



City Council Staff Report

DATE: May 4, 2011

CONSENT CALENDAR

SUBJECT: SECOND READING AND ADOPTION OF PROPOSED ORDINANCE NO. 1789, ADOPTING THE COLLEGE PARK SPECIFIC PLAN AND RELATED AMENDMENTS TO THE CITY OF PALM SPRINGS GENERAL PLAN AND ZONING ORDINANCE

FROM: David H. Ready, City Manager

BY: Office of the City Clerk

SUMMARY:

The City Council will consider adoption of Ordinance No. 1789.

RECOMMENDATION:

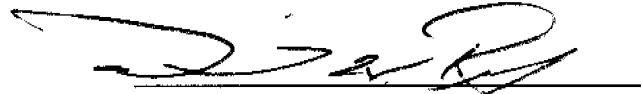
Waive further reading and adopt Ordinance No. 1789, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE CHANGE OF ZONE, ADOPTING THE COLLEGE OF THE DESERT WEST VALLEY CAMPUS SPECIFIC PLAN ESTABLISHING NEW DEVELOPMENT STANDARDS AND GUIDELINES FOR THE PROPOSED TEN (10) INDIVIDUAL PLANNING AREAS LOCATED WEST OF INDIAN CANYON DRIVE, EAST OF HIGHWAY 111, NORTH OF SAN RAFAEL DRIVE AND SOUTH OF THE CHINO CREEK/WHITEWATER RIVER FLOOD CONTROL LEVEE."

STAFF ANALYSIS:

At its April 20, 2011, meeting Ordinance No. 1789 was introduced for first reading "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE CHANGE OF ZONE, ADOPTING THE COLLEGE OF THE DESERT WEST VALLEY CAMPUS SPECIFIC PLAN ESTABLISHING NEW DEVELOPMENT STANDARDS AND GUIDELINES FOR THE PROPOSED TEN (10) INDIVIDUAL PLANNING AREAS LOCATED WEST OF INDIAN CANYON DRIVE, EAST OF HIGHWAY 111, NORTH OF SAN RAFAEL DRIVE AND SOUTH OF THE CHINO CREEK/WHITEWATER RIVER FLOOD CONTROL LEVEE," modifying the Specific Plan for the abandonment of the extension of Sunrise Parkway, providing for the trails and the right-of-way, and the abandonment of the setback requirement. Motion by Councilmember Foat, seconded by Councilmember Mills, and unanimously carried on a roll call vote.

This report provides for the City Council to waive further reading and adopt the ordinance.
The ordinance shall be effective 30-days from adoption.


James Thompson
City Clerk


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

/kdh
Attachment: Ordinance No. 1789

PROPOSED ORDINANCE NO. 1789

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE CHANGE OF ZONE, ADOPTING THE COLLEGE OF THE DESERT WEST VALLEY CAMPUS SPECIFIC PLAN ESTABLISHING NEW DEVELOPMENT STANDARDS AND GUIDELINES FOR THE PROPOSED TEN (10) INDIVIDUAL PLANNING AREAS LOCATED WEST OF INDIAN CANYON DRIVE, EAST OF HIGHWAY 111, NORTH OF SAN RAFAEL DRIVE AND SOUTH OF THE CHINO CREEK/WHITEWATER RIVER FLOOD CONTROL LEVEE

City Attorney Summary

This Ordinance adopts the College Park Specific Plan and related amendments to the City of Palm Springs General Plan and Zoning Ordinance.

WHEREAS, the City of Palm Springs initiated preparation of the College Park Specific Plan on February 4, 2009; and

WHEREAS, at its regularly scheduled meeting of March 9, 2011, the Planning Commission considered the College Park Specific Plan and after hearing all public testimony and considering all written materials presented, recommended to the City Council approval of the Specific Plan; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and an Environmental Impact Report was prepared and circulated for public comment from December 15, 2010 to January 28, 2011; and

WHEREAS, the Environmental Impact Report found that the proposed project will have significant impacts on the environment relating to air quality; and

WHEREAS, at its regularly scheduled meeting of April 20, 2011, the City Council conducted a duly-noticed public hearing, during which hearing, the Council considered the College park Specific Plan, Final Environmental Impact Report, Statement of Overriding Considerations and Mitigation Monitoring program, as well as all public testimony, and all written materials presented; and

WHEREAS, the City Council has carefully reviewed and considered all of the evidence presented in connection with the meeting on the project, including but not limited to the staff report, and all written and oral testimony presented; and

WHEREAS, the City Council finds that changes or alterations have been made in the proposed project which delete certain actions, including amendments to the General Plan Circulation Element; and

WHEREAS, the City has determined that Findings and a Statement of Overriding Considerations is required pursuant to CEQA Guidelines 15093; and

WHEREAS, the City Council independently reviewed and considered the information contained in the Final EIR, consisting of the Draft EIR, comments on the Draft EIR and Response to Comments, prior to its review of this Project and the Final EIR reflects the City Council's independent judgment and analysis.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The City Council certifies that the Final EIR has been completed in compliance with CEQA and is a complete and adequate description of the environmental consequences of the proposed project.

SECTION 2: The City Council adopts the Findings of Fact attached to this Resolution as Exhibit A.

SECTION 3: The City Council adopts the Statement of Overriding Considerations attached to this Ordinance as Exhibit B, including the specific finding that the benefits of implementation of the College Park Specific Plan outweigh the significant and unavoidable air quality impacts associated with the development of the project.

SECTION 4: The City Council finds that the mitigation measures included in the Final EIR are appropriate and shall be implemented, and adopts the Mitigation Monitoring and Reporting Program included in the Final EIR, and attached to this Ordinance as Exhibit C.

SECTION 5: Pursuant to the provisions of Chapter 3 (commencing at Section 65450) of Title 7 of the Government Code of the State of California and pursuant to the 2007 Palm Springs General Plan, adopted by City Council Resolution No. 22077, the College Park Specific Plan, on file in the Office of the City Clerk, is approved and adopted, subject to the incorporation of the following revisions of the City Council in the specific plan as summarized and itemized at the time the Ordinance was introduced:

- a. Modifying the Specific Plan for the abandonment of the extension of Sunrise Parkway, providing for the trails and the right-of-way, and the abandonment of the setback requirement,
- b. Revising references to the College of the Desert West Valley Campus from "Master Plan" to "Preliminary Development Plan" throughout the Specific Plan and EIR,
- c. Revising the Specific Plan Section X.G. to incorporate the entire definition of "Educational Uses" set forth in the approved Property Transfer and Development Agreement into this section of the Specific Plan,

- d. Other minor revisions to the Specific Plan as requested by the College of the Desert and recommended by the Planning Commission and City staff.

PASSED, APPROVED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS _____ DAY OF _____, 2011.

MAYOR

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, California, do hereby certify that Ordinance No. 1789 is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on April 20, 2011, and adopted at a regular meeting of the City Council held on _____, 2011 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California