



CITY COUNCIL STAFF REPORT

DATE: November 6, 2013 PUBLIC HEARING

SUBJECT: PRAETOR INVESTMENT, LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 (PDD 333) AND TENTATIVE PARCEL MAP (TPM 35236) FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD.

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

On October 2, 2013, the item was on the City Council's agenda but was continued with the direction to take it back to the Planning Commission and re-noticed for public hearing. On October 23, 2013, the Planning Commission considered the project and with a 6-0-1 vote, decided to continue the hearing to a date certain of November 13, 2013. In their motion to continue the hearing, the Planning Commission asked the applicant to address potential view impacts raised by the residents to the east of the project site. Since the item will be going back to the Planning Commission for one more review, staff is making a recommendation to continue this hearing to the meeting of November 20, 2013, to allow the Planning Commission take an action on the item at the meeting of November 13, 2013.

RECOMMENDATION

- 1) Direct the Planning Commission to take action on the project at the November 13, 2013 meeting.
- 2) Continue the Public Hearing to November 20, 2013, with no public testimony at this time; and
- 3) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.


M. Margo Wheeler, AICP
Director of Planning Services


David H. Ready
City Manager

Attachment:

- Planning Commission Minutes from the meeting of 10.23.13

ITEM NO. 1A

2C. PRAETOR INVESTMENT LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 AND TENTATIVE PARCEL MAP 35236 FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, ZONE PD 333, SECTION 14. (CASE 5.1132 PD-333 AMND). (ER)

Principal Planner Robertson presented the proposed amendment and provided details on the prior entitlements of the project.

Commissioner Roberts disclosed that he met with several of the adjacent neighbors and walked the property site.

Commissioner Weremiuk disclosed a conversation she had with the applicant and declined a site visit with an adjacent neighbor.

Commissioner Lowe disclosed that he met with adjacent neighbors and walked the site.

Commissioner Calderine disclosed he walked the site with adjacent neighbors.

Vice-Chair Hudson disclosed he walked the site with adjacent neighbors.

Chair Donenfeld disclosed his telephone conversation with an adjacent neighbor, David Powell, and discussed procedural matters.

Chair Donenfeld opened the Public Hearing portion of the meeting:

The following persons spoke in favor of the project:

LAURIE KIBBY, representing Praetor Investments LLC, presented the current project using computer simulations. Ms. Kibby provided an overview of ingress and egress, walkways, view corridors, new restaurant pad, new circulation diagrams, the annex building, parking and sun studies.

GARY CARLSON, resides at Alejo Vista (adjacent to the northeast corner of the site) commented on the beauty of the hotel and is pleased to see the view of a two-story residential instead of the five-story previously approved project.

JIM BAYNER, resides at the Deauville Complex, commented on the tremendous impact the hotel will bring to the community and neighborhood.

RUDOLFO CASTILLO, spoke about the favorable economic impact the Dolce Hotel will bring to the City and will offer have many jobs to the community and indicated that views are not owned by the neighbors.

LAURIE KIBBY, commented that development team met with adjacent neighbors and took their comments seriously and spoke about the reduction in density of the project.

The following persons spoke in opposition of the project:

DAVID POWELL, resides at Center Court Condominiums, commented on the inaccuracies in the Mitigated Negative Declaration prepared for this project, especially views and noise.

BRIAN CRAIN, resides at Center Court Condominiums, commented on the blocked views of the mountains.

STEVE HARRIS, resides at Center Court Condominiums, commented on the blocked views of the mountains.

AAMER MUMTAZ, president of Center Court HOA, commented that this plan is a massively larger project and does not believe the sun studies are accurate.

RANDY BERNARDI, lives at San Tropez Villas, commented on noise coming from outdoor amplified music events and requested a limit of 9 pm Sun. - Thurs. and 10 pm Fri. - Sat. be placed on these events.

ANDY GEORGIOD, president of the Palomino HOA, commented on density, scale and size of project and parking issues associated with the project.

