



CITY COUNCIL STAFF REPORT

DATE: October 19, 2011

PUBLIC HEARING

SUBJECT: REQUEST BY NEXUS / O & M LLC FOR A CERTIFICATE OF CORRECTION FOR TRACT MAP 34165 DELETING CONDITIONS OF APPROVAL 7a, 7b, and 7c RELATING TO INSTALLATION OF A LANDSCAPE MEDIAN ISLAND IN AVENIDA CABALLEROS.

CASE: 5.1082 AMND PDD 321 TM 34165 "THE MORRISON"

FROM: David H. Ready, City Manager

BY: Craig Ewing, AICP, Director of Planning Services

SUMMARY

The applicant, Rich Meaney, representing Nexus Development / O & M LLC has requested a certificate of correction on Tract Map 34165 to delete Conditions of Approval 7a, 7b, and 7c relating to the installation of a landscaped traffic median on Avenida Caballeros, south of Alejo Road. Changes to a final tract map are processed as a Certificate of Correction pursuant to Municipal Code 9. 63.150 ("*Modification of final recorded map*").

RECOMMENDATION:

Direct Staff as appropriate.

PRIOR ACTIONS

On April 7, 2010, the City Council approved Case 5.1082 PDD 321 / TTM 34165 AMND, an amendment to a previously approved planned development district and tentative tract map. The project was approved with 53 single family attached and detached residential units with a tract map subdividing the parcel into 53 individual lots with private roads. The PDD modified the underlying development standards of the zone(s) to allow single family homes on this site in the HDR and MDR zones, smaller lots, reduced setbacks, increased lot coverage, and other minor modifications. The City Council added Conditions of Approval 7a, 7b, and 7c relating to the installation of a landscape median in Avenida Caballeros along a portion of the project's frontage on Avenida Caballeros.

ITEM NO. 10

On December 20, 2010, the City Engineer reviewed and approved the design of the landscape medians, signage, lanes and striping for the proposed improvements in the public right of way on Avenida Caballeros.

On August 4, 2011 the City recorded Final Tract Map 34165 with the County Records Office.

On August 9, 2011, the Applicant submitted a written request to correct the tract map by removing Conditions of Approval 7a, 7b, and 7c.

BACKGROUND:

The Morrison project is a 53-unit gated community with vehicular access to the public streets taken from Avenida Caballeros. It is located on the southeast corner of Avenida Caballeros and Alejo Road.

Both the 2007 Palm Springs General Plan and the 2004 Section 14 Specific Plan denote that Avenida Caballeros, from Ramon to Alejo, is to be developed as an enhanced landscaped transportation corridor, with a 28-foot wide landscaped parkway and bike trail along the east side of the street and raised landscape traffic medians along the center of the street, as redevelopment occurs. The first part of this landscaped center median was installed with the construction of the Alejo Vista Condominium project at the southwest corner of Alejo and Caballeros several years ago.

In developing the Morrison project, the applicant located the main entry in conflict with the existing landscape median in Avenida Caballeros. To ameliorate the conflict, Public Works recommended the existing median be removed. The City Council agreed, conditioning its approval by removing the existing conflicting landscape median and constructing a new landscape median starting at the south property line of the subject project and ending just south of the existing vehicular entrance into the adjacent Palomino Tract (Tract 33577).^{1 2} Thus, although the northernmost segment of landscaped center median was lost with the Morrison project, the City Council required that the landscape center median should be installed where possible. The Council directed the developer to install its share of the landscape center median further south, pursuant Conditions of Approval 7a, 7b, and 7c. It is this set of conditions the applicant is requesting be eliminated.

¹ Turning traffic flow can be accommodated with a common center turn lane, but the aesthetic goals of the General Plan and Specific Plan will be compromised. At the time of the hearing on this project, the Alejo Vista Homeowners Association (located immediately west of the project site) objected to elimination of the median for aesthetics and safety reasons.

² The project was also conditioned to provide a public art feature as a visual enhancement at the southeast corner of Avenida Caballeros and Alejo Road in exchange for the loss of the existing landscape median caused by the entry drive location (COA ENG 7).

