General Plan Amendment.

The City Council hereby approves the General Plan Amendment to change the land use designation from OS-P/R (Open Space – Parks/Recreation) to VLDR (Very Low-Density Residential) for Case 5.1327 PD-366 GPA/ZC/MAJ/DA/TTM 36691.

SECTION 3. General Plan Land Use Map.

The City Council hereby approves the change to the General Plan Land Use Map from OS-P to VLDR for the 126-acre development parcel (APN: 501-190-011 and 669-480-027) as to be further described in a legal description pursuant to the conditions of approval attached hereto.

ADOPTED THIS 7TH DAY OF SEPTEMBER, 2016.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that

Resolution No. _____
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Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

RESOLUTION NO. _____

EXHIBIT A

Case 5.1327 PD-366 / ZC / MAJ / TTM 36691

Palm Springs Country Club, LLC
"Serena Park"

September 7, 2016

1. Findings of Fact Regarding the Final Environmental Impact Report Prepared for the Serena Park Project

The Draft EIR and Final EIR, prepared in compliance with the State CEQA Guidelines, evaluates the potentially significant and significant adverse environmental impacts that could result from approval of the Serena Park Project, which – as evaluated in the EIR – proposes the development and construction of 429 single family units on 126 acres and a public park on 5 acres located in the City of Palm Springs. The Project is located in the former Palm Springs Country Club Golf Course, which is Zoned Open Land Zones (O and O-5) and has a General Plan land use designation of Open Space Parks and Recreation (OS-P/R). The Project is requesting a Change of Zone from Open Land Zones to Planned Development District 366 (PD-366), and a General Plan Amendment to modify the land use designation from Open Space Parks and Recreation to Very Low Density Residential (VLDR). The project proposes a tentative tract map to subdivide the site into 429 lots for single family detached and attached units ranging from 1,342 sf. for attached units and up to 2,524 sf. for detached lots. The Project is located north of Verona Road, east of Farrell Drive, north of Joyce Drive, east of Sunrise Way and southwest of the Whitewater River Wash, and within Section 1, Township 4, Range 4 and Section 36, Township 3, Range 4.

As the FEIR concludes that implementation of the Project, as amended (and the Project alternatives) would result in adverse impacts, the City is required under the State CEQA Guidelines to make certain findings with respect to these impacts (CEQA Guidelines Section 15091). The required findings appear in the following sections of this resolution. This resolution lists and describes the following, as analyzed in the DEIR and FEIR: 1) potential impacts determined to be less-than-significant in the DEIR and FEIR; 2) significant impacts that can be avoided, minimized, mitigated, or substantially reduced with the implementation of feasible mitigation measures; 3) impacts determined to be insignificant or less-than-significant in the Initial Study Checklist; and 4) Project alternatives that were

developed and studied consistent with the CEQA Guidelines. These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

2. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT IN THE DRAFT EIR AND FINAL EIR:

Environmental Analysis

4.1: Aesthetics

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.1-1 through 4.1-13 of the Draft EIR, the Project would not have a substantial adverse effect on a scenic vista, it would not damage scenic resources, the character or quality of the site and its surroundings would not be substantially degraded, and the project would not create a substantial light source which would adversely affect day or nighttime views in the area. Therefore, the Project would result in no significant aesthetic impacts and no mitigation is required.

4.2: Air Quality

Exposure to Objectionable Odors

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-51 of the Draft EIR, the South Coast Air Quality Management District (SCAQMD) has compiled a list of facilities and operations that tend to produce offensive odors. While almost any source may emit objectionable odors, residential buildings are not identified on the SCAQMD list as common sources of odor emissions. No operation or activity on-site shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, odors, or other forms of air pollution which exceed levels identified as acceptable by the SCAQMD or the *Palm Springs 2007 General Plan* or *Palm Springs Municipal Code*. Therefore, the Project is anticipated to produce less than significant impacts pertaining to the generation of objectionable odors affecting a substantial number of people.

Consistency with Regional Air Quality Plans

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-51 of the Draft EIR, air quality impacts associated with the proposed project may be considered cumulatively considerable because the project is not consistent with the population growth assumed as the basis for the development of the most recently adopted Air Quality Management Plan. The proposed project would require a change in the existing land use designation (e.g., a General Plan Amendment and Zone Change). Although the project-related long-term operational emissions of PM10, ROG and NOx would be greater than the emissions anticipated for the site if developed under the existing land use designations, these emissions would be less than the significance thresholds established by the SCAQMD for both project-level and cumulative impacts.

4.3: Biological Resources

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.3-1 through 4.3-16 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, it was determined that the implementation of the Serena Park development project would result in less than significant impacts to many Biological Resources. A biological investigation and survey showed that no plants, reptiles, birds, or mammals that are identified by local, state or other government agency, were encountered or showed substantial evidence of occupied habitat on the proposed project site. The proposed project can be expected to result in the elimination of approximately 14 acres of creosote scrub habitat including any native plant and animal species that may currently live on the project site. Creosote scrub habitat is widespread in the desert regions of California. There are no federally protected wetlands as defined by Section 404 of the Clean Water Act. Hydrology analysis illustrates onsite storm flows across the developable plan area sheet flow and infiltrate over a wide spread area and are not concentrated in a defined channel or wash. There are no blue-line stream courses, as depicted by the United States Geology Survey map on the project site. Therefore, the loss of this habitat and other natural resources on the project site cannot be said to constitute a significant adverse impact to the continued existence of the plant community and natural resources. Less than significant impacts are anticipated related to this issue.

4.4: Cultural Resources

Historical Resources

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-8 of the Draft EIR, the proposed project site was completely developed in the past as a golf course and has since been allowed to go fallow. Currently, there are no buildings on the project site, the former clubhouse has since been demolished and the last vestiges of the former golf course are hard surface areas such as tennis courts, clubhouse foundation and old golf cart paths. As there are no buildings or any recorded historical sites on the property, the redevelopment of the property will not cause any adverse change in historical resources. Less than significant impacts are anticipated.

Archeological and Paleontological Resources

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-8 of the Draft EIR, archaeological and paleontological resources associated with the Project site are currently unknown and may be buried beneath the old golf course. Standard Conditions requiring on site monitoring by qualified Archaeologists/Paleontologist during grading is required. Monitors shall stop grading operations should any archaeological or paleontological resources be found during construction. Archaeological resources will be evaluated before development activities resume. Less than significant impacts are anticipated to archaeological and paleontological resources following standard conditions for archaeological monitoring.

Disturbance of Human Remains

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.4-1 through 4.4-8 of the Draft EIR, the proposed Project is not anticipated to disturb any human remains, including those interred outside of formal cemeteries. The California Health and Safety Code, Section 7050.5, and the CEQA Guidelines Section 15064.5 require that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. The Coroner shall contact Native American Heritage Commission if any Native American Human Remains are found. The monitor has the authority to halt any excavation during construction if any human remains are found. In this circumstance, less than significant impacts are anticipated following project standard conditions.

4.5: Geology and Soils

Seismic Ground Shaking

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-9 of the Draft EIR, building new structures for human occupancy would increase the number of people exposed to local and regional seismic hazards. However, the project does not lie within a currently delineated Alquist-Priolo fault zone or in an area subject to seismic related ground failure. Therefore, no impacts related to known earthquake faults are expected.

Soil Erosion

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-9 of the Draft EIR, the soils were visually classified to be in the low expansion category in according with the California Building Code. Therefore, less than significant impacts are anticipated related to expansive soils.

Liquefaction

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-9 of the Draft EIR, liquefaction more often occurs in earthquake-prone areas underlain by young (Holocene age) alluvium where the groundwater is shallower than 50 feet below the ground surface. However, within the Project site, other geologic hazards, including fault rupture, liquefaction, seismically induced flooding, landslides and lateral spreading are considered low or negligible on this site. Therefore, less than significant impacts are anticipated.

Septic Tank

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-9 of the Draft EIR, soils that are incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water are a concern. However, the project will not utilize a septic system. Sewer services will be provided by the City of Palm Springs. Therefore, no impacts are anticipated related to septic usage.

Other Geotechnical Constraints and Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.5-1 through 4.5-9 of the Draft EIR, the Project site is suitable for the proposed development provided that the following recommendations primarily contained within the project specific Geotechnical Report are followed in the design and construction of the project. Following implementation of the Standard Conditions and Mitigation Measures discussed in pages 4.5-7 through 4.5-9 of the DEIR, the Serena Park project is expected to result in less than significant impacts related to Geology and Soils.

4.7: Hazards and Hazardous Materials

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.7-1 through 4.7-10 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, the project site and its surrounding property is not located on a hazardous material site and is not expected to generate any hazardous waste beyond what is commonly found within household uses. Any hazardous materials that may be present are usually associated with landscaping and building maintenance. However, because these products are usually used in only small quantities, they would not typically pose a threat to the project or surroundings. The Phase I and Phase II reports prepared by Earth Systems as described in *Section B. Existing Conditions* of this report clear the site from any further investigation. Should any hazardous materials be located during construction activities, they will be required to be hauled to an approved location and/or landfill. The *General Plan EIR* identified no significant impacts with regard to hazards and hazardous materials. Less than significant impacts are anticipated to the routine transport, use, or disposal of hazardous materials and the release of hazardous materials into the environment.

4.8: Hydrology and Water Quality

Water Quality

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.8-1 through 4.8-28 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, the proposed project will reduce its potential impacts to water quality and waste discharge standards to less than significant levels by complying with the applicable regulatory programs during construction and throughout the life of the project (operation). To address the project's pollutants of concern, the project will incorporate site design measures that include infiltration BMPs, also known as retention basins. These facilities

consist of an earthen basin designed to collect and infiltrate the project's stormwater through the bottom of the basin. As a result, such runoff does not leave the project and does not enter any downstream stormwater conveyance, including streams. Infiltration Best Management Practices (BMPs) have been found to have an adequate pollutant removal effectiveness (medium-to-high) to address the potential pollutants of concern. Compliance will involve the development of detailed plans to demonstrate the appropriate implementation, recordkeeping and monitoring activities that address the water quality objectives and prevent any violations.

A Stormwater Pollution Prevention Plan (SWPPP) and a Fugitive Dust (PM10) Management Plan will be developed and implemented throughout all construction activities. Construction site BMPs, including erosion control, sediment control, tracking control, non-stormwater management and waste management measures will be implemented to prevent any contamination of water that could occur as a result of construction activities of the proposed project. To address potential impacts during the life of the project (operational), the project developer will prepare and submit a Project-Specific Water Quality Management Plan (WQMP) in accordance with the regulations of the Municipal Separate Storm Sewer System (MS4) within the Whitewater River Watershed (Order No. R7-2013-0011 and NPDES No. CAS617002). The detailed plan will be submitted to the City for review and approval prior to the issuance of a Grading Permit and it will be implemented throughout the life of the project. Following implementation of Regulatory requirements impacts to water quality and waste discharge are expected to be less than significant. Impacts that would otherwise substantially degrade water quality are not expected.

Groundwater Supplies

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-28 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, water consumption expectations are related to several factors. Residential use of water is one factor in consumption rates. Measures such as low flow fixtures and appliances will help to keep this consumption to acceptable levels. Long term ground water levels in the area are currently being stabilized by actions including the practice of artificial recharge of State Water Project supplies and other surplus water, orderly expansion of recycled water system and aggressive investment in and promotion of conservation programs.

The Project will be required to employ modern and efficient water conservation methods and technology both architecturally and as part of the project's architectural and landscaping design. Elements such as low flow shower heads and faucets, dual flush toilets, and xeriscaping of plants are strongly encouraged. Builders are strongly encouraged to consult with the Desert Water Agency on methods to implement the latest trends in water conservation available, recommended by the district for all customers in the service area. The proposed project is not expected to result in impacts related to a substantial reduction in the amount of groundwater. For these reasons, impacts to groundwater supplies and recharge capability from the project are expected to be less-than-significant and no mitigation is required.

Drainage Patterns and Erosion

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-28 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, water and wind-based soil erosion throughout the Project site, including fugitive dust emissions, are mitigated through the application of a soil polymer and mulch. Such form of maintenance helps preserve the soil condition stabilized. The project will not alter any existing stream, river or drainage pattern on the project site. An engineered storm drain system and two retention basins that will adequately convey and accept runoff from the tributary off- and on-site areas will be included. This will address problematic soil erosion, sedimentation, and flooding conditions will be prevented. Specifically, storm from the project and tributary off-site area will drain to the proposed streets, then conveyed via the proposed street wedge curbs to a series of storm drain inlets. For these reasons, less than significant impacts are anticipated pertaining to: 1) soil erosion, sedimentation, flooding or contribution of stormwater; with the proposed improvements, 2) less than significant impacts are expected to existing site drainage patterns, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, and 3) with the proposed improvements, the project is not expected to create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Less than significant impacts are expected.

Proposed Housing or Structures in Relation to a 100-year Flood Hazard Area

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-28 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, the following findings were made: 1) the Project will not place housing within a 100-year flood hazard area mapped on a Federal Flood Insurance Rate Map or other flood hazard delineation map; therefore, less than significant impacts are anticipated; 2) the proposed basins provide sufficient storage to not only retain the project's incremental increase in flood volumes from the 100 year storm event (required by the City of Palm Springs Master Drainage Plan) but the project's 100 year storm event in its entirety; therefore, it is concluded that the proposed project will not adversely affect persons or properties onsite or existing downstream drainage facilities or developments; and 3) the repurposing of the existing a golf course with the proposed residential development will not introduce people or structures to an area with risks involving flooding as a result of failure of any of the City's flood protection system facilities; therefore, less than significant impacts are expected.

Seiche, Mudflow, Tsunami

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.8-1 through 4.8-28 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, the following findings were made: 1) the proposed project basins will only retain stormwater runoff during and for a short period of time following rain events; therefore, impacts related to inundation by seiche are considered less than significant; 2) site development is not located in an area prone to potential mudflow impacts; therefore, less than significant impacts are expected; and 3) the Project is located inland and is not in an

area that includes the possibility of inundation by a tsunami; therefore, less than significant impacts are expected.

4.9: Land Use and Planning

Physical Division of an Established Community

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.9-11 of the Draft EIR, no significant impacts relative to *General Plan* consistency would occur with the implementation of the proposed Project. The property was originally developed as a golf course in a residential setting. Because the golf course was privately owned separately from the surrounding community, it acted as a physical barrier and surrounding residential neighborhoods developed around it over time as discrete, separated neighborhoods. The project would replace the golf course with residential uses, infilling and completing the surrounding residential land use pattern. Consequently, since the surrounding neighborhoods already function independently and the project introduces a compatible residential use, it would unify, rather than divide, the community. In addition, the project would replace underutilized, unmaintained land with new residential homes that would enhance the local area. Less than significant impacts to physically dividing an established community are anticipated.

Plan Consistency

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.9-1 through 4.9-19 of the Draft EIR, the Project has undergone a full compatibility review by the Riverside County Airport Land Use Commission (ALUC). The project will comply with relevant policies and has received a determination of consistency from the ALUC. The consistency determination verifies that the project complies with all ALUC compatibility policy. The Project will not conflict with any applicable land use plan, policy or regulation, less than significant impacts are anticipated.

Habitat, Conservation, and Natural Community Plans

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.9-11 through 4.9-17 of the Draft EIR, payment of required development impact fees and/or any voluntary dedication of land within the Whitewater Floodplain Conservation Area will render the Project consistent with the CVMSHCP. Additionally, the Project is not on Tribal land and not subject to the THCP. It does lie adjacent to the "Valley Floor Conservation Area, Section 6 Target Acquisition Area" immediately to the east. However, this portion of the project is in the Whitewater River Floodplain and not proposed for development. Consequently, it serves as a buffer between the portions of the project to be developed and Tribal land. For these reasons, the project is consistent with the THCP. In addition, because the project includes a General Plan Amendment, Tribal consultation is required according to Senate Bill 18 (SB 18). Therefore, the project will not conflict with any applicable habitat or conservation plans. Less than significant impacts are anticipated.

4.10: Noise

Long Term Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.10-1 through 4.10-9 of the Draft EIR, in the community noise assessment, changes in noise levels greater than 3 dBA are often identified as significant, while changes less than 1 dBA will not be discernible to local residents. However, the project is not expected to result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Therefore, less than significant operational noise impacts are expected to result due to the proposed land use.