CHARLES ARRABE, resides at Center Court Condominiums, commented on moving project toward Calle Alvarado and Amado Road to give those views.

DAVID DEVEREAUX, resides at Palomino, commented on the scale of the project to the neighborhood and said the whole project should be moved counter-clockwise.

Chair Donenfeld closed the public hearing.

Commissioner Roberts questioned working with the neighbors during the prior hearings and options for the sun/shade projections.

Commissioner Weremiuk commented on the shadow studies showing during the winter months when shade affects neighboring property it is already dusk.

Commissioner Calerdine questioned what measures will be done to enforce the noise ordinance.

ACTION: To continue to November 13, 2013 to allow the applicant to mitigate some of the concerns discussed at today's meeting.

Motion: Commissioner Roberts seconded by Vice-Chair Hudson and carried 6-1 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Vice-Chair Hudson, Chair Donenfeld

ABSTAIN: Commissioner Weremiuk

DRAFT

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**



Date: November 6, 2013

Subject: Dolce Palm Springs

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 26, 2013.

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 and on October 24, 2013.

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

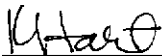


Kathie Hart, CMC
Chief Deputy City Clerk

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 24, 2013, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.
(347 notices)

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



Kathie Hart, CMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASES 5.1132, AMENDMENTS TO
PLANNED DEVELOPMENT DISTRICT 333 AND TENTATIVE TRACT MAP 35236
DOLCE PALM SPRINGS
NORTHWEST CORNER OF AMADO ROAD AND AVENIDA CABALLEROS

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of November 6, 2013. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider an application by Praetor Investment, LLC, to amend a previously approved Planned Development District (PD 333) and Tentative Parcel Map 35236, for the construction of a 200-room hotel, 50 residential units and a parking structure on approximately 10.47 acres located at the northwest corner of Amado Road and Avenida Caballeros. The site is bordered by Avenida Caballeros on the east, Amado Road on the south, Calle Alvarado on the west, and vacant lands on the north.

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration (MND) was previously prepared for this project under the guidelines of the California Environmental Quality Act (CEQA) and was adopted by the City Council. 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 project are 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.

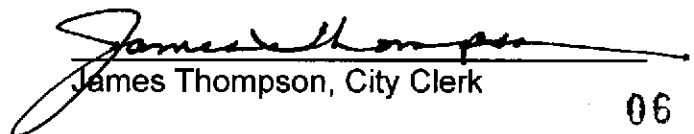
COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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]).