In its letter, the applicant states a concern that the new median could create a dangerous obstruction within the middle of Avenida Caballeros, sitting as an island with no warning or natural border. The new median design for the Morrison project as approved by the City Engineer, includes "keep right" signs at both ends of the required median to guide traffic movement around the median. Furthermore, the traffic study for the project concluded that there was an insufficient increase in traffic caused by the Morrison project to warrant installation of stop lights or stop signs adjacent to the project's entry drive on Avenida Caballeros.

ANALYSIS and REQUIRED FINDINGS:

Pursuant to Municipal Code Section 9.63.150, a Certificate of Correction may be issued for the purposes of modifying or amending any final subdivision map. The applicant has requested to modify the final map by requesting the removal of the following conditions of approval from the City Council's April 12, 2010 approval of the Tentative Tract Map and the Planned Development District:

ENG 7a. Construct a raised, landscaped median island as specified by the City Engineer from south of the entry into the Palomino Tract (Tract Map No. 33577) located on the west side of Avenida Caballeros, to the south property line of the Tract Map No. 34165 project site. Landscaping and irrigation plans for the median shall be submitted to the City Engineer and Department of Parks and Recreation for review and approval, in conjunction with the associated street improvement plans.

ENG 7b. Submit landscaping and irrigation system improvement plans for review and approval by the City Engineer and Department of Parks and Recreation. The irrigation system shall be separately metered from the parkway landscaping to be maintained by the applicant, for future use by the City upon acceptance of the median landscaping by the City. The plans shall be approved in conjunction with the street improvement plans for the median and prior to issuance of a building permit, unless otherwise allowed by the City Engineer.

ENG 7c. All median landscaping shall be guaranteed for a period of 90 days from the date of acceptance by the City Engineer. Any landscaping that fails during the 90-day landscape maintenance period shall be replaced with similar plant material to the satisfaction of the City Engineer, and shall be subject to a subsequent 90-day landscape maintenance period.

Municipal Code 9.63.150 states that when a correction requires the modification of a condition of approval, a public hearing shall be required of the City Council and all of the following findings must be made.

- 1) *Regarding the map or the property to which it pertains, there are changes in circumstances which make any or all of the conditions imposed upon the*

map no longer appropriate or necessary;

The goals of the Section 14 Specific Plan and the City General Plan - that Avenida Caballeros should be an enhanced transportation corridor have not changed. Staff is aware of no other circumstances that have changed that would cause the requirement for the landscape medians associated with Conditions of Approval 7a, 7b, and 7c to be removed.

- 2) *The proposed modifications will not impose any additional burden on the present fee owners of the property to which the map pertains;*

The applicant asserts that the imposition of the conditions of approval requiring the landscape median causes an economic hardship. The requested removal of the conditions will reduce the cost to the developer for improvements in the public right of way while not contributing to the aesthetic goals of the General Plan or Section 14 Specific Plan for Avenida Caballeros.

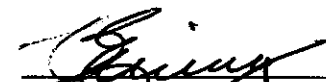
- 3) *The proposed modifications will not alter any right, title, or interest in the real property to which the map pertains; and*

The request to remove Conditions of Approval 7a, 7b, and 7c will not alter any title interest or rights on the property to which the map pertains.

- 4) *The final map, as modified, conforms to the provisions of state law and the Palm Springs Municipal Code for the approval of subdivision or parcel maps.*

The proposed deletion of the three conditions of approval will not cause any non-conforming condition with respect to the City's Municipal Code or State of California Subdivision Map Act regulations.

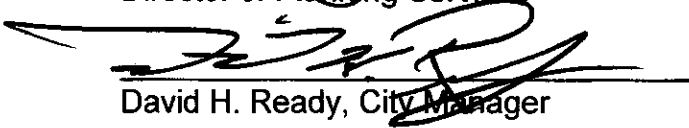
FISCAL IMPACT: No Fiscal Impact.