Groundborne Vibration

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-10 of the Draft EIR, and as mentioned previously, the project site is not located in close proximity to any significant sources of vibration such as railroads, wind turbines, or heavy truck facilities. The City of Palm Springs Zoning Code 11.74.020 defines the "Vibration perception threshold" as the minimum ground- or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The site exists in a graded condition with engineered soils, so impacts associated with rock relocation or crushing will not occur. Additionally, recommendations provided to mitigate temporary noise impacts during construction will work concurrently to reduce impacts related to vibration. Less than significant impacts related to groundborne vibration or groundborne noise levels are expected to result due to the proposed land use.

Off-site Operational Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-11 of the Draft EIR, the project proposes residential land uses similar to those surrounding the project site. It is expected that the implementation of the proposed project, including the park, would generate noise levels similar to those of the surrounding communities. According to the Noise Analysis Letter Response to Comments the noise levels generated by activities at the park would have the potential to annoy adjacent noise-sensitive receptors but would be unlikely to exceed the applicable noise standards. The noise generated by the park would be subject to the provisions of the Palm Springs Noise Ordinance. In either case, there are no existing noise-sensitive receptors adjacent to the proposed park. Future homeowners will be informed of the park when they purchase their residences. Less than significant impacts are anticipated relative to noise impacts associated with the proposed public park.

Off-site Vehicular Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-17 of the Draft EIR, the noise study determines that the proposed project would

generate a 3.0 dBA or greater noise increase for only one of the thirty-eight segments analyzed. An increase of 3.2 dBA is expected to occur along Whitewater Club Drive, between Via Escuela and Verona Road. While this noise increase is considered discernable, the noise increase would not cause nearby residences exposure to noise levels greater than 60 CNEL. Therefore, less than significant impacts related to a substantial permanent increase in ambient noise levels in the project vicinity are expected to result due to the proposed land use.

Airport Noise Impacts

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.10-1 through 4.10-18 of the Draft EIR, the proposed project is consistent with the residential density requirements in the *Riverside County Airport Land Use Compatibility Plan Policy Document*. The project shall comply with all requirements identified in the *Riverside County Airport Land Use Compatibility Plan Policy Document* (adopted March 2005) related to residential development within the Palm Springs International Airport Influence Area. The ALUC Development Review found the project consistent with the 2005 Palm Springs International Airport Land Use Compatibility Plan. Therefore the proposed project which is located within an airport land use plan is not expected to expose people residing or working in the project area to excessive noise levels. Therefore, less than significant impacts related to a substantial permanent increase in ambient noise levels in the project vicinity are expected to result due to the proposed land use.

Airstrip

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.10-18 of the Draft EIR, the proposed project is not located within the vicinity of a private airstrip. Therefore, no impacts are expected relative to this issue.

4.11: Population and Housing

Population Growth

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.11-4 through 4.11-6 of the Draft EIR, although the project proposes to convert designated open space to residential use, compatibility with the General Plan's growth projections is anticipated. This growth is not expected to significantly impact the remainder of the Palm Springs population or its neighboring areas. Therefore, the project is not expected to induce substantial population growth directly or indirectly. Less than significant impacts are expected.

Displacement of Population or Housing

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.11-6 of the Draft EIR, the project site is vacant land and will not result in the displacement of existing housing or people, necessitating the construction of replacement housing elsewhere. Less than significant impacts are anticipated related to these topics.

4.12: Public Services

Fire Protection

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.12-13 through 4.12-14 of the Draft EIR, the project will result in 429 residential units, 292 will be detached single-family homes and 137 will be developed as single story cluster residences. Development of the proposed project will contribute to the existing demand for fire protection services. The project location occurs in a highly populated area of Palm Springs which is considered to have a very low risk of wide-spread fire. The project is not located within a wildland area which could contain significant fire hazards and risk.

The Palm Springs Fire Department operates 3-shifts with 16 firefighters for 24-hour fire protection. Per communication with Deputy Fire Chief Ron Beverly, the project site occurs within the response area of Palm Springs Fire Station No. 443 on Racquet Club and Via Miraleste. This station will provide first response to the project site. Due to the close proximity of this station to the project site, and its adjacency to existing development with various points of access, adequate response times of 5 minutes or less will be met. For these reasons, potential impacts to fire services associated with the Serena Park are considered less than significant and no mitigation measures are necessary.

Police Protection

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.12-14 through 4.12-15 of the Draft EIR, the proposed project would not substantially increase the need for new or expanded police facilities. The project will be required to annex into the City's Community Facilities District (CFD) to assist in the financing of police, fire protection and suppression services and both emergency and non-emergency services. The special taxes collected will help offset costs and demand for police service to the project site. Impacts to police protection services resulting from the Serena Park project are anticipated to be less than significant.

Schools

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.12-15 through 4.12-16 of the Draft EIR, the project has the potential to generate 83 new students based on the student generation factors provided by PSUSD. Enrollment to school within the City of Palm Springs has been consistent the past 5 years as shown in Table 4.12-1. As previously mentioned, Vista Del Monte Elementary, Raymond Cree Middle School, and Palm Springs High School, are located within the school boundary. All three schools are running under operating capacity and the additional 83 students generated by the project would not result in overcapacity. The project developer will pay the required developer fee to the PSUSD which at the time of writing is \$3.43 per square foot for residential development and \$0.51 per square foot for commercial/industrial buildings. Developer fees are state legislated (AB 2926) and monies collected are used for construction and reconstruction of school facilities. Additionally, the developer will be required to pay applicable Development Impact Fees to assist in offsetting impacts to

school facilities. Project implementation will not require the development of additional school facilities and impacts are considered less than significant.

Parks/Recreation

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.13-8 through 4.13-9 of the Draft EIR, The project proposes to redevelop the former golf course with approximately 429 residential units including a 5-acre public park. Within the development the project proposes 42.56 acres of private common areas, paseos, and Private Park. Pedestrian trails will also be part of the project and open to the public. The Land for the public park will be dedicated to the City and could potentially serve as a trail head for the future "CV Link" multi-purpose regional trail that will provide alternative transportation for biking, walking or low speed electric vehicles. The CV Link provides a physical connection between neighborhoods, communities and amenities. Portions of these open space areas will also be used for drainage and stormwater retention. The 2011 U.S. Census estimates the household size is 1.95 persons in Palm Springs. Using this number per dwelling unit the proposed project could generate approximately 837 new residents at project build-out. With this rise in population demand for parks and recreation facilities will increase. Based on the City's goal of providing 5-acres of parkland per 1,000 residents a minimum dedication of 4.4 acres of parkland would be required. The proposed 5-acre park and 43.4 acres of private open space fulfills the parkland requirement associated with the project. Less than significant impacts are anticipated to recreational use.

Other Public Facilities

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.12-16 of the Draft EIR, the development of the proposed project is anticipated to have less than significant impacts to library services and its facilities. Future residents of the proposed project will have access to the Palm Springs Library and the Welwood Murray Memorial Library. Other library facilities include the City of Rancho Mirage and other various existing branches of the Riverside County Library Systems located throughout the valley. The primary source of funding for the Palm Springs library comes from the City's General Fund. Additionally, the Friends of the Palm Springs Library hold various fund raising events to raise money for the purchase of library materials and equipment. The Project implementation will not require the development of additional public facilities. Less than significant impacts are expected.

4.13: Recreation

Parks or Recreational Facilities

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.13-9 of the Draft EIR, the 2011 U.S. Census estimates the household size is 1.95 persons in Palm Springs. Using this number per dwelling unit the proposed project could generate approximately 837 new residents at project build-out. With this rise in population demand for parks and recreation facilities will increase. Based on the City's goal of providing 5-acres of parkland per 1,000 residents a minimum dedication of 4.4 acres of parkland would be required. The proposed 5-acre park and 43.4 acres of private open space fulfills the parkland requirement associated with the project. Less than Significant impacts are anticipated to recreational use.

Adverse Physical Effects

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.13-9 of the Draft EIR, the proposed project provides recreational amenities and open space for future residents which will offset the demand for the City's parks and recreation. Additionally, a portion of the residents within the development may be seasonal, which would not contribute to a year round demand. Permitted uses, rules, and regulations for the use of these proposed recreational facilities will comply with applicable City standards and requirements. Development of the proposed project is anticipated to result in less than significant impacts to existing neighborhood and regional parks and recreational facilities. No adverse physical effects to the environment are anticipated from the development of the Serena Park project. Therefore, less than significant impacts are anticipated.

4.14: Transportation/Traffic

Congestion Management Program

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.14-1 through 4.14-37 of the Draft EIR, the Coachella Valley Association of Governments (CVAG) has developed a Transportation Uniform Mitigation Fee (TTUMF) that compliments the objectives of the Congestion Management Program (CMP). In this circumstance, the project will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. Therefore, less than significant impacts are expected related to conflicts with the applicable congestion management program.

Air Traffic

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.14-1 through 4.14-37 of the Draft EIR, the airport closest to the project is Palm Springs International Airport, located approximately 0.5 miles south of the Project Site. Due to the estimated density and proposed land use of this project, less than significant impacts are expected related to air traffic. No change in air traffic patterns will result due to the project, since

the projected numbers of residential units are not expected to cause a significant increase in population or air delivery services that would result in a resultant significant increase in air traffic levels. Therefore, impacts associated with Air Traffic are expected to be less than significant.

Hazards

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.14-37 through 4.14-38 of the Draft EIR, the project design includes streets that organically follow the existing site characteristics. The Circulation system shall be designed in compliance with Municipal Code Chapter 12.32 Parking Requirements and Chapter 8.04.510 California Fire Code Additions, Amendments and Deletions. Temporary hazards during construction can arise from conflicts with construction vehicles and passenger traffic. Consultation with the City aids in determining the safety of construction staging areas and off site routes utilized for transporting construction materials and debris (including excavated soils.) Traffic control plans for construction traffic, work to maintain safety during all phases of construction. Therefore, impacts associated with hazards are expected to be less than significant.

Emergency Access

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.14-38 through 4.14-39 of the Draft EIR, Project Traffic Analysis, ingress and egress design appears to include adequate vehicle maneuvering and stacking space to avoid conflicts with internal and external traffic and circulation patterns. No changes to any traffic control devices at any of the key intersections are recommended for any of the scenarios evaluated. The proposed roundabouts appear to include appropriate geometric design features and provide adequate capacity to accommodate future traffic demands. Improvements will be processed through the City and the Fire Department for approval.

The project design will be in compliance with Municipal Code Chapter 8.04.510 California Fire Code Additions, Amendments and Deletions. Therefore, impacts associated with emergency access are expected to be less than significant.

Parking Standards

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.14-39 of the Draft EIR, vehicular parking for the Project would be provided per City standards for associated land uses and therefore ample parking is proposed to be provided in each Planning Area's design. Design will be in compliance with the Municipal Code Chapter 12.32 Parking Requirements and Chapter 8.04.510 California Fire Code including Additions, Amendments and Deletions. Therefore, it is not anticipated that implementation of the Project would result in inadequate vehicular parking. A less than significant impact is anticipated.

Alternate Transportation

Facts in Support of Finding

As presented in and determined by the analysis contained on page 4.14-39 of the Draft EIR, the project includes an integrated system of bicycle and pedestrian trails within its common open space, along separated multi-use pathways in parkways. Trails are proposed according to City of Palm Springs standards. The trail system provides access to bicyclists and pedestrians throughout the site and serves to connect the existing development to the west of, or encircled by, the project with the wash, park and future CV Link Project.

The SunLine Transit Agency currently provides transit service within the City Limits of Palm Springs. Existing public transit service is provided for the project area. The proponents of this project will maintain coordination with the SunLine Transit Agency in order to secure appropriate facilities. Therefore, a less than significant impact is expected relative to adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

4.15: Utilities and Service Systems

Wastewater Services and Treatment

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-11 of the Draft EIR, the proposed Project will result in the construction of 429 residential lots, interior streets, and integrated open space. The project would be connected to public sewer system provided by the Desert Water Agency. An 8" sewer main is located in Farrelll Dr., Verona Rd., East View Rd., and Sunrise Way. Wastewater is transported to Veolia North Amercia's Treatment Plan, a 10.9 mgd trickling filter plant located at 4375 E. Mesquite Dr. Wastewater from the proposed project would be typical of other residential projects in Palm Springs. Therefore, less than significant impacts are anticipated to exceeding wastewater treatment.

Development of the Serena Park project requires the extension and installation of sewer infrastructure to the project site. According to preliminary engineering plans, all sewer lines throughout the project will be installed within the proposed rights-of-way of the internal street system and connection stubs will be established at the locations of each residential site, providing for full services once homes are constructed. To reduce the impact of the proposed project on the existing sewer system, the proposed sewer system will separate flows towards two separate sewer systems. Doing so will satisfy the City of Palm Springs Sewer Master Plan requirements while also alleviating an existing surcharge condition within the existing Palm Springs sewer Collection system.

Proposed sewer infrastructure will comply with applicable wastewater treatment requirements and City standards. The proposed project will be consistent with the adopted General Plan Policies given that the project developer will pay sewer fees associated with project development. According to the City of Palm Springs, it has the capacity to accommodate wastewater generated by the proposed project and the construction of new wastewater treatment facilities is not required. Additionally, the Project is anticipated to attract second homebuyers which will reduce the year-round impacts related to wastewater generation. Therefore, no significant impacts to existing

sanitary water services is expected to result from the development of the proposed project.

Stormwater Management

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-12 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, implementation of the proposed project which includes the creation of impervious surfaces is anticipated to affect current drainage patterns on-site. The project proposes to convey and retain all stormwater flows on-site by way of a private stormdrain and retention basin system. Two retention basins in the form of public and private parks will retain the stormwater flows from the site. Both basins are located in the southern subarea of the development, Retention Basin 1 along Street A in the center of the subarea, and Retention Basin 2 in the southeast corner of the subarea. These basins have a combined capacity of 871,625 Cubic Feet (Approx. 20 Acre Feet). A private stormdrain system beneath street ROW and lettered lots will convey stormwater flows to the retention basins. Temporary impacts to water quality during construction will be mitigated and reduced to less than significant levels through required preparation and implementation of a Storm Water Prevention Pollution Plan throughout all construction activities. Therefore, less than significant impacts to storm water drainage facilities or expansion are expected to result from the future development of the proposed project.

Domestic Water Services

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-12 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, development of the project from its present condition will increase the existing demand for domestic water supply and services. However, in comparison to the site's previous use as a golf course, the site is expected to use less water as a residential development. The Desert Water Agency will provide water service to the site provided on-site water system improvements and portions of the property be set aside for development of domestic water wells. The DWA Master Water Plan shows a 2400 gpm proposed replacement well plant with a 12" proposed pipeline on the northern subarea of the proposed Serena Park project.

Facilities will be analyzed during the design process of any future development and facility fees will be collected to aid in financing any needed extensions/expansions necessitated by the project. Future design of the development will be expected to follow water conservation guidelines included within the Palm Springs General Plan and Desert Water Agency standards to mitigate the impacts to public water supplies. Therefore, less than significant impacts to domestic water services are expected to result from the future development of the proposed project.

Solid Waste Management

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-14 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, implementation of the proposed residential project has the potential to generate

approximately 361 tons of solid waste per year. The proposed land uses on the project site is not expected to produce unusual high quantities of solid waste or hazardous waste materials. Collected solid waste from the project site will be transported to the Edom Hill Transfer Station which has a permitted capacity of 2,600 tons of waste and recyclables per day. During buildout, the Project could contribute approximately 1,983 pounds or 0.99 tons of solid waste to the local transfer station daily. All solid waste activities resulting from the implementation of the proposed project will be carried out in compliance with all State, Federal and local statutes regulating solid waste. Therefore, no significant impacts to solid waste services are expected to result from project implementation.

Electric Services

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-14 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, future development of proposed residential uses on the project site will generate demand for electric services. The annual electrical demand during buildout of the project is approximately 2,475,660 kwh/yr. Project developer will adhere to City and appropriate agencies' development standards and requirements. Project design will incorporate energy efficient standards that comply with Title 24, as required by state law. As a result, no significant impacts to electric services are expected to result from the implementation of the project.

Natural Gas Services

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-15 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, natural gas consumption at the project site is associated with residential uses. Project design will incorporate natural gas conservation measures. The proposed project is not expected to have significant impacts to natural gas services.