Craig A. Ewing, AICP,
Director of Planning Services



Thomas J. Wilson,
Assistant City Manager



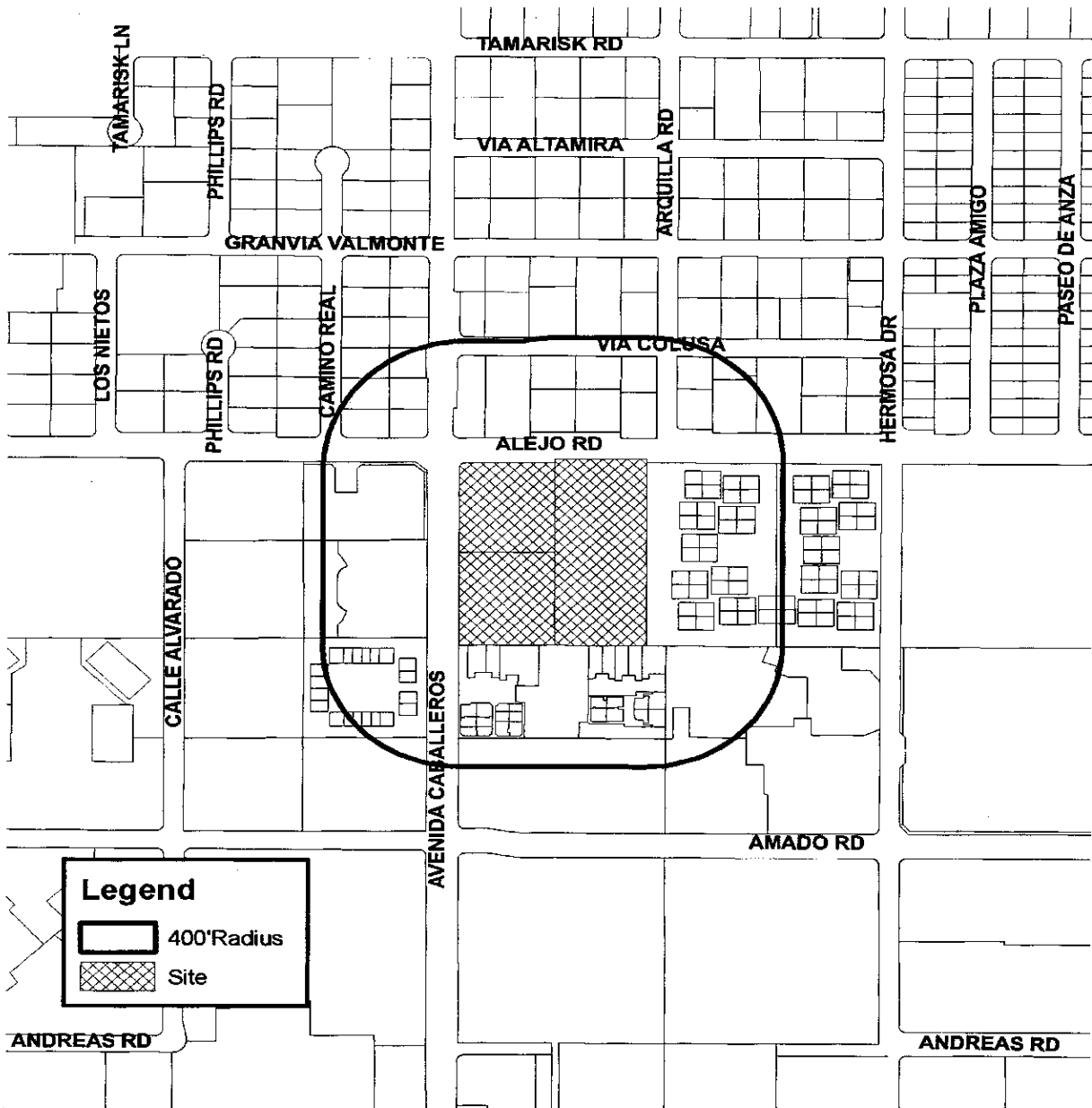
David H. Ready, City Manager

Attachments:

1. 400' Vicinity Map
2. Letter of Request from Applicant
3. Excerpt of minutes from City Council Meeting of April 12, 2010.
4. Excerpt of Conditions of Approval for Tract Map 34165.



Department of Planning Services Vicinity Map



Legend

-  400' Radius
-  Site

CITY OF PALM SPRINGS

CASE: 5.1082 AMND - PD 321,
TTM AMND 34165

APPLICANT: Nexus Development
for O & M, LLC

DESCRIPTION: A request to correct the final Tract Map 34165 deleting Conditions of Approval 7a, 7b, and 7c relating to the installation of a landscape traffic median in Avenida Caballeros, Section 14 Specific Plan land use designation MBR & HR, PDD 321 Underlying Zone RGA(8), Section 14 (IL).