Telephone Services

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-15 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, extension of telephone conduits/lines and appurtenances will be necessary to provide telecommunication services to future residents of the proposed project. Verizon will provide telephone services to the project site. Significant impacts to telephone services are not expected to result from project development.

Cable Service

Facts in Support of Finding

As presented in and determined by the analysis contained on pages 4.15-1 through 4.15-16 of the Draft EIR and in the Final EIR Response to Comments and Errata thereto, implementation of the proposed project will require the extension/installation of cable lines and related facilities. Time Warner Cable will provide cable services to the project

site. No significant impacts to cable services are expected to result from the implementation of the proposed project.

3. SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED OR REDUCED WITH MITIGATION

In this section of the Findings of Fact, the City, as authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section Sections 15091 and 15092, identifies the significant impacts that can be eliminated or reduced to a less-than-significant level with the implementation of mitigation measures recommended in the Draft EIR and Final EIR. These mitigation measures are hereby incorporated into the description of the Project and their implementation will be tracked through the Mitigation Monitoring and Reporting Program.

Environmental Analysis

4.2: Air Quality

Construction Related Air Quality

Significant Impact

As presented in and determined by the analysis contained on pages 4.2-1 through 4.2-50 of the Draft EIR, construction of the project may temporarily increase emissions.

Finding

As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the Final EIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

Facts in Support of Finding

Construction activities undertaken to implement all proposed portions of the project will cause temporary increases in localized ROG, NOx, CO, SO2 and PM10 emissions, and concentrations in the project vicinity. However impacts are expected to be less than significant following implementation of recommendations within the Air Quality analysis, City of Palm Springs regulations for grading and construction activities along with the implementation of MM 4.2-1 through MM 4.2-12 as presented in and determined by the analysis contained on pages 4.2-1 through 4.2-51 of the Draft EIR. Less than significant impacts related to a substantial temporary increase in ambient criteria emission levels in the project vicinity above levels existing without the project are expected to result following implementation of mitigation measures and standard conditions during construction activities.

4.3: Biological Resources

Sensitive Species

Significant Impact

As presented in the analysis on pages 4.3-15 through 4.3-16 of the Draft EIR, the burrowing owl was not identified within the developable project area. The habitat is considered suitable. The species commonly enlarges rodent burrows and utilizes them for nesting. The federal Migratory Bird Act prohibits harming the owl. At present time the Service approves of the mitigation provided in the “Staff Report on Burrowing Owl Mitigation” prepared by the California Department of Fish and Game on March 7, 2012. Mitigation approved by the U.S. Fish and Wildlife Service is required to reduce potential impacts to less than significant levels.

Finding

As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the Final EIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

Facts in Support of Finding

As discussed and Analyzed in Section 4.3 of the Draft EIR, the burrowing owl was not found onsite. The absence of this species is unexplained as it is often found in highly disturbed areas where native vegetation has been removed. Burrowing owls are known to be resident species within the city limits of Palm Springs, meaning that they could arrive and inhabit the abandoned golf course at any time. Due to the sites suitable habitat for the Burrowing Owl, a pre-construction survey is required. With implementation of MM 4.3-1, this impact would be mitigated to a level of less than significant.

4.5: Geology and Soils

Geological Constraints

Significant Impact

As presented in and determined by the analysis contained on pages 4.5-7 through 4.5-9, the project site includes potentially significant geological constraints.

Finding

As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the Final EIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

Facts in Support of Finding

The site is expected to be exposed to potentially significant geotechnical constraints and impacts identified within the Geotechnical Analysis such as ground shaking, underlying geologic conditions, wind and water erosion and ground settlement. The site is suitable for the proposed development provided the recommendations primarily contained within the project specific Geotechnical Report are followed in the design and construction of the project. Following implementation of SC 4.5-1 through SC 4.5-3 and MM 4.5-1 through MM 4.5-6, as presented in and determined by the analysis contained on pages 4.5-1 through 4.5-9 of the Draft EIR, the project is expected to result in less than significant impacts related to Geology and Soils.

4.7: Hazards and Hazardous Materials

Construction Related Hazardous Materials

Significant Impact

As presented in and determined by the analysis contained on pages 4.7-6 through 4.7-10 of the Draft EIR, the project could use hazardous materials during construction.

Finding

As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the Final EIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

Facts in Support of Finding

Impacts associated with hazards and hazardous materials that could result during project construction are considered short term. Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. As discussed in Section 4.7 of the Draft EIR, Less than Significant Impacts related to construction are expected, following the implementation of Standard Condition SC4.7-1 as well as Mitigation Measures 4.7-1 and 4.7-3.

4.10: Noise

Temporary or Periodic Noise

Significant Impact

As presented in and determined by the analysis contained on pages 4.10-18 through 4.10-21 of the Draft EIR, the levels of construction noise expected to occur within the neighborhoods surrounding the project site may cause annoyance however severe effects are not expected to result.

Finding

As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the Final EIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

Facts in Support of Finding

A temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project have the possibility of occurrence during construction however impacts are expected to be less than significant following implementation of recommendations within the Noise analysis and the City of Palm Springs regulations for construction noise and with the implementation of Standard Condition SC 4.10-1 through 4.10-4, as well as Mitigation Measures MM 4.10-1 through MM 4.10-7. Less than significant impacts related to a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project are expected to result following implementation of mitigation measures and standard conditions during construction activities.

4.12: Public Services

Significant Impact

As presented in and determined by the analysis contained on pages 4.12-1 through 4.12-18 of the Draft EIR, impacts to fire and police protection services are expected to be less than significant. Adherence to standard conditions is expected to reduce potential impacts to less than significant.

Finding

As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the Final EIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

Facts in Support of Finding

The proposed project would be served by the Palm Springs Fire Department and Police Department. As analyzed in Section 4.12 of the Draft EIR, adequate response times for emergency services of 5-minutes or less will be maintained. Additionally, the project will be required to annex into the City's Community Facilities District (CFD) to assist in the financing of police, fire protection and suppression services and both emergency and non-emergency services. Following the implementation of the Standard Conditions SC 4.12-1 through SC 4.12-10, the Serena Park project is expected to result in less than significant impacts to Public Services.

4.14: Transportation/Traffic

Significant Impact

As presented in and determined by the analysis contained on pages 4.14-40 through 4.10-45 of the Draft EIR, the Project off-site and level of service impacts are forecast to be minimized to less than significant if Year 2020 and Year 2030 off-site improvements are made following the Standard Conditions and Mitigation Measures on 4.14-47 through 4.14-49.

Finding

As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the Final EIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

Facts in Support of Finding

All of the key intersections evaluated will operate at acceptable levels of service upon project buildout in the year 2020 with the intersection improvements. Additionally, no unsignalized key intersections will require signalization in the year 2030 with or without site traffic. All of the signalized key intersections evaluated will operate at acceptable levels of service in the year 2030 with the intersection improvements. Following implementation of Standard Conditions and Mitigation Measures, the project is expected to result in less than significant impacts related to an applicable plan, ordinance or policy establishing measures of effectiveness for performance of the circulation system at nine of the ten intersections.

4. SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED

Section 21100(b)(2)(A) of the State CEQA Guidelines provides that an EIR shall include a detail statement setting forth "in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented". Accordingly, this section provides a summary of the significant and unavoidable environmental impacts of the proposed project that cannot be mitigated to a less than significant level even after the implementation of mitigation measures with respect to the following areas:

Environmental Analysis

4.2: Air Quality

Cumulative

Finding

As presented in and determined by the analysis contained on pages 5-4 through 5-5 of the Draft EIR, significant and unavoidable cumulative impacts would occur in regard to air quality under the General Plan. Per the Air Quality Report prepared by Endo Engineering (Appendix C), air quality impacts associated with the proposed project may

be considered cumulatively considerable because the project is not consistent with the population growth assumed as the basis for the development of the most recently adopted *Air Quality Management Plan*. Since the proposed Project is introducing residential land uses to an area designated as Open Space, the associated cumulative impacts associated with operational activities and potential emissions of Ozone precursors and PM10 are considered adverse and unavoidable in the long-term.

4.6: Greenhouse Gas Emissions

Finding

As presented in and determined by the analysis contained on pages 4.6-1 through 4.6-17 of the DEIR, the proposed Project has the potential to exceed two of the significance thresholds. PM10 emissions during activities required to construct the residential buildings and ROG emissions during the architectural coating application phase could exceed the SCAQMD significance thresholds. The design features incorporated in the Preferred Alternative would reduce its long-term GHG emissions by approximately 139.24 metric tons per year (2.2 percent). Project design features are found on pages 4.6-13 through 4.6-14 on Table 4.6-4 *Proposed Project Design Features To Reduce GHG Emissions* and Table 4.6-5 *Project Recommended Design Features To Reduce GHG Emissions*. While mitigation measure in place could help reduce impacts, these would not be sufficient to avoid significant and unavoidable GHG impacts in the long term.

Global Climate Change and Greenhouse Gas

Finding

As presented in and determined by the analysis contained on pages 4.6-1 through 4.6-17 of the Draft EIR, the proposed Project will undoubtedly increase vehicular movement through the proposed Project creating GHG emissions that were not previously forecast to do so in the attempt to meet State projected GHG targets. However, following Table 4.6-5 *Project Recommended Design Features To Reduce GHG Emissions*, would allow the proposed project less likely to prevent California from achieving the GHG reduction targets identified under AB 32 to reduce the State's impact on climate change. However, the cumulative impact on climate change associated with many such projects throughout California would create significant and unavoidable impacts.

4.14: Transportation/Traffic

Whitewater Club/Vista Chino Intersection

Finding

As presented in and determined by the analysis contained on page 4.14-49 of the Draft EIR, significant and unavoidable impacts would occur in regard to the intersection of Whitewater Club and Vista Chino. This intersection is projected to have an operational deficiency upon General Plan buildout, with or without the proposed project, no appropriate and feasible mitigation is recommended. Therefore, implementation of the proposed Project would create a significant and unavoidable impact in this regard.

5. REVIEW AND REJECTION OF ALTERNATIVES

Section 15126.6 of the CEQA Guidelines requires the consideration and discussion of alternatives to proposed projects. According to these guidelines, an EIR shall “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

State CEQA Guidelines Section 15126.6 (e) (1) declares that the specific alternative of “no project” shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

Because not all significant effects can be substantially reduced to a less-than-significant level either by adoption of mitigation measures or by standard conditions of approval, the following section considers the feasibility of the Project alternatives as compared to the proposed Project.

As explained below, these findings describe and reject, for reasons documented in the Draft/Final EIRs and are summarized below, each one of the Project alternatives, and the City finds that approval and implementation of the initial Project design is appropriate. The evidence supporting these findings is presented in Chapter 7.0 of the Draft EIR.

Alternative 1: No Project

The “No Project” (Alternative 1) assumes that the proposed construction of 429 residences, internal circulation system, public parks, stormwater retention facilities, and utility infrastructure does not occur. Development of the site would not occur under the existing General Plan and Zoning designations. Under this Alternative, the project site would remain under its current Land Use as Open Space – Parks/Recreation. The Land Use Element of the General Plan establishes that areas under the Open Space – Parks/Recreation are used for facilities intended for recreational uses. The site was previously used as a golf course, but is currently vacant. It is expected that the site would remain in its current, vacant condition under the alternative.

Finding

Specific economic, legal and other considerations make Alternative 1, identified in the Draft/Final EIRs described above, a less desirable alternative for the Project Applicant and the City of Palm Springs.

Facts in Support of Finding

The “No Project Alternative” has reduced impacts versus the “Preferred Alternative” for Agriculture, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality,

Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, and Utilities and Service Systems; all primarily due to the lack of construction and subsequent lack of new residences and residents. However, this alternative has greater impacts than the “Preferred Alternative” on Aesthetics and Recreation. The “No Project” alternative assumes that the entire site will remain in its current land use as vacant land.

Alternative 2: Residential (350 units) Plus 20 acre Soccer Park

The Residential (350 units) Plus 20 acre Soccer Park (Alternative 2) assumes the redevelopment of the 140 acre former golf course with 350 single-family residential lots (137 as age-restricted cluster product) and space for a 20 acre soccer park which would be provided to the City adjacent to the Whitewater River levee. The 120 acre residential portion of the project would require a General Plan Amendment from Open Space Private to Low Density Residential along with a Change of Zone/Planned Development District to bring the zoning into consistency with the proposed General Plan designation and the public park portion would remain consistent under the current applicable General Plan and Zoning Open Space (Private) designation.

Finding

Specific economic, legal and other considerations make Alternative 2, identified in the Draft/Final EIRs described above, a less desirable alternative for the Project Applicant and the City of Palm Springs.

Facts in Support of Finding

Alternative 2 offers reduced impacts versus the “Preferred Alternative” for Air Quality, Biological Resources, Cultural Resources, Noise, and Traffic all primarily due to the relatively smaller amount of construction. However, this alternative has greater impacts than the “Preferred Project” on Aesthetics, Public Services, Transportation and Recreation due to a limited extension of vehicular circulation system improvements and open space system improvements for regional pedestrian and bicycle access.

Alternative 3: Larger Lot Single Family Residential/Age Restricted Community

Alternative 3 would redevelop the 140 acre former golf course with two housing products—the southern section would be subdivided into standard 10,000 square foot single family lots and the northern section would also be subdivided into 10,000 square foot lots in a cluster layout. The total yield would be 274 lots. This alternative is also suggested as a private, gated community with an HOA to maintain the common area open spaces and other common area features and facilities. With this proposal, no public park is being shown. This alternative would include a General Plan Amendment to enable the residential component of the project, along with a Planned Development District in lieu of a Change of Zone, a Major Architectural Approval application and a Tentative Tract Map application.

Finding

Specific economic, legal and other considerations make Alternative 3, identified in the Draft/Final EIRs described above, a less desirable alternative for the Project Applicant and the City of Palm Springs.

Facts in Support of Finding

Alternative 3 of the “Larger Lot Single Family Residential/Age Restricted Community” has reduced impacts versus the “Preferred Project” for Air Quality, Biological Resources, Cultural Resources, Noise, and Traffic all primarily due to the relatively smaller amount of construction. However, this alternative has greater impacts than the “Preferred Project” to Recreation due to open space system improvements for recreation, pedestrian and bicycle access.

RESOLUTION NO. _____

EXHIBIT B

Case 5.1327 PD-366 / ZC / MAJ / TTM 36691

Palm Springs Country Club, LLC
"Serena Park"

September 7, 2016

STATEMENT OF OVERRIDING CONSIDERATIONS

The City of Palm Springs is the Lead Agency under the California Environmental Quality Act (CEQA), responsible for preparation, review and certification of the Final Environmental Impact Report (FEIR) for the Serena Park development project. As the Lead Agency, the City is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant. CEQA also requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed action.

In making this determination the Lead Agency is guided by the CEQA Guidelines Section 15093 which provides as follows:

a) "CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the Project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable"

b) "When the Lead Agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The Statement of Overriding Considerations shall be supported by substantial evidence in the record."

c) "If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination."

In addition, Public Resources Code Section 21082(a) requires that where a public agency finds that economic, legal, social, technical, or other reasons make infeasible the mitigation measures or alternatives identified in the EIR and thereby leave significant unavoidable adverse project effects, the public agency must also find that overriding economic, legal, social, technical or other benefits of the project outweigh the significant unavoidable adverse effects of the project.

The Draft/Final EIRs identified a number of alternatives to Serena Park (the proposed Project) to evaluate and determine the extent to which they meet the basic Project objectives, while avoiding or substantially lessening any significant adverse impacts of the proposed Project.

The proposed action consists of the certification of the Serena Park EIR for the implementation of a Development Agreement, which would provide eligibility for the Project Applicant to redevelop the former Palm Springs Country Club golf course with approximately 429 single family residential units and a five-acre public park. This would consist of 137 single story, attached residences in the northern portion (Attached Residential Subarea) and 292 detached single-family residences on the southern portion (Single Family Subarea). Residential units would include a mix of market rate and active adult housing (market rate). The project would include 43.4 acres of private common areas/paseos for use by residents and an approximately 5-acre public park. Land for the public park will be dedicated to the City and could serve as a trailhead for the future “CV Link” multi-purpose regional trail planned along the adjacent levee.

Analysis in the EIR for this Project has concluded that the proposed Project will result in Air Quality, Greenhouse Gas Emissions, and traffic impacts that cannot be mitigated to a less significant level. All other potential significant adverse Project impacts have been mitigated to a level less than significant based on mitigation measures in the Draft/Final EIRs. All significant unavoidable adverse impacts are identified in the EIR and are described in detail in the Statement of Findings and Facts in Support of Serena Park EIR.

The City of Palm Springs has determined that the significant unavoidable adverse Project impacts related to Air Quality, Greenhouse Gas Emissions, and traffic impacts, which will remain after mitigation, are acceptable and are outweighed by specific social, economic and other benefits of the Project. In making this determination, the following factors and public benefits were considered as overriding considerations to the identified unavoidable significant adverse impacts of the proposed Project:

- To redevelop a fallow and nonfunctional golf course with productive residential and recreational uses, and to eliminate public nuisance conditions associated with the property, including dust control and blowsand mitigation, removal of overgrown and invasive vegetation, and unauthorized use of the property by recreational vehicle/all-terrain vehicle users.
- To develop residential and recreational uses on the property in a manner compatible with surrounding land uses by using appropriate planning, landscaping and architectural design approaches.
- To provide high-quality single family residences in Palm Springs designed to be marketable and meet increased housing demand driven by population growth and retiring seniors.
- To provide a park on a portion of the property for neighborhood recreational purposes in an area that has been determined to be underserved, pursuant to

Figure 5-1 of the Recreation, Open Space & Conservation Element of the City of Palm Springs General Plan.

- To provide an interim alignment of the CV Link Trail through the property as a public benefit and recreational amenity for Palm Springs residents.

RESOLUTION NO. _____

EXHIBIT C

Case 5.1327 PD-366 / ZC / MAJ / TTM 36691

Palm Springs Country Club, LLC
"Serena Park"

September 7, 2016

Mitigation Monitoring Reporting Program

Mitigation Measure	Source/ Responsible Party	Proposed Date	Actual Date	Comments	Non-compliance Sanction/Activity
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0.4 MITIGATION MONITORING REPORTING PROGRAM

Air Quality

MM 4.2-1: During grading, earth disturbing and construction activities, the project developer shall employ adequate watering techniques to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day, as part of the construction specifications.	Project Contractor	During Grading and Construction Activities			
MM 4.2-2: During grading, earth disturbing and construction activities the project developer shall pave any construction access roads as soon as possible and clean after each workday. The maximum vehicle speed limit on unpaved road surfaces should be 15 mph.	Project Contractor	During Grading and Construction Activities			
MM 4.2-3: During grading, earth disturbing and construction activities the project developer shall ensure that all trucks maintain at least two feet of freeboard.	Project Contractor	During Grading and Construction Activities			
MM 4.2-4: During grading, earth disturbing and construction activities, the project developer shall ensure that trucks hauling dirt, sand, soil, or other loose dirt material off-site are covered and washed	Project Contractor	During Grading and Construction Activities			

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off before leaving the site.					
MM 4.2-5: During grading, earth disturbing and construction activities, adjacent streets shall be swept if silt is carried over to adjacent public thoroughfares. The project developer shall provide required street sweeping.	Project Contractor	During Grading and Construction Activities			
MM 4.2-6: During grading, earth disturbing and construction activities, the project developer, per construction specifications, shall ensure that any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.	Project Contractor	During Grading and Construction Activities			
MM 4.2-7: During all grading and earth disturbing activities, the project developer shall comply with the provisions of the City of Palm Springs Municipal Code (Chapter 8.50 Fugitive Dust Control), which establishes minimum requirements for construction activities, unpaved roads, unpaved parking lots, disturbed vacant lands, and paved roads to reduce fugitive dust and PM10 emissions. A Fugitive Dust Control Plan describing fugitive dust sources at the site and the Coachella Valley Best Available Control Measures to be implemented for each fugitive dust	Project Developer and Project Contractor	Prior to Grading and Construction Activities			

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<p>source during any dust-generating activity from the Coachella Valley Fugitive Dust Control Handbook (SCAQMD; May, 2003) shall be prepared and submitted to the City of Palm Springs for approval, prior to the issuance of any grading permits or building permits associated with the project and prior to the initiation of any earth-moving operations.</p>					
<p>MM 4.2-8: Throughout all grading, earth disturbing and construction activities, the project developer shall comply with the Uniform Building Code (Chapter 70) and the Palm Springs Municipal Code (Section 9.60.040). The developer(s) of the site shall be responsible for compliance with all applicable City of Palm Springs blowsand control measures.</p>	<p>Project Developer and Project Contractor</p>	<p>During Grading and Construction Activities</p>			
<p>MM 4.2-9: Throughout all grading, earth disturbing and construction activities the project developer shall comply with all applicable SCAQMD Rules and Regulations including but not limited to the following:</p> <ul style="list-style-type: none"> • Rule 403 (Fugitive Dust) specifies control measures for use in developing site specific fugitive dust control plans to minimize blowing dust from construction sites and insure the cleanup of construction-related dirt on approach routes to the site including: watering measures, chemical stabilizers, wind fencing, covering haul vehicles, bed liners in 	<p>Project Developer and Project Contractor</p>	<p>Prior to Grading and Construction Activities</p>			

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<p>haul vehicles, wheel washers, and high wind measures;</p> <ul style="list-style-type: none"> • Rule 1108 and 1108.1 prohibits the use of rapid and medium cure cutback asphalts as well as organic compounds in emulsified asphalts used during the construction process; and • Rule 1113 (Architectural Coatings) restricts the VOC content of any architectural coating materials used on-site to a maximum of 2.08 pounds of VOC per gallon. 					
<p>MM 4.2-10: Building construction on-site shall, at a minimum, comply with the 2013 statewide energy efficiency standards pursuant to California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.</p>	Project Developer	Prior to Issuance of Grading Permits			
<p>MM 4.2-11: The project proponent shall comply with all applicable City of Palm Springs requirements regarding master planned bikeways (including a future Class I bikeway located top of the levee) and multi-purpose trails within and/or adjacent to the project site.</p>	Project Developer	Prior to Issuance of Grading Permits			

Mitigation Measure	Source/ Responsible Party	Proposed Date	Actual Date	Comments	Non-compliance Sanction/Activity
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MM 4.2-12: The architectural coatings used for the project shall have an average of 150 grams or less of VOC per liter to achieve net (mitigated) project emissions below 75 pounds per day.	Project Contractor	During Construction Activities			
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Biological Resources

MM 4.3-1: The project proponent shall ensure that a burrowing owl preconstruction survey takes place at least 30 days prior to site disturbance. If an active burrow is found during the clearance survey, a biological monitor should be placed onsite during ground disturbance.	Project Developer	Prior to Grading and Construction Activities			
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MM 4.3-2: The project proponent shall incorporate all relevant adjacency guidelines found in the CVMSHCP Section 4.5 during design and construction activities for the South Village.	Project Developer	Prior to Grading and Construction Activities			
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Cultural Resources

MM 4.4-1: A resource cultural inventory shall be prepared by a qualified archaeologist prior to project development.	Project Developer	Prior to Grading and Construction Activities			
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Geology and Soils

MM 4.5-1: The project contractors shall adhere to the recommendations contained within the project specific Geotechnical Report throughout grading and construction activities.	Project Contractor	During Grading and Construction Activities			
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<p>MM 4.5-2: All structural design shall adhere to the structural recommendations within the site specific Geotechnical Reports for each portion of the project. Minimum seismic design should comply with the most current edition of the California Building Code using the seismic coefficients given in the Geotechnical Report.</p>	Project Developer	Prior to Issuance of Grading Permits			
<p>MM 4.5-3: Design Level Geotechnical Engineering Report(s) shall be prepared for grading and construction activities.</p>	Project Developer	Prior to Issuance of Grading Permits			
<p>MM 4.5-4: A representative of the soils consultant shall observe site clearing, grading and the bottoms of excavations before placing fill. Local variation in soil conditions may warrant adjustments such as increasing the depth of recompaction and over-excavation. The soils consultant shall be retained during the construction of the proposed improvements to provide testing and observe compliance with the design concepts and geotechnical recommendations, and to allow design changes in the event that subsurface conditions or methods of construction differ from those assumed while completing the soils analysis.</p>	Soils Consultant Contracted by Project Developer or Project Contractor	During Grading and Construction Activities			
<p>MM 4.5-5: At the start of site grading for all portions of the project, existing vegetation, trees, large roots, pavements, foundations, non-engineered fill, construction debris, abandoned underground utilities</p>	Project Contractor	During Grading and Construction Activities			

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and other deleterious material shall be removed from the proposed building, structural, tank, pavement areas and areas that receive fill. The surface shall be stripped of organic growth and removed from the construction area. Areas disturbed during demolition and clearing shall be properly backfilled and compacted.					
MM 4.5-6: Positive drainage shall be maintained away from the structures and shall include a minimum gradient of 5% for a minimum distance of 5 feet. Water should not pond on or near paved areas.	Project Developer	Prior to Issuance of Grading Permits			

Greenhouse Gasses

<p>MM 4.6-1 The project developer should incorporate a strategy of the following practices that help mitigate Greenhouse Gas emission impacts.</p> <ul style="list-style-type: none"> • Reuse and recycle construction waste. • Follow and enforce idling time limits for construction vehicles and commercial delivery vehicles. • Integrate a reuse and recycling program in the project. • Ensure consistency with "smart growth" policies and meet recognized benchmarks (i.e., mixed use, higher-density projects that provide alternatives to individual vehicle travel and promote the efficient 	Project Developer	Prior to Issuance of Grading Permits			
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<p>delivery of goods and services).</p> <ul style="list-style-type: none"> • Preserve and create open space and parks and plant trees. • Incorporate public transit into the project design. • Incorporate pedestrian and bicycle facilities in the project design. • Provide amenities to encourage non-motorized transportation (such as secure and convenient bicycle parking). • Create bike lanes and shared walking/bike paths that connect neighborhoods to parks and open space design elements. • Incorporate green building practices and design elements. • Meet recognized green building and energy efficiency benchmarks. • Include energy efficient indoor and outdoor lighting, heating and cooling systems, appliances, equipment, and control systems. • Incorporate passive solar design (e.g., orient buildings and incorporate landscaping to maximize passive solar heating in cool months, minimize solar heat gain in hot months, and enhance 					

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<p>natural ventilation).</p> <ul style="list-style-type: none"> • Incorporate light colored roofs and cool pavement materials. • Incorporate solar power systems with energy storage and solar hot water heaters. • Incorporate solar panels on unused roof space and over parking areas. • Incorporate water reducing features into building and landscape design. • Create water efficient landscapes. • Incorporate water-efficient irrigation systems and devices. • Make effective use of gray water for landscape irrigation. • Retain storm water runoff on-site to reduce the need for imported water. • Design buildings to be water-efficient (install water-efficient fixtures and appliances). • Build or contribute to the cost of a transit stop near the development. • Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles. 					

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Hazards and Hazardous Materials

MM 4.7-1: The developer shall ensure that enforcement of the City's and County's hazardous materials policies combined with State and Federal law and appropriate Industry Regulations and Standards be incorporated throughout the life of the project.	Project Developer	Prior to Issuance of Grading Permits			
MM 4.7-2: The project's drainage system shall be designed to reduce contaminant content in on-site storm flows and nuisance water prior to release into the public storm drain system, as required by local, State and Federal regulations.	Project Developer	Prior to Issuance of Grading Permits			
MM 4.7-3: All design and construction activities shall be conducted in compliance with standard regulations related to emergency response contained with the City's Municipal Code.	Project Contractor	Prior to Issuance of Grading Permits			
MM 4.7-4: The developer shall ensure that the project complies with the Conditions identified by the Riverside County Airport Land Use Commission.	Project Developer	Prior to Issuance of Grading Permits			

Noise

MM 4.10-1: The Developer shall ensure that all construction equipment, fixed or mobile, is equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds throughout construction activities.	Project Contractor	Prior to Grading and Construction Activities			
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MM 4.10-2: The developer shall ensure that all construction equipment is in proper working order and maintained in a proper state of tune to reduce backfires throughout all construction activities.	Project Contractor	Prior to Grading and Construction Activities			
MM 4.10-3: The developer shall ensure that stockpiling and vehicle staging areas are located as far as practical from noise-sensitive receptors throughout all construction activities.	Project Contractor	Prior to Grading and Construction Activities			
MM 4.10-4: The developer shall ensure that parking, refueling and servicing operations for all heavy equipment and on-site construction vehicles are located as far as practical from existing homes throughout all construction activities.	Project Contractor	During Grading and Construction Activities			
MM 4.10-5: The developer shall ensure that every effort be made throughout all construction activities to create the greatest distance between noise sources and noise-sensitive receptors located in the vicinity of the project site.	Project Contractor	Prior to Grading and Construction Activities			
MM 4.10-6: The developer shall ensure that stationary equipment is placed such that emitted noise is directed away from noise-sensitive receptors during all construction activities.	Project Contractor	During Grading and Construction Activities			
MM 4.10-7: The developer shall ensure that the project complies with all requirements identified in the Riverside County Airport Land Use Compatibility Plan Policy Document (Adopted March 2005) related to the residential development within the Palm	Project Developer	Prior to Issuance of Grading Permits			

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Springs International Airport Influence Area, as discussed on pages 4.10-14 and 4.10-15 of the DEIR.					

Public Services

MM 4.12-1: Prior to issuance of grading permit, the project developer shall pay appropriate fees to the Palm Springs Unified School District. Payment of fees will mitigate school impacts.	Project Developer	Prior to Grading and Construction Activities			
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Transportation/Traffic

<p>MM 4.14-1: As required by the City of Palm Springs, the project proponent shall contribute on a fair-share basis to the cost of the construction of street improvements (consisting of pavement widening, curb and gutter and sidewalks) which shall be constructed in conjunction with approved phasing plans for development and/or associated with an approved Final Map or Maps (if the development is phased) as follows:</p> <ul style="list-style-type: none"> • Whitewater Club Drive, north of Verona Road: reconstruction of the northern terminus and access to the existing Palm Springs Country Club and Alexander Estates; and • San Rafael Drive, east of Sunrise Way: reconstruction of the access road between 	Project Developer	Prior to Grading and Construction Activities			
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Sunrise Way and the Golden Sands Mobile Home Park.					
MM 4.14-2: The project developer/applicant shall be responsible for construction of all private streets, in conjunction with approved phasing plans for development and/or as associated with an approved Final Map or Maps (if the development is phased).	Project Developer	Prior to Grading and Construction Activities			
MM 4.14-3: The project applicant shall contribute on a fair-share basis to circulation improvements required on roadways and/or at intersections that are not in the TUMF program, as specified by the Palm Springs City Engineer. The applicant's fair share contribution to the cost of improvements at intersections involving roadways that are not part of the CMP System is identified in Section 4b of the Traffic Analysis.	Project Developer	Prior to Grading and Construction Activities			
MM 4.14-4: As required by the City of Palm Springs, the project proponent shall contribute on a fair-share basis to the cost of mitigation at two off-site key intersections by the dates provided in the Traffic Analysis. <ul style="list-style-type: none"> • Farrell Drive at Vista Chino - add a dedicated northbound right-turn lane. • Sunrise Way at Vista Chino - add a second dedicated southbound left-turn lane. 	Project Developer	Prior to Grading and Construction Activities			

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MM 4.14-5: The project developer/applicant shall coordinate with SunLine Transit Agency regarding required public transit facilities on and adjacent to the project site. Any required public transit facilities shall be furnished, constructed and installed in conjunction with construction of the associated street improvements.	Project Developer	Prior to Grading and Construction Activities			

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT (PD-366) IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 126-ACRE SITE FORMERLY KNOWN AS THE PALM SPRINGS COUNTRY CLUB GOLF COURSE GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH.

City Attorney's Summary

This Ordinance approves a planned development district in lieu of a zone change to accommodate the development of 386 residential units, private streets and open space on a site of 126+/- acres of land generally located north of Verona Road, East of Sunrise Way and southwest the Whitewater River watercourse channel.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS AND DETERMINES AS FOLLOWS:

A. Palm Springs Country Club, LLC. ("Applicant") filed an application pursuant to Palm Springs Zoning Code Section 94.07.00 (*Zone Map Change / Change of Zone*) and Section 94.03.00 (*Planned Development District*) seeking approval of a Planned Development District in lieu of a Change of Zone (Case 5.1327 PD-366) to construct 386 residential dwellings, private streets and open space, including a public park, on 126-acres of previously disturbed land (defunct golf course) generally located north of Verona Road, east of Sunrise Way, and southwest of the Whitewater River channel (APN 501-190-002, 501-190-011, 669-480-027) ("Project").