RECEIVED

AUG 08 2011

**PLANNING SERVICES
DEPARTMENT**

August 3, 2011

VIA OVERNIGHT MAIL

Mr. Craig A. Ewing
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

**Re: Renewed Request to Modify certain Condition of Approval -
Amendment Case No. 5.1082 – PD 321 and TTM 34165**

Dear Craig:

By letter to David Ready dated July 12, 2011, we requested that the City agree to remove certain conditions of approval for our Morrison project (PD 321) relating to the construction of a proposed raised median within Avenida Caballeros (i.e., Conditions ENG 7a, 7b and 7c). These conditions were imposed at the City Council Meeting on April 7, 2010, pursuant to City Council Ordinance #1771.

Thereafter, by letter to Mr. Ready dated July 26, 2011, we rescinded our July 12th letter due to the fact that our pending request would delay the release and recordation of the final tract map for our project. We were under tremendous time constraints at that time and needed to record the final map without further delay. Therefore, we had no choice but to rescind our pending request in order to avoid jeopardizing the timely progression of our project.

Last week, we recorded the final map and entered into a subdivision improvement agreement with the City relating to certain site work (including the median at issue). The challenges posed by Conditions ENG 7a, 7b and 7c, however, remain the same. As such, we respectfully renew our request that the City remove these conditions of approval.

As set forth more fully in our July 12th letter, we continue to be challenged in these economic times and are exploring ways to keep the project moving forward in a positive direction. The conditions at issue impose additional costs that we believe are not offset by any benefit to the project or the surrounding community. Moreover, we are concerned that the proposed new median could create a dangerous obstruction condition within the middle of Avenida Caballeros. Specifically, no stop sign is located near the north or south portion of the proposed median and, as a result, it will sit as an "island" with no warning or natural border.

In addition, we are concerned that the proposed median, if constructed, will likely be removed in the near future in connection with future modifications to Avenida Caballeros. Such a scenario exists today with respect to the existing median located south of the intersection of Avenida Caballeros and Alejo. This existing median was constructed years ago at the expense of another party and now, as a condition to our project, will need to be removed at our expense. We would like to avoid adding unnecessary cost to our project for an improvement that has a high likelihood of needing to be removed in the near future.

Finally, representatives of the Agua Caliente Band of Cahuilla Indians have notified us that they are not in favor of the proposed new median since, they believe, it will negatively affect the Section 14 circulation plan (these conditions were added at the City Council meeting after the time the Tribe originally reviewed and approved of our project).

For the reasons stated above, we believe that our request for the deletion of Conditions ENG 7a, 7b and 7c is a reasonable one that will not negatively impact the quality or aesthetics of our approved project.

We thank you in advance for your time in considering our request and look forward to hearing from the City on this matter.

Sincerely,



Rich Meaney
Nexus Companies
Principal

Cc: David Ready, City Manager, City of Palm Springs
Rob W. Eres, VP of Entitlements – Nexus Development Corporation

ROB 714-546-5600 x220

RICH 760-322-8880

Mayor Pougnet provided a recap of the direction that Subcommittees would be beneficial for public projects, and additional discussion is needed on easements and font sizes.

Craig Ewing, Director of Planning Services, provided background information on the discussion of an amnesty/abatement program for non-permitted canopy structures.

The City Council discussed and/or commented on the following with respect to non-permitted canopy structures: code enforcement issues and complaints, the purpose of taking on these structures during the current economic conditions, treating such as a variance and review on an individual basis, the length of the term of amnesty, the length of time to correct violations, and taking action first on those canopies in a high risk category.

No action taken.

The Planning Commission and Architectural Advisory Committee adjourned at 7:26 p.m., and the City Council recessed.

The City Council reconvened at 7:32 p.m.

PRESENTATIONS:

Mayor Pougnet provided an update on the recent activities and events in the City of Palm Springs: Dinah Shore Weekend and Dog Park "Best of the Best."

Jacques Caussin announced to the City Council the success of the recent Modernism Week event in the City of Palm Springs.

Councilmember Mills provided an update on Census 2010.

1. PUBLIC HEARINGS:

- 1.B. NEXUS DEVELOPMENT AMENDING A PLANNED DEVELOPMENT DISTRICT AND TENTATIVE TRACT MAP, REDUCING THE DENSITY FROM 84 TO 53 RESIDENTIAL UNITS AND REVISING THE TENTATIVE TRACT MAP TO A SUBDIVISION OF 53 LOTS WITH COMMON AREAS AND PRIVATE ROADWAYS, LOCATED ON APPROXIMATELY 8.48 ACRES AT THE SOUTHEAST CORNER OF AVENIDA CABALLEROS AND ALEJO ROAD IN SECTION 14 (CASE 5.1082):**

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated April 7, 2010.

Mayor Pougnet opened the public hearing, and the following speaker addressed the City Council.

ROB ERES, Nexus Development, outlined the economics of the project, requested the City Council consider amending the Conditions PLN 15 and ENG 7.

No further speakers coming forward, the public hearing was closed.

The City Council discussed and/or commented on the following with respect to the project: the submission of construction drawings and plans, the height of the wall in the front of the units, the removal of the median as opposed to moving the entrance as written in Conditions PLN 15 and ENG 7, the public benefit of installing bike and jogging paths, requested the developer address the use of sustainable materials, conditions relating to the turning radius of the fire equipment, request to amend Condition ADM 20 to be submitted to the Architectural Advisory Committee, consideration to amend PLN 6 to prohibit surface mounted downspouts, requested staff address street width, and portable fire extinguisher, requested staff address the location of the air conditioning equipment, and requested the Applicant address the lack of overhangs for the large windows.

ACTION: 1) Recertify the previously approved Mitigated Negative Declaration as an adequate environmental analysis and action on the proposed project pursuant to the California Environmental Quality Act (CEQA); 2) Waive the reading of the ordinance text in its entirety and read by title only; 3) Introduce on first reading Ordinance No. 1771, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 5.1082 AMND - PDD 321, A PRELIMINARY AND FINAL PDD AMENDMENT, FOR A PDD IN LIEU OF A CHANGE OF ZONE, REVISING THE PROJECT FROM 84 CONDOMINIUM UNITS TO 53 SINGLE FAMILY UNITS ON INDIVIDUAL LOTS WITH UNIQUE DEVELOPMENT STANDARDS AND AN AMENDMENT TO THE SECTION 14 SPECIFIC PLAN TO PERMIT SINGLE FAMILY UNITS IN THE MBR AND HR LAND USE AREAS ON APPROXIMATELY 8.48 ACRES AT THE SOUTHEAST CORNER OF AVENIDA CABALLEROS AND ALEJO ROAD;" and 5) Adopt Resolution No. 22684, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO TENTATIVE TRACT MAP 34165 REVISING THE MAP FROM A SINGLE LOT MAP FOR CONDOMINIUM PURPOSES TO A SUBDIVISION OF 53 SINGLE FAMILY LOTS WITH COMMON PRIVATE ROADWAYS AND PARKING," as amended as follows: *deleting the requirement for artwork on the opposite corner of Avenida Caballeros and Alejo Road, exterior walls to be reviewed by Architectural Advisory Committee, surface mounted downspouts and overhangs be reviewed by City staff, and the*

southern median be installed or conditioned with a covenant. **Motion Councilmember Mills, seconded by Mayor Pro Tem Hutcheson and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

LARRY LORENZ, Palm Springs, stated the community is being impacted by the Riviera Hotel and the noise ordinance is not being enforced.

JOE WESTERBERG, Palm Springs, stated he owns property adjacent to the Riviera Hotel and noted noise complaints about the facility.

SID CRAIG, announced the upcoming Books v. Badges Basketball Game.

JOHN PIVINSKI, Palm Springs Chamber of Commerce, announced the upcoming events: Chamber China Trip, Annual Business Expo in Downtown Palm Springs at VillageFest, Chamber Mixer at the Palm Springs Art Museum.

RALPH HITCHOCK, commented on Item 5.D., the sale of Whitewater Mutual Water Company, and requested the City Council defer the sale of the shares from O'Donnell.

TREV TREVINO, Palm Springs, commented on Item 4.B., Medical Cannabis, and stated his support for Cannahelp.

LARRY NIELSEN, Palm Springs, commented on Item 4.B., Medical Cannabis, and stated his support for Cannahelp.