B. The Applicant submitted related Project applications, including a General Plan Amendment (Case 5.1327 PD-366/GPA) to change the land use designation from Open Space – Parks/Recreation to Very Low Density Residential; a Tentative Tract Map application (Case TTM 36691) to subdivide the subject property into 386 residential lots and common area parcels for public and private streets and open space pursuant to Title 9 of the Palm Springs Municipal Code; a Major Architectural application to review proposed architecture pursuant to Section 94.04.00 of the Zoning Code; and a Development Agreement (Case 5.1327 DA) to establish conditions, terms and obligations for the development of the Project.

C. A notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law, and on April 13, 2016, the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the

hearing on the Project, including but not limited to the staff report, and all written and oral testimony presented and voted 5-1 to recommend approval to the City Council of the Project.

D. A notice of public hearing of the City Council of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law and on September 7, 2016, the City Council held a public hearing in accordance with applicable law.

E. A Planned Development District in lieu of a Change of Zone is required to be adopted by ordinance as provided in the City's Municipal Code.

F. The City Council has carefully reviewed and considered all of the evidence presented in connection with the meetings on the Project, including but not limited to the staff report, the Environmental Impact Report (Draft and Final versions), and all written and oral testimony presented and finds that the Project complies with the requirements of Section 94.07.00 of the City's Zoning Code. The City Council makes the following specific findings based on specific evidence as described after each finding:

1. The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.

The Project includes a request to change the land use designation from Open Space – Parks/Recreation to Very Low Density Residential. This request will be heard concurrently with the proposed change of zone.

In addition to Land Use Element of the 2007 General Plan, the Project was reviewed for conformity with General Plan Policies as follows:

- Policy CD.22.1; *Require new and infill development to be of compatible scale, materials, and massing as existing development. Also ensure that the design character of the new development is appropriate to the area.*

The proposed development is of a similar scale to the surrounding development, and would create additional density compatible with its surrounding patterns of development. The proposed residences will be limited to one story in height, which is similar to the scale and massing of other single-family residential development in the area. The design character and materials proposed for the residences are similar to those found in adjacent neighborhoods, so that the proposed residences will be consistent with their immediate context.

- Policy CD.22.7 *Ensure that residential communities are well connected with each other and with nearby commercial uses through the inclusion of pedestrian and bicycle friendly design feature such as trails, paths, and pedestrian oriented streets in the neighborhood's design.*

The proposed development will use existing street connections for primary access points to the site. New pedestrian paths will be created in open landscape areas between dwellings and separated from vehicular streets. The project will potentially include an access way through the site for the Coachella Valley Link ("CV Link"). These will enhance connectivity internally and through the site.

2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.

The applicant proposes 386 attached and detached single family residential dwellings. The residences will be constructed on lots that are at least 5,000 or 8,000 square feet in size, and the density of the project (at 3.1 dwelling units per acre) is slightly less than the single-family neighborhoods in the surrounding area. The applicant is seeking specific development standards for the proposed homes which are similar to other developments in the surrounding areas, including similar height limits and general setback requirements. Street access is provided to all homes and all streets will be wide enough to accommodate emergency access vehicles. The project is surrounded by a variety of related residential uses, including multi-family condominiums and single family homes. Therefore, the subject property is suitable for the uses permitted and proposed in PD-366.

3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.

The Project will enhance the current derelict open space condition. The requested PD in lieu of a change of zone proposes uses and development standards that are consistent and complementary with some of the existing properties adjacent to the project site. The density of the project is similar to that of the adjacent single-family neighborhoods, but features a greater amount of common open space as a means to provide additional buffers between the project and existing neighborhoods. Homes will be separated by open space with landscape paths. A park will be developed as a part of the Project that will be beneficial to adjacent properties and residents. Therefore, the proposal is not likely to be detrimental to the adjacent properties and residents.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:

SECTION 1. CEQA.

The Project is considered a "project" pursuant to the California Environmental Quality Act (CEQA). An EIR has been prepared for the Project that evaluates the potential environmental impacts of the Project. The City Council has reviewed and considered the information in the final EIR and has, by separate resolution, certified the final EIR in accordance with CEQA.

SECTION 2. Preliminary PD in lieu of a Zone Change.

The City Council approves PD 366 in lieu of a Change of Zone as conditioned by City Council Resolution No. _____ for Case 5.1327 PD-366 ZC/DA/MAJ/TTM 36691.

SECTION 3. Zoning Map change.

The City Council approves the zone map change from "O" and "O-5" to PD 366 for a roughly 126-acre site generally located north of Verona Road, East of Sunrise Way and southwest of the Whitewater River watercourse channel, in conjunction with Case Nos. 5.1327 PD-366 ZC/DA/MAJ/TTM 36691.

SECTION 4. Effective Date.

This Ordinance shall be in full force and effect thirty (30) days after passage.

SECTION 5. Expiration.

If the entitlement granted under City Council Resolution No. _____ expires, this Ordinance shall automatically expire without notice, and the site shall revert to its previous zoning designations of "O" and "O-5".

SECTION 6. Publication.

The City Clerk is hereby ordered to and directed to certify to the passage of this Ordinance, and to cause the same or summary thereof or a display advertisement, duly prepared according to law, to be published in accordance with law.

ADOPTED this 7th day of September, 2016.

MAYOR

ATTEST:

City Clerk

CERTIFICATION:

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California \

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR A 386-UNIT RESIDENTIAL DEVELOPMENT ON A 126-ACRE DEVELOPMENT PARCEL GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY AND SOUTHWEST OF THE WHITEWATER RIVER WASH (CASE 5.1327 PD-366/MAJ).

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS AND DETERMINES AS FOLLOWS:

A. Palm Springs Country Club, LLC ("Applicant") filed an application pursuant to Palm Springs Zoning Code (PSZC) Chapter 94 for Major Architectural approval of a 386-unit residential development on a site of 126 acres, which is part of a larger 156-acre development parcel (APN: 501-190-002, 501-190-011 and 669-480-027) ("Project").

B. The Applicant submitted related Project applications, including a General Plan Amendment (Case 5.1327 PD-366/GPA) to change the land use designation from Open Space – Parks/Recreation to Very Low Density Residential; a Planned Development District in lieu of a Change of Zone (Case 5.1327 PD-366) to establish development standards for the Project site; a Tentative Tract Map application (Case TTM 36691) to subdivide the subject property into 386 residential lots, public and private streets, and open space; and a Development Agreement (Case 5.1327 DA) to establish conditions, terms and obligations for the Project.

C. A notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law, and on April 13, 2016, the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the Project, including but not limited to the staff report, and all written and oral testimony presented and voted 5-1 to recommend approval to City Council of the Project.

D. On August 3, 2016, a public hearing on the applications for the Project was held by the City Council in accordance with applicable law. After taking public testimony, the City Council voted to continue the items to the meeting of September 7, 2016.

E. At the meeting of September 7, 2016, the City Council carefully reviewed and considered all of the evidence presented in connection with the hearing on the Project including, but not limited to, the EIR (Draft and Final versions), the staff reports on all aspects of the proposed Project, and all written and oral testimony presented. The City Council specifically finds the following pursuant to the criteria listed in Palm Springs Zoning Code (PSZC) Section 94.04.00:

1. *Does the proposed development provide a desirable environment for its occupants?*

As it relates to the detached single-family development, each residence will have small private yards and private pool areas, a desirable environment for many seeking home ownership in Palm Springs. The attached single-family residences have small private patio areas with no space for pools. Common outdoor recreation areas within the private open space areas in close proximity would provide a more desirable environment for those within the development. All residences will include two covered parking spaces for shading during summer months. Walking paths are proposed throughout the Project to create a desirable environment for residents.

2. *Is the proposed development compatible with the character of adjacent and surrounding developments?*

The Project is mostly compatible with the existing development in the surrounding areas. The Project proposes single-story residential development consistent in density and development.

3. *Is the proposed development of good composition, materials, textures, and colors?*

The Project architecture includes contemporary architectural design prototypes for the various residential areas within the planned development. Final architectural design will be reviewed once the Final Development Plan has been submitted.

4. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas.*

The Project offers small private yards in for the single-family residences. The proposed PD and tract map requests approval of 5,000 square-foot lots with reduced setbacks and greater lot coverage, in exchange for the provision of greater common open space. Sidewalks are proposed throughout the common open space areas and will provide separation between pedestrian and vehicular traffic.

5. *Harmonious relationship with existing and proposed adjoining developments and in the context of immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted.*

Proposed land uses and densities generally reflect adjacent existing developments around the Project. The southerly triangle includes lots similar in size to the adjacent R-1-C zoning and parcels similar in size to the Four Seasons

development located to the northwest. The northerly triangle includes smaller compact lots surrounding the residential mobile home park.

6. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment.*

The proposal is seeking deviations to development standards in exchange for greater common open space, and includes the following:

- Reductions in lot size and minimum dimensions;
- Reductions in setback requirements;
- Reductions in lot coverage requirements for individual lots; and
- Increase in maximum building height to 19 feet.

In exchange for these reductions, the applicant is dedicating 47% of the overall development parcel for common open space.

7. *Building design, materials and colors to be sympathetic with desert surroundings.*

Conceptual building designs have been provided and appear well composed. Final building materials and colors will be evaluated during the Final Development Plan review.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES AS FOLLOWS:

SECTION 1. CEQA.

The Project is considered a "project" pursuant to the California Environmental Quality Act (CEQA). An EIR has been prepared for the Project that evaluates the potential environmental impacts of the Project. The City Council has reviewed and considered the information in the final EIR and has, by separate resolution, certified the final EIR in accordance with CEQA.

SECTION 2. Major Architectural Application.

The City Council approves the Major Architectural application (Case 5.1350 PDD-366/MAJ) with conditions as outlined in attached Exhibit "A."

ADOPTED THIS 7TH DAY OF SEPTEMBER, 2016.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

RESOLUTION NO. _____

EXHIBIT A

Case 5.1327 PD-366/ZC/MAJ/TTM 36691

Palm Springs Country Club, LLC
"Serena Park"

September 7, 2016

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

CITY COUNCIL SPECIFIC CONDITIONS

PC 1. List any conditions as added by the City Council.

ADMINISTRATIVE CONDITIONS

ADM 1. Project Description. This approval is for the project described per Case 5.1327 PD-366, TTM 36691 and Development Agreement; except as modified with the approved Mitigation Monitoring Program and the conditions below.

ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans. The Preliminary Development Plans shall be the basis for submitting Final Development Plans. The project shall be consistent with all Final Development Plans, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.

ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City, County, State and Federal Codes, ordinances, resolutions and laws that may apply.

1013-01

- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Tentative Map. This approval is for Tentative Tract Map 36691, date stamped October 1, 2015, subject to any revisions to the map as imposed by City Council upon approval of the project. Any revisions to the Tentative Tract Map shall be reviewed and approved by the City prior to the submittal of the Final Map. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.
- ADM 6. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1327 PD-366 and TTM 36691. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
- ADM 7. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 8. Time Limit on Approval. Approval of the Planned Development District (PD) and Tentative Tract Map (TTM) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by

the Planning Commission upon demonstration of good cause. Time extensions may be approved pursuant to Code Section 9.63.110 for the Tentative Map and pursuant to Section 94.03.00 for the PD. Such extension shall be required in writing and received prior to the expiration of the original approval.

- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. CC&R's. Prior to recordation of a final Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:
- a. The document to convey title
 - b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.
 - c. Provisions for joint access to the proposed parcels, and any open space restrictions.

- d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

- ADM 12. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A \$1,165 filing fee shall also be paid to the City Planning Department for administrative review purposes.
- ADM 13. Development Agreement. Approval of these land use entitlement applications is contingent upon the approval of a development agreement. The development agreement shall address the conversion of open space for development purposes, through in-kind replacement of open space, payment of in-lieu fees for the acquisition of open space, or replacement of open space through a density transfer, pursuant to Policy LU2.2 of the City of Palm Springs General Plan.
- ADM 14. Maximum Number of Units. The maximum number of residential units shall be limited to 386 single-family units.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project. This fee shall be submitted by the City to the County Clerk with the Environmental Impact Report (EIR). Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

- ENV 3. Mitigation Monitoring. The mitigation measures of the EIR shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the EIR will be included in the plans prior to Planning Commission consideration.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting shall be in conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance. All exterior fixtures shall be submitted for approval by the Department of Planning Services prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape/irrigation plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 3. Development Standards. All submittals shall comply with the following development standards.

TRACT NO. 36691 PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS NO. 5.1327 PD-366			
Product:	50' Wide Single Family Detached	80' Wide Single Family Detached	Single Family Attached
Lots:	195-394, 399-429	138-194, 395-398	1-137
Lot Size:			
Minimum Lot Size:	5,000 s.f.	8,000 s.f.	5,000 s.f.
Minimum Lot Frontage:	50'	80'	50'
Minimum Lot Frontage along Curves and Cul-De-Sacs:	35'	35'	35'
Minimum Lot Depth:	100'	100'	100'
Setbacks:			
Minimum Front Yard @ Garage:	18'	18'	18' (5' from access easement line)
Minimum Front Yard @ Living Area, Casita, and Side Loaded Garage:	12'	12'	12' (5' from access easement line)
Minimum Interior Side Yard:	5' / 30% @ 3' (See Note No. 1)	5' / 30% @ 3' (See Note No. 1)	0'/10' (See Note No. 1 & 2)
Minimum Corner Side Yard:	10'	10'	10'
Minimum Rear Yard @ Living Area:	10'	15'	10'
Other:			
Maximum Structure Height:	1 story (19')	1 story (18')	1 story (19')
Maximum Lot Coverage:	60%	40%	60%
Front Yard Encroachments for Architectural Features: (See Note No. 3)	2'	2'	2'
Side Yard Encroachments for Architectural Features: (See Note No. 3)	See Minimum Interior Side Yard Setbacks	See Minimum Interior Side Yard Setbacks	See Minimum Interior Side Yard Setbacks
Rear Yard Encroachments for Architectural Features: (See Note No. 3)	7'	5'	0'
Casita Allowed:	Yes	Yes	Yes
Notes: 1. Up to 30% of the building length can have a 3' side yard setback including living area, casita, and architectural features. A/C units are not allowed when any part of the structure is at the 3' side yard setback. 2. 0' side yard setback at adjoining buildings and 10' side yard setback when buildings do not join. No more than two buildings may be attached. 3. Architectural Features such as Fireplaces, AC Units, Media Center, Covered Porches, Decks, Pop-outs, and non-living areas as some examples			

PLN 4. Submittal of Final PDD. The Final Planned Development plans shall be submitted in accordance with Section 94.03.00 (Planned Development District) of the Zoning Ordinance. Final development plans shall include site plans, building elevations, floor plans, roof plans, grading plans, landscape plans, irrigation plans, exterior lighting plans, sign program, mitigation monitoring program, site cross sections, property development standards and other such documents as required by the Planning Department. Final Planned Development District applications must be submitted within two (2) years of the City Council approval of the preliminary planned development district.

- PLN 5. Final PD Review. The Final PD application shall require review by the Architectural Advisory Committee (AAC), the Planning Commission and the City Council. In addition to reviewing the application for conformance to the Preliminary PD application, the following items shall be addressed as part of the review:
- a. The final landscape plan, including the design of all perimeter walls, all buffer areas, paseos, and the trail design and landscaping.
 - b. The residential units, subject to the recommendations of the AAC and Planning Commission:
 - The architecture of the units should reference the design of the Alexander Estates or the Cody-designed units within the Palm Springs Country Club, as appropriate.
 - All residential products shall provide options for a variety of color palettes, roofing materials, and siding materials.
 - Variation shall be provided in the roof forms of the residential units.
 - c. The “hammerhead” street design within the age-restricted portion of the development shall be further reviewed for issues of access and guest parking.
 - d. The design of guest parking areas shall be reviewed as part of the Final PD application; guest parking spaces may be required where streets are not wide enough for on-street parking.
- PLN 6. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for “Cool Roofs”. Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 7. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 8. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 9. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 10. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.