STACY HOCHANADEL, Palm Springs, commented on Item 4.B., Medical Cannabis, and stated his support for Cannahelp.

MICHAEL RICE, Palm Springs, commented on Item 4.B., Medical Cannabis, and stated his support for Cannahelp.

KURT HANDSHUH, stated his support for Palm Springs Compassionate Care.

COUNCILMEMBER COMMENTS:

Councilmember Foat requested staff follow-up on the Riviera Hotel complaints.

Mayor Pougnet commented on a concern over a recent appointment to the Human Rights Commission.

CITY MANAGER'S REPORT: None.

~~AVENIDA CABALLEROS~~

~~ENG 4. Dedicate abutters rights of access to Avenida Caballeros along the entire frontage of the project, excluding the 74 feet wide access point for the Main Entry; vehicular access to Avenida Caballeros, other than from the Main Entry, shall be prohibited.~~

~~ENG 5. The required street improvements for Avenida Caballeros are identified and shown on the approved street improvement plans; refer to Drawing Numbers 5043-1 and 5043-3 on file with the Public Works and Engineering Department.~~

~~ENG 6. An Opticom or Tomar system (or approved equal) for automatic operation by emergency vehicles, with uninterrupted power supply (battery back-up), shall be installed for the entry gates on Avenida Caballeros, meeting the approval of the Fire Marshall.~~

ENG 7. Remove the existing raised landscaped median located south of Alejo Road and replace with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. The applicant shall install public art at the southeast corner of the Avenida Caballeros and Alejo Road intersection. The public art shall be designed as a "Gateway" into Section 14, in accordance with requirements established by the Agua Caliente Band of Cahuilla Indians and the Palm Springs Public Arts Commission. Public art shall be designed in accordance with policies and procedures established by the Palm Springs Public Arts Commission, and shall be subject to approval by the Palm Springs Public Arts Commission prior to its construction and installation. Costs associated with the public art may be credited against any public art fees otherwise due. The applicant shall dedicate an easement to the City of Palm Springs for installation and maintenance of the public art to be installed at the southeast corner of the Avenida Caballeros and Alejo Road intersection, if installed outside of existing right-of-way.

ENG 7a. Construct a raised, landscaped median island as specified by the City Engineer from south of the entry into the Palomino Tract (Tract Map No. 33577) located on the west side of Avenida Caballeros, to the south property line of the Tract Map No. 34165 project site. Landscaping and irrigation plans for the median shall be submitted to the City Engineer and Department of Parks and Recreation for review and approval, in conjunction with the associated street improvement plans.

ENG 7b. Submit landscaping and irrigation system improvement plans for review and approval by the City Engineer and Department of Parks and Recreation. The irrigation system shall be separately metered from the parkway landscaping to be maintained by the applicant, for future use by the City upon acceptance

of the median landscaping by the City. The plans shall be approved in conjunction with the street improvement plans for the median and prior to issuance of a building permit, unless otherwise allowed by the City Engineer.

ENG 7c. All median landscaping shall be guaranteed for a period of 90 days from the date of acceptance by the City Engineer. Any landscaping that fails during the 90-day landscape maintenance period shall be replaced with similar plant material to the satisfaction of the City Engineer, and shall be subject to a subsequent 90-day landscape maintenance period.

ENG 8. All broken or off grade street improvements shall be repaired or replaced.

ALEJO ROAD

ENG 9. Dedicate abutters rights of access to Alejo Road along the entire frontage of the project, excluding the 60 feet wide access point for the emergency access; vehicular access to Alejo Road shall be prohibited.

ENG 10. The required street improvements for Alejo Road are identified and shown on the approved street improvement plans; refer to Drawing Numbers 5043-1 and 5043-2 on file with the Public Works and Engineering Department.

ENG 11. Access through the gated driveway on Alejo Road shall be limited to emergency access only. The access shall be gated and locked; and lock box key provided to the Fire Department for emergency access.

ENG 12. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

ENG 13. Dedicate easements for public utility purposes, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private streets.

ENG 14. Nothing shall be constructed or planted in the corner cut-off area of any on-site intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance in accordance with City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 15. All on-site private streets shall be two-way with a minimum 24 feet wide travelway (as measured from face of curb) where no on-street parking is proposed.