- PLN 11. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 12. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 13. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 14. Update of City's Zoning Map. Upon approval of the proposed Change of Zone, Tract Map and/or Planned Development District, the applicant shall be responsible for costs associated with update of the City's GIS based zoning maps.
- PLN 15. Public Streets. The central “spine” road shall be a public street. Other local streets within the project may be public or private streets.
- PLN 16. Three Points of Access. The project shall have three points of access; the third access point location shall be approved by the City Council.
- PLN 17. Vehicular Gates. The central “spine” road and all vehicular access points to the development shall not be gated. The age-restricted portion of the development may have restricted access gates.
- PLN 18. Sidewalks. Public streets shall be required to have sidewalks along at least one side of the street; the age-restricted portion of the development shall also be required to have sidewalks.
- PLN 19. Open Space.
- a. A minimum of 47% open space shall be required; in determining the open space, the 25 acres within the Whitewater Wash may be included in the calculation. Amenities such as private parks, public parks, greenbelts, the interim CV Link Trail, and other similar amenities may be included in the required open space areas
 - b. The applicant shall donate the 25 acres within the Whitewater Wash to the City.
 - c. The levee shall be improved as park or trail area, and count towards the open space requirement.
- PLN 20. Park. A park shall be provided in accordance with the approved site plan, and shall be properly maintained by the HOA and accessible to the general public. The development agreement shall set forth the minimum maintenance

obligations, the recreational amenities and improvements provided by the applicant, and the construction/completion schedule for the park.

PLN 21. Recreational Amenities – Age-Restrict Housing. A common clubhouse and pool shall be provided in the age-restricted portion of the development.

PLN 22. Construction Requirements and Phasing.

- a. The final construction phasing plan shall be reviewed as part of the Final PD Review for consistency with these conditions of approval.
- b. The central “spine” road shall be developed as a temporary construction road from the Golden Sands Drive entrance to the Whitewater Club Drive entrance, and shall be developed in Phase I of the construction phasing.
- c. The applicant shall implement the construction restrictions identified in the letter from Somis Investments, dated August 23, 2016, and incorporated as part of the conditions of approval.

PLN 23. Interim CV Link Trail. The interim CV Link trail shall be provided as depicted in the approved site plan. The trail shall have a minimum 14’ right-of-way for pedestrians and bicycles, with electric vehicles permitted to share the public streets. The applicant shall work with the residents of the Golden Sands Mobile Home Park and the Four Seasons development to provide pedestrian access to the interim CV Link Trail if requested.

PLN 24. Public Benefit. In accordance with adopted City Council policy, the following items shall be considered as public benefits:

- a. Interim CV Link Trail alignment providing public access through the site;
- b. Provision of 47% open space;
- c. Dedication of land within the Whitewater River Wash to the City of Palm Springs for perpetual open space;
- d. Dedication of the central “spine” road as a public street;
- e. Provision of a park, maintained by the HOA, and accessible to the general public;
- f. Implementing conservation measures:
 - Additional water conservation such as gray-water systems (plumb/offer as an option);
 - Provide a percentage of solar power for units (such as 40% of the usage capacity);
 - All landscape lighting and outdoor lighting shall utilize LED fixtures;
 - All structures shall conform to the Green for Life building program “Green Tree” level.

PLN 25. Agreements with Adjacent HOA's/Neighborhood Organizations. The applicant shall provide to the City any executed agreements with adjacent HOA's or neighborhood organizations.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 “Building Security Codes” of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

APPLICATION FOR APPROVAL TO CONVERT THE PALM SPRINGS COUNTRY CLUB TO RESIDENTIAL, PARKLAND, AND PRIVATE STREETS, TENTATIVE TRACT MAP 36691, APN 501-190-011, BEING A PORTION OF THE SOUTHWEST ¼ OF SECTION 1 AND APN 669-480-027 & 669-590-066 BEING A PORTION OF THE NORTHEAST ¼ OF SECTION 36, TOWNSHIP 4S, RANGE 4E, S.B.M., CASE NO. 5.1327.

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. The applicant shall be required to construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete, as may be determined by the City Engineer. Paving of streets in one lift prior to completion

of on-site construction will not be allowed, unless prior authorization has been obtained from the City Engineer. Completion of asphalt concrete paving for streets prior to completion of on-site construction activities, if authorized by the City Engineer, will require additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as required by the City Engineer.

- ENG 4. Dedicate a public access easement for and construct a multi-use pedestrian, bicycle and Neighborhood Electric Vehicle (NEV) pathway through the development as approved by the City Engineer.

VERONA ROAD

- ENG 5. Remove the existing curb located 18 feet north of centerline and replace with 6 inch curb and gutter located 20 feet north of centerline along the entire frontage, in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 6. Remove existing driveway approach and construct a new street intersection in accordance with applicable City of Palm Springs Standard Drawings. The centerline of the new street shall be aligned with the existing centerline of Whitewater Club Drive.
- ENG 7. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 8. Construct a Type C curb ramps meeting current California State Accessibility standards on each corner of the intersection in accordance with City of Palm Springs Standard Drawing No. 214.
- ENG 9. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire Verona Road frontage in accordance with City of Palm Springs Standard Drawing No. 110.

FRANCIS DRIVE

- ENG 10. At the east end of Francis Drive, construct a 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201 or extend street improvements to transition to a 24 feet wide minimum emergency access lane, as approved by the City Engineer. To accommodate the emergency access, the access gate and Knox box shall be located entirely outside of the City's right of

way. Accommodations for flow and/or acceptance of water shall be designed and shown on improvement plans.

GOLDEN SANDS DRIVE (PUBLIC)

ENG 11. Acquire or otherwise facilitate dedication of public right-of-way on Golden Sands Drive from Sunrise Way to the intersection of Streets “L” and “O”, as required by the City Engineer.

ENG 12. All broken or off grade street improvements along that portion of Golden Sands Drive to be transferred to the City for public maintenance, shall be repaired or replaced.

COUNTRY CLUB DRIVE (PRIVATE)

ENG 13. Construct a 6 wedge curb and gutter, 18 feet along both sides of the centerline (to match existing improvements), from the easterly terminus of Lot “AA” of TM 30054 MB 348 page 99-102, to the existing entrance of the Golden Sands Mobile Home Park.

ENG 14. Construct pavement with a minimum pavement section of 2 ½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to edge of proposed gutter along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 110. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using “R” values from the project site and submitted to the City Engineer for approval.

WHITEWATER CLUB DRIVE (WEST) (PRIVATE)

ENG 15. Construct two 24 feet wide driveway approaches in accordance with City of Palm Springs Standard Drawing No. 201 to accommodate the emergency access gates and Knox boxes as shown on improvement plans.

ON-SITE PRIVATE STREETS

ENG 16. Dedicate an easement for public utility purposes, including sewers, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private streets.

ENG 17. All centerline radii shall be a minimum of 100 feet.

- ENG 18. All on-site cul-de-sacs shall be constructed in accordance with City of Palm Springs Standard Drawing No. 101, curb portion only. Construct all cul-de-sacs with a minimum curb radius of 43 feet throughout the cul-de-sac bulb.
- ENG 19. Construct all street “knuckles” in accordance with City of Palm Springs Standard Drawing No. 104.
- ENG 20. The minimum pavement section for all on-site pavement drive aisles, parking spaces shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using “R” values from the project site and submitted to the City Engineer for approval.
- ENG 21. All on-site private streets (or drive aisles) shall be two-way with a minimum 36 feet wide travelway (as measured from face of curb) where on-street parking is proposed on both sides of the street.
- ENG 22. All on-site private streets shall be constructed with standard 6 inch curb and gutter, a wedge curb, or other approved curbs, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system.

SANITARY SEWER

- ENG 23. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
- ENG 24. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 25. Construct 8 inch V.C.P. sewer main across all private streets from centerline or as required by the City Engineer. Removal and reconstruction of existing public sewers in Whitewater Club Drive requires Developer to maintain existing sewer service until relocated service is established. All sewer mains constructed by the developer and to become part of the City sewer system shall be digitally video recorded (Developer shall contact City treatment plant facility for acceptable digital video format) and submitted to the City for review prior to acceptance of the sewer system for maintenance by the City. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.

ENG 26. Upon completion of the construction of public sewer lines, an as-built drawing in digital format shall be provided to the City as required by the City Engineer, if the sewer was not constructed in accordance with the original approved sewer plans.

GRADING

ENG 27. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more “Coachella Valley Best Available Control Measures” as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant’s or its contractor’s Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that has completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related “PM10” Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.
- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report and a copy of the project-specific Final Water Quality Management Plan.

ENG 28. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal

Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at ACBCI-THPO@aguacaliente.net to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

- ENG 29. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed at the limits of grading and/or disturbed areas. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 30. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 31. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 32. The applicant shall obtain approvals to perform grading within the Riverside County Flood Control and Water Conservation District (RCFC&WCD) easement for the Whitewater levee located along the northerly property line. An Encroachment Permit shall be issued from RCFC&WCD, and a copy provided to the City Engineer, prior to approval of a grading plan. For RCFC&WCD requirements, contact the RCFC&WCD Encroachment Permit Section at (951) 955-1266.
- ENG 33. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 34. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a

post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.

- ENG 35. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 36. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 37. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building foundation.
- ENG 38. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved “Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties” (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 39. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively

intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City’s municipal separate storm sewer system (“MS4”), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R’s) required for the development (if any).

ENG 40. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP’s) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP’s shall be incorporated into the Precise Grading and Paving Plan.

ENG 41. Prior to issuance of any grading or building permits, the property owner shall record a “Covenant and Agreement” with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

ENG 42. Prior to issuance of certificate of occupancy or final City approvals, the applicant shall: (a) demonstrate that all structural BMP’s have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP’s included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners.

DRAINAGE

ENG 43. Dedicate a storm drain easement 36 feet wide (min.) extending across the project as necessary to facilitate the future construction, operation and

maintenance of the Master Planned Storm Drain Line #3 as required by the City Engineer.

- ENG 44. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all storm water runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased storm water runoff generated by the development of the property.
- ENG 45. Construct storm drain improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site streets into the on-site retention system, as described in the Preliminary Hydrology Report for property located East of Sunrise Way, North of Joyce Drive & East of Farrell Drive and North of Verona Road, at the Palm Springs Country Club, Tentative Tract Map No. 36691, prepared by MSA Consulting, Inc, dated January 20, 2013. The preliminary hydrology study for Tentative Tract Map 36691 that includes catch basin sizing, storm drain pipe sizing, and retention system sizing calculations and other specifications for construction of required on-site storm drainage improvements. Final retention basin sizing and other storm water runoff mitigation measures shall be determined upon review and approval of the final hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study.
- ENG 46. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 47. Submit storm drain improvement plans for all on-site storm drainage system facilities for review and approval by the City Engineer.
- ENG 48. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated storm water and non-storm water runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated storm water and non-storm water runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual

maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

ENG 49. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$6,511 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

ENG 50. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 51. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.

ENG 52. All proposed utility lines shall be installed underground.

- ENG 53. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities along the northerly tract boundary of Desert Park Estates No. 11 & No. 12, and easterly tract boundary of Desert Park Estates No. 10 and No. 12, and any other existing overhead lines, meet the requirement to be installed underground. Utility undergrounding shall extend to the nearest off-site power pole; no new power poles shall be installed unless otherwise approved by the City Engineer. A letter from the owners of the affected utilities shall be submitted to the Engineering Division prior to approval of a grading plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, the utility undergrounding plan shall be submitted to the Engineering Division identifying all above ground facilities in the area of the project to be undergrounded. Undergrounding of existing overhead utility lines shall be completed prior to issuance of a certificate of occupancy.
- ENG 54. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 55. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.
- ENG 56. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 57. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 58. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

ENG 59. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

ENG 60. The developer shall apply for an annexation to the City of Palm Springs Community Facilities District (CFD 2005-1) established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a Final Map. Payment of an annexation fee (\$7,500) and shall be made at the time of the application. The applicant is advised that the annexation process takes an average of 6 months which includes, a minimum of two City Council sessions, a 30 day public comment period, and requires approved ballots to be mailed to the City Clerk. The Final Map will not be approved until the CFD process is completed.

- ENG 61. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.
- ENG 62. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.
- ENG 63. Upon approval of a Final Map, the Final Map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 64. In accordance with Section 66434 (g) of the Government Code, the portion of the existing public sewer and public utility easement (or right-of-way) over Whitewater Club Drive may be abandoned upon the filing of a Final Map identifying the abandonment of the easements (or right-of-way) granted to the City of Palm Springs. Prior to approval of a Final Map, the developer shall coordinate with each public utility company and determine specific requirements as to the abandonment and/or relocation of existing underground utilities that may exist within the public easements (or right-of-way) to be abandoned. Prior to approval of a Final Map, the developer shall provide to the City Engineer a letter of approval regarding the proposed abandonment of easements (or rights-of-way) over Whitewater Club Drive from each public utility agency. The developer is advised that the City has received notice from the Southern California Gas Company of the existence

of an existing gas line within Whitewater Club Drive that will require removal and relocation to facilitate this development.

TRAFFIC

- ENG 65. As determined by the traffic study submitted by Endo Engineering, the following mitigation measure(s) will be required:
- a. Reconstruct Whitewater Club Drive @ Northerly Terminus and access to Palm Springs Country Club and Alexander Estates.
 - b. Re-Construct Whitewater Club Drive east of Sunrise Way @ access road to Golden Sands.
 - c. Provide emergency access from Farrell Drive opposite Francis Drive.
- ENG 66. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks or pedestrian paths of travel shall be provided by (either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions.
- ENG 67. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 68. Submit traffic striping (and signage) plans prepared by a California registered civil engineer, for review and approval by the City Engineer. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 69. Install all way stop, including signage, stop bar, and “STOP” legend for traffic exiting/entering the development at the intersection of Verona Road and Whitewater Club Drive in accordance with applicable City of Palm Springs Standard Drawings and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated November 7, 2014, or subsequent editions in force at the time of construction, as required by the City Engineer.
- ENG 70. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 “Temporary Traffic Control” of the California Manual on Uniform Traffic Control Devices (CAMUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.

ENG 71. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

These Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review.

FID 1. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the revised site plans received and stamped October 1, 2015. Additional requirements may be required based on revisions to site plans.

FID 2. Fire Department Conditions were based on the 2013 California Fire Code as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

FID 3. PLANS AND PERMITS

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be

UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

FID 4. Fire Apparatus Access Roads (CFC 503.1.1): Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

- **Fire Apparatus Access Road (CFC 202 Definitions)** – A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.
- **Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 24 feet except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

FID 5. Fire Lanes (CFC 202 Definitions): A road or other passageway developed to allow the passage of fire apparatus.

- **Designation of Fire Lanes (CVC 22500.1):** Only the fire department with jurisdiction over the area in which the place is located can designate a fire lane.
- **Designated Fire Lanes** in private developments shall be not less than 24 feet wide (curb face to curb face) with no parking on either side. Wedge, or rolled curbing contained within a 24 foot fire lane shall be capable of supporting 73,000 pound GVW fire apparatus.
- **Fire Lane Marking (CFC 503.3):** Where required by the fire code official, approved signs or other approved notices or markings that

include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Project Notes: 37 foot wide streets – parking allowable on one side only. Opposite side shall be identified as “fire lane”

Project Notes: Site Plan Sheet 1 of 2 – SW traffic circle; non-compliant road widths between medians

Project Notes: Site Plan Sheet 2 of 2 – SE traffic circle; non-compliant road widths between medians

- FID 6. **Dead Ends (503.2.5 CFC):** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 43 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9/4/2002.
- FID 7. **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- FID 8. **Traffic Calming Devices (CFC 503.4.1):** Traffic calming devices shall be prohibited unless approved by the fire code official.
- FID 9. **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

- FID 10. **Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5):** Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. One available fire hydrant must be within 250 feet from any point on lot street frontages. (CFC Appendix C)
- FID 11. **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings
- FID 12. **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13D, 2013 Edition, as modified by local ordinance.
- FID 13. **Residential Smoke and Carbon Monoxide Alarms Installation with Fire Sprinklers - R-3 & Household Fire Alarm System (CFC 907.2.11.2, CRC R314 & R315 and California Health & Safety Code 17926):** Provide and Install Residential Smoke and Carbon Monoxide Alarms. Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alterations, repairs and additions, smoke and carbon monoxide alarms shall be interconnected. The operation of any smoke alarm or the fire sprinkler flow switch will cause all smoke alarms within the dwelling to sound and activate the exterior horn/strobe. The operation of any carbon monoxide alarm will cause all carbon monoxide alarms within the dwelling to sound.