ENG 16. All on-site private streets shall be two-way with a minimum 32 feet wide travelway (as measured from face of curb) where on-street parallel parking is proposed on one-side of the street.

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**




City Council
Meeting Date: October 19, 2011

Subject: 5.1082 AMND - Nexus Development

AFFIDAVIT OF MAILING

I, Kathie Hart, 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 October 6, 2011, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (277 notices)

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




Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, 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 October 8, 2011.

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




Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Kathie Hart, 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 October 6, 2011.

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



Kathie Hart, CMC
Chief Deputy City Clerk



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

October 6, 2011

Ms. Claudia Salgado
Bureau of Indian Affairs
P. O. Box 2245
Palm Springs, CA 92263

RE: City Council Meeting – October 19, 2011
Public Hearing Notice – 5.1082 AMND
Nexus Development

Dear Ms. Salgado:

The City Council will be conducting a public hearing at 6:00 p.m. on October 19, 2011.

I have enclosed copies of the notice for distribution and your file; however, please advise if additional notices are required. The APN within 400 feet of the subject property were previously sent to you by Joanne Bruggemans on October 5, 2011, see attached.

Thank you for your continuous assistance and support. Please feel free to contact me if there are any questions or concerns, 323-8206.

Sincerely,

Kathie Hart, CMC
Chief Deputy City Clerk

/kdh

Encl: Public Hearing Notices
Prestamped Envelopes



City of Palm Springs

Department of Planning Services

3200 East Tahquitz Canyon Way

Palm Springs, CA 92262

Telephone: 760-323-8245 ~ Fax: 760-322-8360

Email: Joanne.Bruggemans@palmsprings-ca.gov

MEMORANDUM

Date: October 5, 2011

To: Claudia Salgado AND
Bernadine Saldana
Bureau of Indian Affairs

Fax: Belinda Ray
(760) 416-2687

From: Joanne Bruggemans, Senior Secretary
Planning Services Department

Subject: Allotment Numbers for Public Hearing Notice 5.1082 AMND & TTM 34165
Nexus Development (O & M, LLC)
444 Avenida Caballeros

Here are neighborhood courtesy notices that need to be sent to the appropriate Indian landowners within the 400' radius of the project location showing the allotment numbers as requested:

The allotment numbers corresponding with the APN numbers are as follows :

APN	ALLOTMENT NO.	APN	ALLOTMENT NO.
508-038-022 thru 508-038-030		508-581-043 thru 508-581-044	
508-034-018		508-540-003 thru 508-540-011	
508-038-021		508-580-043	
508-038-016 thru 508-038-020		508-540-012 thru 508-540-021	
508-500-078		508-580-039 thru 508-580-042	
508-500-037		508-581-045 thru 508-581-075	
508-500-039		508-582-041	
508-540-001 thru 508-540-002		508-582-090	
508-580-044 thru 508-580-069			
508-580-074			
508-581-041			

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASE: 5.1082 AMND – PD 321, TRACT MAP 34165 AMND
NEXUS DEVELOPMENT (O & M, LLC)
SOUTHEAST CORNER OF AVENIDA CABALLEROS & ALEJO ROAD

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of October 19, 2011. 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 an application by Nexus Development to correct the final Tract Map 34165 requesting to delete Conditions of Approval 7a, 7b, and 7c relating to the installation of a landscape traffic median on Avenida Caballeros. The project is on approximately 8.5 acres in Section 14, Township 4, Range 4.

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration (MND) was adopted by the City Council on April 10, 2010, for the proposed project under the guidelines of the California Environmental Quality Act (CEQA). Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the City Council hearing.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this are available for public review at the City Hall between the hours of 8:00 a.m. to 11:00 a.m. and 2:00 p.m. to 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.

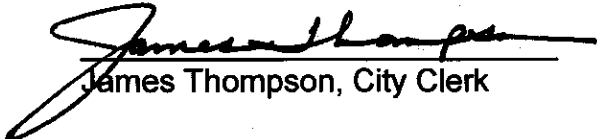
COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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]).