- FID 14. Audible Residential Water Flow Alarms - NFPA 13D Fire Sprinklers & Household Fire Alarm System (CFC 903.4.2):** An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. It shall be powered by the household fire alarm system. The horn/strobe shall be outdoor rated.

END OF CONDITIONS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 36691 FOR THE SUBDIVISION OF 156.18 GROSS ACRES INTO 386 RESIDENTIAL LOTS, PUBLIC AND PRIVATE STREETS, A PARK, PRESERVED OPEN SPACE, AND PRIVATE OPEN SPACE, GENERALLY LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY, AND SOUTHWEST OF THE WHITEWATER RIVER WASH (TTM 36691).

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS AND DETERMINES AS FOLLOWS:

A. Palm Springs Country Club, LLC ("Applicant") filed an application pursuant to Palm Springs Municipal Code (PSMC) Title 9, for Tentative Tract Map (TTM 36691) to allow the creation of a 386-lot residential subdivision, with provisions for public and private streets, a park, preserved open space, and private open space (APN 501-190-002, 501-190-011, 669-480-027) ("Project").

B. The Applicant submitted related Project applications, including a General Plan Amendment (Case 5.1327 PD-366/GPA) to change the land use designation from Open Space – Parks/Recreation to Very Low Density Residential; a Planned Development District in lieu of a Change of Zone (Case 5.1327 PD-366) to establish development standards for the Project site; a Major Architectural application (Case 5.1327 PD-366/MAJ) to review proposed architecture pursuant to PSZC Section 94.04.00; and a Development Agreement (Case 5.1327 DA) to establish conditions, terms and obligations for the Project.

C. A notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law, and on April 13, 2016, the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the Project, including but not limited to the staff report, and all written and oral testimony presented and voted 5-1 to recommend approval to City Council of the Project.

D. On August 3, 2016, a public hearing on the applications for the Project was held by the City Council in accordance with applicable law. After taking public testimony, the City Council voted to continue the Project to the meeting of September 7, 2016.

E. At the meeting of September 7, 2016, the City Council carefully reviewed and considered all of the evidence presented in connection with the hearing on the project including, but not limited to, the EIR, the staff reports on all aspects of the proposed Project, and all written and oral testimony presented. The City Council specifically finds the following relative to the criteria identified in Section 66474 of the Subdivision Map Act:

1. *The proposed Tentative Tract Map and Tentative Parcel Map are consistent with all applicable general and specific plans.*

The proposed TTM is consistent with the proposed General Plan Land Use Element, because the General Plan designation for the site is Very Low Density Residential (up to 4 du/ac). The proposed density of the tract map is 3.1 dwelling units per acre (du/ac) and is thus consistent with the General Plan in terms of density.

The Project was given further review for conformity with the General Plan as follows:

- Policy CD.22.1: Require new and infill development to be of compatible scale, materials, and massing as existing development. Also ensure that the design character of the new development is appropriate to the area.

The proposed development is of a similar scale to the surrounding development, and would create additional density compatible with its surrounding patterns of development.

- Policy CD.22.7: Ensure that residential communities are well connected with each other and with nearby commercial uses through the inclusion of pedestrian and bicycle friendly design features such as trails, paths, and pedestrian oriented streets in the neighborhood's design.

The proposed development will use existing street connections for primary access points to the site. New pedestrian paths will be created in open landscape areas between dwellings and separated from vehicular streets. The Project will potentially include an access way through the site for interim access way through the site for the Coachella Valley Link ("CV Link"). These will enhance connectivity through the site.

2. *The design and improvements of the proposed Tentative Tract Map and Tentative Parcel Map are consistent with the zone in which the property is located.*

The Project includes a change of zone to PD-366, and seeks a specific development plan for the 126-acre site. There will be 386 residences with improved street access, utilities and other typical services provided to residential development. Developable lots are required to be at least 5,000 or 8,000 square feet in size. The PD also proposes a set of development standards and design details with specific standards.

3. *The site is physically suited for this type of development.*

The Project site is flat and is located in an area with all urban services and

utilities, including streets. The Project proposes 386 attached and detached single-family residential dwelling units on individual lots with public and private streets and private common open space. The Project is surrounded by similar residential uses, including other single-family and multifamily residences. The site has adequate vehicular access to the public streets, including Whitewater Club Drive and San Raphael Road. Therefore, the site is physically suited for this type of development and is proposed with adequate access to the network of public streets.

4. *The site is physically suited for the proposed density of development.*

The Project proposes an overall site density of 3.1 dwelling units per acre and the proposed General Plan land use designation of VLDR coincides with the proposed density. The site abuts improved public streets with existing utilities and with right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS). Consequently, the site is physically suited for the proposed density of development.

5. *The design of the subdivision is not likely to cause environmental damage or substantially and avoidable injure fish, wildlife, or their habitats.*

An Environmental Impact Report (EIR) evaluated the potential impacts related to fish, wildlife and other habitats. As a part of the EIR, a biological investigation and survey were completed. Based on the results of these studies, no plants, reptiles, birds, or mammals that are identified as a candidate or sensitive by a local, state, or government agency, were encountered or showed substantial evidence of occupied habitat on the proposed Project site. The Project is required to comply with the Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP) and the payment of habitat conservation fees is required. Therefore, the design of the subdivision is not likely to cause environmental damage or substantially and avoidable impacts to fish, wildlife and their habitats.

6. *The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. The subdivision is proposed with sidewalks along private open spaces. With the approval of the General Plan Amendment and PD, the residential uses will be unlikely to cause serious public health problems.

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

Public easements will be provided to accommodate needed utilities, as well as a

master drainage line that will be constructed at a future time. There are no other easement conflicts known with the design of the proposed subdivision. Therefore, the design of the subdivision will not conflict with easements for access through or use of the property.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES AS FOLLOWS:

SECTION 1. CEQA.

The Project is considered a "project" pursuant to the California Environmental Quality Act (CEQA). An EIR has been prepared for the Project that evaluates the potential environmental impacts of the Project. The City Council has reviewed and considered the information in the final EIR and has, by separate resolution, certified the final EIR in accordance with CEQA.

SECTION 2. Tentative Tract Map.

The City Council hereby approves a Tentative Tract Map (TTM 36691) to subdivide 156.18 gross acres for the development of 386 residential dwellings, public and private streets, a park, preserved open space, and private open space.

SECTION 3. Conditions of Approval.

This approval is subject to conditions as outlined in attached Exhibit "A."

ADOPTED THIS 7TH DAY OF SEPTEMBER, 2016.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

1077

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

ATTACHMENT #3

Memorandum



DATE: August 25, 2016

SUBJECT: Revisions to Proposed Final EIR for the Serena Park project (DEIR SCH #2014121075, Case No. 5.1327): Finding CEQA Guidelines Section 15088.5(b) applies and that change to the project made by the Planning Commission during their public hearing on Plan adoption does not require major revisions necessitating recirculation of the draft EIR.

Introduction

An Environmental Impact Report (Case 5.1327) was prepared for Serena Park to assess the potential of adverse impacts resulting from new residential development and recreation amenities associated with project implementation and full buildout of Serena Park. A subsequent change to the project site plan as a result of Planning Commission direction during the hearing for the plan adoption was to consider adopt an alternative site plan with reduced density. This EIR revision documents and evaluates the modification directed by the Planning Commission on April 13, 2016 for the proposed EIR (SCH# 2014121075).

CEQA Guidelines Section 15088.5 describes circumstances under which a lead agency is required to recirculate and EIR when significant new information is added to the EIR after the close of the public review period but before EIR certification by the Palm Springs City Council. According to CEQA Guidelines Section 15088.5 (a), "a lead agency is required to recirculate an EIR when new significant new information is added". New information added to the EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment on substantial adverse project impacts or feasible mitigation or alternatives.

EIR Revision Findings

Inclusion of the change directed by the Planning Commission will not result in any new significant environmental impacts, nor will it result in a substantial increase of any environmental impacts beyond those analyzed in the EIR. Therefore, pursuant to CEQA Guidelines Section 15088.5(b), the proposed revisions described in this memorandum have not been recirculated for additional public comment. The proposed Serena Park Final EIR is hereby amended by the memorandum.

Background

A draft EIR (SCH #2014121075) was prepared for the Serena Park project and released for public review from June 29th – August 12, 2015 and has not yet been certified. The Planning Commission considered the Serena Park project at a number of public hearings and public scoping sessions. At the April 13, 2016 Planning Commission meeting, the commission recommended adoption of the Serena Park project. The City Council is scheduled to consider adoption of Serena Park at a public hearing on September 7, 2016.

Changes to the Project

The original Serena Park site plan (herein called the “Original Proposed Project”) is summarized in Section 2.0 of the draft EIR. The final site plan includes the following changes to the project which were incorporated by the Planning Commission in its recommendation to the City Council (“Revised Proposed Project”):

The Original Proposed project analyzed 429 residential units and a five-acre public park consisting of 137 single story, attached residences in the northern portion and 292 detached single-family residences on the southern portion, the development proposed a mix of market rate and senior housing.

The Revised Proposed Project would redevelop the 140 acre former golf course with a reduced density of 386 residential units, 112 single story, attached and detached residences in the north portion and 274 detached single-family residences on the southern portion. The street layout similar to Alternative 3 analyzed in the draft EIR and the spine road traverses the approximate center of the area found midway between the existing Alexander Estates and the Whitewater River. The Revised Proposed Project includes a similar housing mix as the Original Proposed Project. The project will remain a private community and will be gated at the age restricted portion only. An HOA will maintain the common area open spaces and other common area features and facilities. With this Revised Project, a reduced public park is found in a similar location to the Original Project.

Changes in Environmental Effects

The Revised Proposed Project is a decrease of 43 residential units and will result in 386 new residential unit’s vs the Original Plan of 429 units. Impacts of this “Revised Proposed Project” would have reduced impacts versus the “Original Proposed Project” for Air Quality, Noise, and Traffic primarily due to the reduced level of construction activities and residential units.

Environmental Impact of Larger Lot Single Family Residential Alternative

Aesthetics: The Revised Proposed Project building heights would be similar to the Original Proposed Project and the distance adjustments would be screened by the Project’s perimeter wall, aesthetic impacts are not expected to differ appreciably from the Original Proposed Project and the level of visual changes would be similar. This alternative would result in less than significant impacts.

Air Quality: Impacts to air quality resulting from this Revised Proposed Project are anticipated to be reduced compared to the Original Proposed Project due to a reduction in construction and operational

emissions that result from fewer residential units. The development of approximately 10% fewer residential units under this alternative would reduce duration and intensity of construction. Moreover, the daily trip generation would be lowered.

Biological Resources: The Revised Proposed Project has similar impacts compared to the Original Proposed Project because the entire property would be graded and developed. The CVMSHCP fees would be paid in entirety. The inclusion of residential development adjacent to the Whitewater Floodplain Conservation Area does have some potential for impacts to the biological resources in the adjacent floodplain but the reduced residential density of this alternative would result in slightly less than that of the Original Proposed Project. This Revised Proposed Project is also anticipated to result in less than significant impacts relative to biological resources.

Cultural Resources: The cultural resources investigation demonstrated that no such resources are present on the surface of the site. As both projects would involve grading of the entire site, the same standard mitigation measures would insure that buried resources uncovered during the course of grading operations would be properly dealt with including the potential discovery of human remains. No new impacts are anticipated.

Geotechnical: The Revised Proposed Projects site plan has similar but slightly less impacts compared to the Original Proposed Project, because the entire property would have the opportunity to be graded and developed. The residential density of the Revised Proposed Project is slightly less than that of the Original Proposed Project therefore the impacts are somewhat reduced and less than significant impacts are expected.

Greenhouse Gas: Impacts to greenhouse gases resulting from the Revised Proposed Project are expected to be reduced compared to the Original Proposed Project due to the level of construction activities and mixture of uses and facilities. The construction of fewer residential units translates to lower operational carbon dioxide equivalent emissions pertaining to area, energy, mobile and waste source categories. Mobile sources represent the largest percentage operational GHG emissions. The daily trip generation from the residential component of this Revised Project would be lower compared to the Original Proposed Project, therefore reducing the largest source of greenhouse gas emissions and overall greenhouse gas impacts.

Hazards and Hazardous Materials: Impacts would be similar to the Original Proposed Project. Residential construction would still occur as would hazardous waste from routine construction operations. The project would still comply with all applicable federal, state, and local laws and regulations regarding hazardous materials. The project would still be located within the Palm Springs International Airport Land Use Plan and review by the Riverside County Airport Land Use Commission would still be required. Therefore, less than significant impacts are anticipated.

Hydrology and Water Quality: Impacts related to hydrology and water quality will have reduced impacts compared to the Original Proposed Project due to the reduced number of residential units. Construction and operation of the Revised Proposed Project would be subject to the same stormwater and water quality standards as those alternatives. Less than significant impacts are expected.

Land Use and Planning: The Revised Proposed Project would reduce the number of residential lots and reduce the public park size. The primary circulation road in the Southern subarea would move northeast and away from the Alexander Village condominium and single family communities. The project would

still activate streets and enhance pedestrian activity, contributing to the overall community. Entitlement approvals would remain the same at the Original Proposed Project. No new impacts would occur.

Noise: The Revised Proposed Project would result in the development 386 units, less than the Original Proposed Project of 429 units. The low density residential use would reduce noise related impacts on the project site and in the vicinity. The expected reduction in noise impacts is attributed to a lower amount of vehicle trips generated by the project. Less than significant impacts would result from the Revised Proposed Project.

Population and Housing: The Revised Proposed Project would result in lower density than the Original Proposed Project. However, residential development would still occur and add to the City's General Plan housing goals. As with the Original Project, this Revised Project would not displace any existing housing and would still result in an increase to the City's population. Less than significant impacts are expected.

Public Services: The residential density of the Revised Proposed Project is less than that of the Original Proposed Project. The Revised Project would still be required to annex into the City of Palm Springs Community Facilities District (CFD) to help off-set costs for fire and police services, as a result of additional new development. Construction impact fees would still be paid to the PSUSD for school impacts. There would be no new impacts to library service. Therefore, overall impacts would be considered less than significant.

Recreation: The residential density of the Revised Proposed Project is slightly less than that of the Original Proposed Project. The development would still provide recreation in the form of private open space with public walkways and a trail for CV-link. The Land for the public park would be dedicated to the City but the park would now be smaller which results in an increased loss in open space. In addition, only one smaller retention basin would be constructed to protect the area from problematic soil erosion and flooding. Less than significant impacts are anticipated.

Transportation: The Revised Proposed Project would generate fewer peak hour and daily trips and consequently have a smaller traffic impact. However, the off-site mitigation associated would be the same as the Original Proposed Project. Less than significant impacts would be anticipated following implementation of Mitigation Measures and Standard Conditions as outlined in the Final EIR.

Utilities and Service System: The Revised Proposed Project represents a reduced size residential project. This reduced size residential option would require similar utilities and services to the Original Proposed Project. The impacts to utilities and service systems are expected to be less than significant.

Environmental Conclusion

No new impacts are presented as a result of the Revised Proposed Project and no additional mitigation measures have been added. The analysis and overall significance conclusions identified within the Draft and Final EIR will not be materially altered nor will the severity of a potential impact increase with the implementation of the Revised Proposed Project.

ATTACHMENT #4



August 23, 2016

Mr. Flinn Fagg
City of Palm Springs
3200 Tahquitz Canyon Way
Palm Springs CA 92262

Re: Construction access for Serena Park

Dear Flinn,

Per the request of the City Council we would like to offer the following construction access plan for Serena Park with a primary objective to fairly distribute the impact of construction traffic across the affected neighborhoods.

Restrict parking, idling or waiting of any construction vehicles at any time from surrounding residential streets in the Gene Autry, Desert Park Estates neighborhoods and along Sunrise Way and Desert Sands Drive adjacent to the 4 Seasons community.

Restrict any queuing behind gates leading onto the project site or entrance into the project site before 7:00 AM.

Limit deliveries of materials and equipment to the hours of 9:00 AM to 3:00 PM, Mondays through Fridays.

Limit staging areas to the areas within the 200-foot-wide Riverside County Flood Control Easement and at least 500 feet from any existing residences.

Place rumble strips or similar mud removal surfaces at least 200 feet inside the project boundaries.

Maintain a paved surface along the future alignment of the spine road to limit dust and noise from construction vehicles.

Restrict construction access for deliveries of materials and equipment to Phases 1 and 2 to the Verona Road entrance so as to limit the distance of construction Vehicles inside the project adjacent to existing homes.

Restrict construction access for deliveries of materials and equipment to the northern portion of the project to Desert Sands Drive so as to limit the distance of construction Vehicles inside the project adjacent to existing homes.

The above restrictions should burden the adjacent neighborhoods roughly equally. If the construction workers, who primarily drive private vehicles, have access to both entrances from the beginning of the project, that should minimize overall trip lengths and minimize impacts, also.

Sincerely,
for Serena Park



Eric Taylor
Managing Member

ATTACHMENT #5

K. HOVNANIAN'S

FOUR SEASONS

AT PALM SPRINGS COMMUNITY ASSOCIATION, INC.



April 8, 2014

Eric Taylor
Palm Springs Country Club, LLC
1200 N. Bundy Drive
Los Angeles, CA 90049

Dear Mr. Taylor:

Effective this date, the Board of Directors of Four Seasons at Palm Springs Community Association authorizes Palm Springs Country Club, LLC to act on behalf of the Association in the following matter:

Negotiations with the City of Palm Springs regarding conversion of E. San Rafael Drive (alternately known as "Golden Sands Drive",) from Sunrise Way to the Golden Sands Mobile Home Park entrance in Palm Springs, to a public roadway. The Board of Directors retains authority to exercise final approval of that part of any conversion agreement with the City of Palm Springs pertaining to the Four Seasons at Palm Springs Community Association.

The Four Seasons at Palm Springs Community Association desires to convert this private street to a public roadway pursuant to the results of a traffic study conducted by Endo Engineering. Based on the findings of that study, the Association's position is that this street should no longer be private property with full responsibility being borne by the Association.

Thank you for acting on the Association's behalf in this matter.

Sincerely,

Craig Silver
President
Board of Directors

ATTACHMENT #6



MSA CONSULTING, INC.
 1091
 Lotting Study - May 12, 2016 (Site Plan with Planning Commission COA Addressed)
 Serena Park (Tract No. 36691)

ATTACHMENT #7



CITY OF PALM SPRINGS

OFFICE OF THE CITY CLERK

3200 E. Tahquitz Canyon Way

Palm Springs, CA 92262

(760) 323-8204

DRAFT

EXCERPTS OF MINUTES

At the City Council meeting of the City of Palm Springs held August 3, 2016, the City Council took the following action:

- 2.A. SERENA PARK – PALM SPRINGS COUNTRY CLUB, LLC, FOR A GENERAL PLAN AMENDMENT, PLANNED DEVELOPMENT DISTRICT IN LIEU OF ZONE CHANGE, MAJOR ARCHITECTURAL APPLICATION, DEVELOPMENT AGREEMENT, AND TENTATIVE TRACT MAP FOR THE REDEVELOPMENT OF THE PALM SPRINGS COUNTRY CLUB AND APPROXIMATELY 126-ACRES OF PREVIOUSLY DISTURBED LAND FOR 137 ATTACHED RESIDENCES, 292 DETACHED RESIDENCES, STREETS, PRIVATE OPEN SPACE, AND PUBLIC PARK LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY, AND SOUTHWEST OF THE WHITEWATER RIVER WASH (CASE NOS. 5.1327 PD-366, ZC, DA, MAJ, AND TTM 36691):**

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated August 3, 2016.

Councilmember Roberts requested Staff address the amount of open space required under the Planning Commission recommendation, the amenities for seniors and the inclusion of common facilities for seniors.

Councilmember Foat requested Staff address the retention basin and the proposed park in the retention basin.

MARK ALLEN, Representing Applicant, requested the City Council adopt the Applicants proposal, noted the challenging design issues related to the property, commented on the issues created by the decrease in the number of units, requested the City Council certify the EIR, and commented on the financing and the requirements of the Development Agreement.

MARK SHERMAN, Palm Springs, stated his support for the project, but requested the City Council find alternatives for the construction traffic on Golden Sands.

MICHAEL AMARO, Palm Springs, commented on the number of homes, the Planning Commission conditions, and requested the City Council find alternatives for the construction traffic on Golden Sands.

JERRY HEMSTOCK, Palm Springs, stated the Developer has worked with the community, stated his support for the project, but requested the City Council find alternatives for the construction traffic on Golden Sands.

SANTINA MEATH, Palm Springs, stated the property has been vacant for 10-years, commented on the Developer interactions with the surrounding neighbors, and stated her opposition to the relocation of the gate.

JIM OKEEFE, Palm Springs, commented on the current zoning of the property and the current entitlements for the property, and noted the impacts to the Desert Park Estates Neighborhood.

DIANA GRACE, Palm Springs, noted the letters of support for the Development, but requested the City Council find alternatives for the construction traffic on Golden Sands.

JANE GARRISON, Palm Springs, stated her support for the reduction in density and an increase in open space.

ROGER CONWAY, Palm Springs, requested the City Council find alternatives for the construction traffic on Golden Sands.

TOM MARTIN, Palm Springs, requested all access roads be utilized and requested the City Council find alternatives for the construction traffic on Golden Sands.

KATHY WEREMIUK, Palm Springs, commented on the Planning Commission recommendation for a third access/entry point and construction traffic.

TAD SMITH, Palm Springs, commented on the entry access point on Francis and noted the impact to the neighborhood by the third access point.

GREG WILDMAN, requested the City Council and the Developer come to an agreement, and requested the City Council find alternatives for the construction traffic on Golden Sands.

TERRI MCCOPPIN, spoke against the use of a PDD for the project, the Planning Commission Conditions, the traffic impact to the surrounding neighborhood, and the lack of public benefit to the community.

ERIC TAYLOR, Applicant Rebuttal, commented on the amount of work by the Planning Commission, commented on the third point of access and the traffic impact with the third point of access.

The City Council discussed and/or commented on the following with respect to the project: the list of public benefits for the PDD, gated community for only the senior housing portion of the project, the dedication of the Whitewater channel to the City, community amenities for the senior portion of the project, the construction traffic, the calculation for the open space and density, the hammerhead design of the street, the number of trips per day, the requirements for the architecture at the final PDD, the current state of the property, the condition for construction access on adjacent owners property, the alternate paths for the CVLink, the contents of the Development Agreement, the access point on a property the owner and/or the City does not control or own, and all of the Planning Commission recommended conditions.

ACTION: Direct Staff to proceed with the Planning Commission Plan with 386 Units, with 47% to 50% open space, and Staff to confirm any available options for a third entry point.

By consensus of the City Council.

ACTION: 1) Close the Public Testimony portion of the Hearing; 2) Continue the City Council deliberations and Public Hearing to Wednesday, September 7, 2016; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.

Motion Mayor Moon, seconded by Councilmember Roberts and unanimously carried on a roll call vote.

I, KATHIE HART, Chief Deputy City Clerk of the City of Palm Springs, hereby certify that the above actions took place at an adjourned regular meeting of the City Council held on the 3rd day of August, 2016.


Kathie Hart, MMC
Chief Deputy City Clerk

ATTACHMENT # 8
August 3, 2016 City Council Staff Report

ON FILE IN THE OFFICE OF THE CITY CLERK

ATTACHMENT #9



City of Palm Springs

Office of the City Clerk

3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262

Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

NOTICE OF CONTINUANCE

NOTICE IS HEREBY GIVEN that the Regular Meeting held on August 3, 2016, the City Council continued Public Hearing Item No. 2.A. to September 7, 2016:

2.A. SERENA PARK – PALM SPRINGS COUNTRY CLUB, LLC, FOR A GENERAL PLAN AMENDMENT, PLANNED DEVELOPMENT DISTRICT IN LIEU OF ZONE CHANGE, MAJOR ARCHITECTURAL APPLICATION, DEVELOPMENT AGREEMENT, AND TENTATIVE TRACT MAP FOR THE REDEVELOPMENT OF THE PALM SPRINGS COUNTRY CLUB AND APPROXIMATELY 126-ACRES OF PREVIOUSLY DISTURBED LAND FOR 137 ATTACHED RESIDENCES, 292 DETACHED RESIDENCES, STREETS, PRIVATE OPEN SPACE, AND PUBLIC PARK LOCATED NORTH OF VERONA ROAD, EAST OF SUNRISE WAY, AND SOUTHWEST OF THE WHITEWATER RIVER WASH (CASE NOS. 5.1327 PD-366, ZC, DA, MAJ, AND TTM 36691):

ACTION: 1) The Public Testimony portion was closed on August 3, 2016; 2) Continue the Public Hearing to September 7, 2016; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing as required by law.

Motion Mayor Moon, seconded by Councilmember Roberts, and unanimously carried on a roll call vote.

I, Cynthia A. Berardi, Deputy City Clerk of the City of Palm Springs, California, certify this Notice of Continuance was posted at or before 6:00 p.m. on August 4, 2016, as required by established policies and procedures.

CYNTHIA A. BERARDI
Deputy City Clerk

**CITY OF PALM SPRINGS
PUBLIC NOTIFICATION**



Date: August 3, 2016
Subject: Serena Park

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on July 23, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

KHart
Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Kathie Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on July 22, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

KHart
Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF MAILING

I, Kathie Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on June 2, 2016, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.
(978 notices)

I declare under penalty of perjury that the foregoing is true and correct.

KHart
Kathie Hart, MMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASE: 5.1327 GPA / PD 366 / ZC / DA / MAJ / TTM 36691
PS COUNTRY CLUB, LLC FOR "SERENA PARK

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of Wednesday, August 3, 2016. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a proposal to convert and subdivide an abandoned 125-acre golf course, formerly known as the Palm Springs Country Club, to 137 attached residences, 292 detached residences, streets, private open space, and a public park. The applications include the following:

A General Plan Amendment to (1) change approximately 126 acres of "Open Space – Parks / Recreation" to "Very Low Density Residential", allowing up to 4 dwelling units per acre, and (2) modify text within the Recreation, Open Space & Conservation (ROSC) element to address the loss of golf course open space and the addition of a proposed public park, a Planned Development District in lieu of Zone Change to establish the project site plan, permitted uses and development standards, a Major Architectural Application to review proposed conceptual architecture; a Tentative Tract Map to subdivide the project site, and a Development Agreement to establish terms and obligations between the developer and the city. The project site is located east of Sunrise Way, north of Verona Road, and southwest of the Whitewater River Floodplain, in Section 1, Township 4, Range 4, and Section 36, Township 3, Range 4.

ENVIRONMENTAL DETERMINATION: An Environmental Impact Report (EIR) has been prepared for this project under the guidelines of the California Environmental Quality Act (CEQA). An EIR is comprised of two parts, the Draft EIR and the Final EIR. The Draft EIR was made available and circulated for public review and comment, pursuant to the provisions of the California Environmental Quality Act (CEQA), for a 45-day public review period from June 24, 2015, to August 7, 2015. The Final EIR responds to the comments and includes text revisions to the Draft EIR in response to input received on the Draft EIR. The EIR will be submitted to the City Council for requested certification and action on the Project. Members of the public may view the EIR at the Planning Services Department, City Hall, between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are also available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

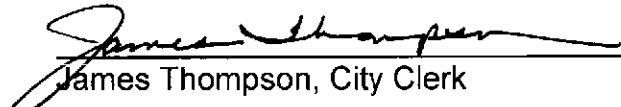
COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009[b][2]).

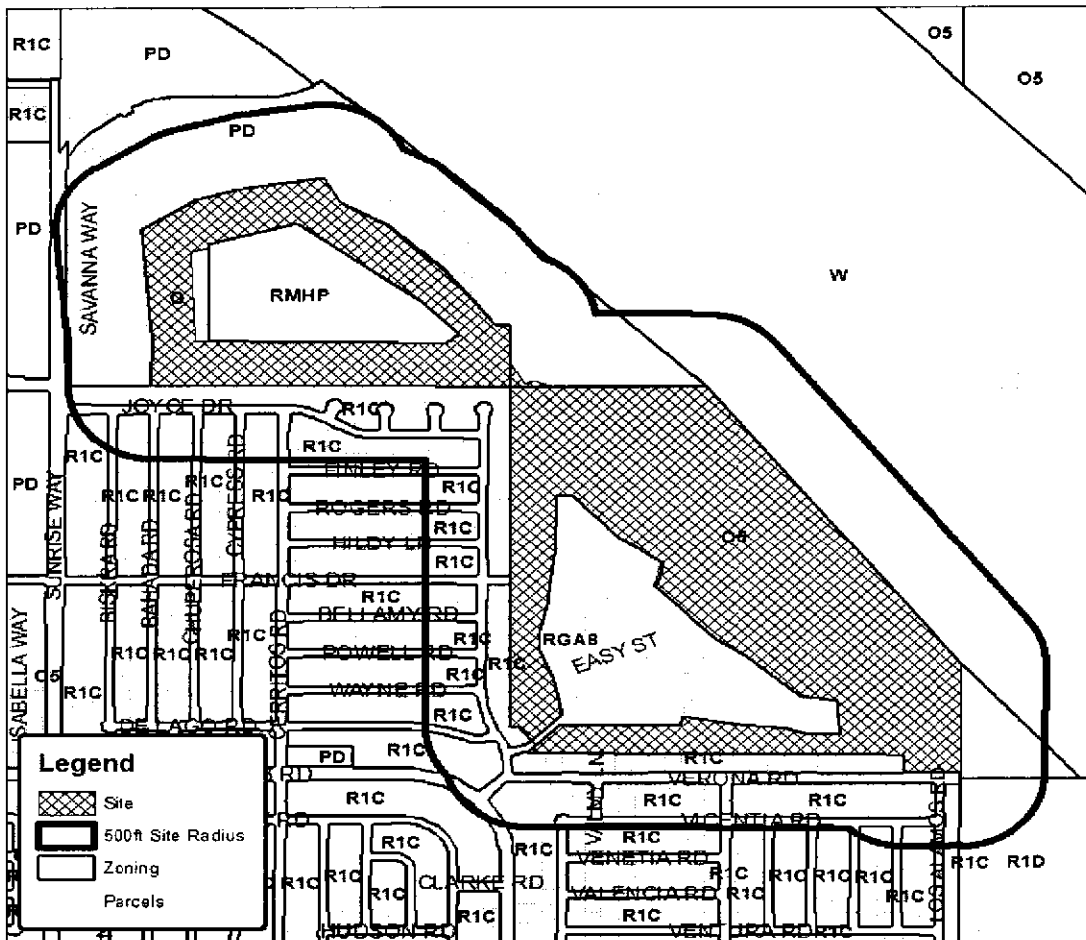
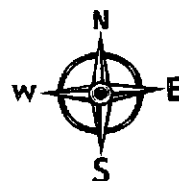
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.


James Thompson, City Clerk



Department of Planning Services Vicinity Map



Kathie Hart

From: Terri Hintz
Sent: Thursday, July 21, 2016 8:43 AM
To: Desert Park Estates; Four Seasons ; Gene Autry; Racquet Club South
Cc: David Newell; Kathie Hart
Subject: Case 5.1327 GPA / PD 366 / ZC / DA / MAJ / TTM 36691 - Palm Springs Country Club LLC - Serena Park
Attachments: 8-3-16 CC PHN.pdf

Good Morning - Please find the attached Public Hearing Notice for the City Council meeting of Wednesday, August 3, 2016 for the proposed project within ½ mile of your neighborhood organization.

Terri

Terri Hintz
Planning Admin. Coordinator
City of Palm Springs - Planning Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
Tel. (760) 323-8245 ext. 8759 / Fax (760) 322-8360

CUP 5.1327 Neighborhood Organization Map

Desert Park Estates NO – Ted Janka tedjanka@icloud.com

Four Seasons NO – Roy Clark royclark90278@mac.com

Gene Autry NO – Tony Barton tony@outdoorvideopro.com

Racquet Club South NO – Richard Martin rickymartinrealtor@gmail.com