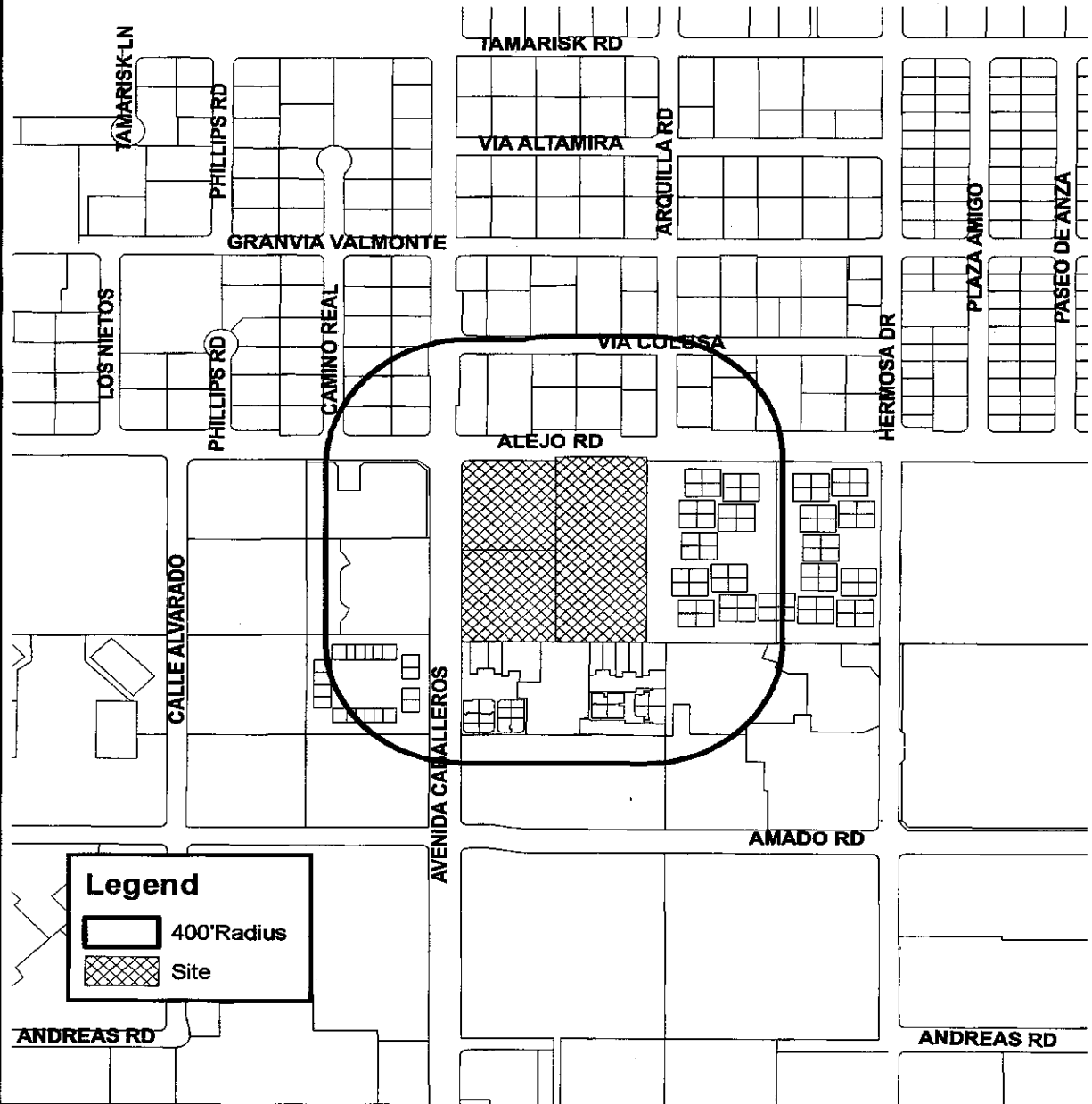
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Ken Lyon, Associate Planner, (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.


James Thompson, City Clerk



Department of Planning Services Vicinity Map



Legend

-  400' Radius
-  Site

CITY OF PALM SPRINGS

CASE: 5.1082 AMND - PD 321,
TTM AMND 34165

APPLICANT: Nexus Development
for O & M, LLC

DESCRIPTION: A request to correct the final Tract Map 34165 deleting Conditions of Approval 7a, 7b, and 7c relating to the installation of a landscape traffic median in Avenida Caballeros, Section 14 Specific Plan land use designation MBR & HR, PDD 321 Underlying Zone RGA(8), Section 14 (IL).