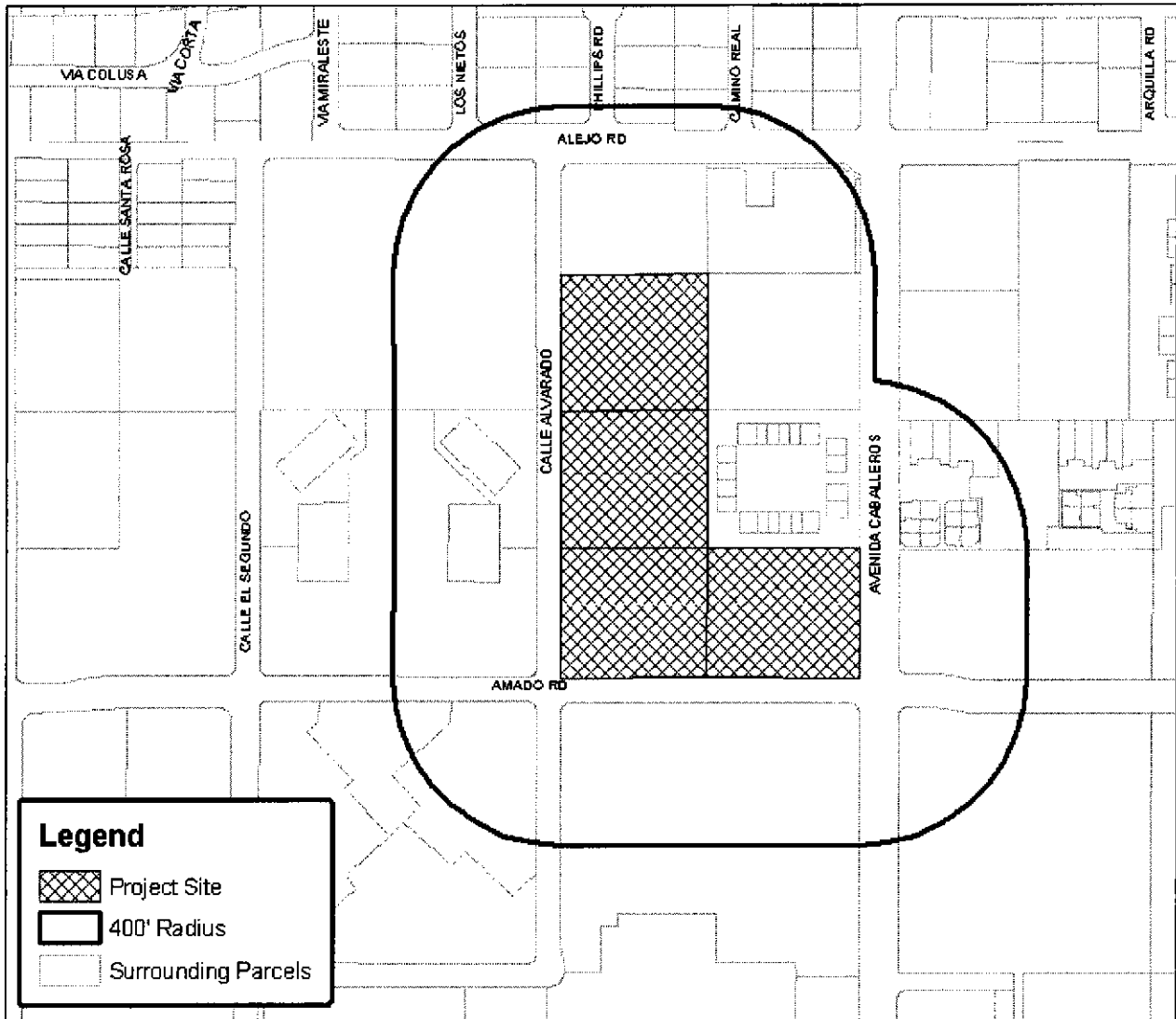
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Edward Robertson, Principal Planner, at (760) 323-8245.

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

-  Project Site
-  400' Radius
-  Surrounding Parcels

CITY OF PALM SPRINGS

CASE NO: 5.1132 PD-333 AMND / TTM 35236

APPLICANT: Praetor Investment, LLC

DESCRIPTION: Amendment to an approved Planned Development for hotel and residential use by Praetor Investment, LLC, located at the northeast corner of Amado Road and Calle Alvarado. Zone PD 333, Section 14, (IL)



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 24, 2013

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

Fax To: Belinda Ray
 (760) 416-2687

RE: City Council Meeting – November 6, 2013
 Public Hearing Notice – Dolce Palm Springs (PDD 333 TPM 35236)

Dear Ms. Salgado:

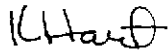
The City Council will be conducting a public hearing at 6:00 p.m. on November 6, 2013, to amend a previously approved Planned Development District (PD 333) and Tentative Parcel Map 35236 (TPM 35236), for the construction of a 200-room hotel, 50 residential units and a parking structure on approximately 10.47 acres located at the northwest corner of Amado Road and Avenida Caballeros. The site is bordered by Avenida Caballeros on the east, Amado Road on the south, Calle Alvarado on the west, and vacant lands on the north.

I have enclosed copies of the notice for distribution and your file; however, please advise if additional notices are required.

APN	Allotment Number	APN	Allotment Number
508-022-026		508-038-016 through 508-038-030	
508-022-054		508-051-055	
508-022-055		508-056-018	
508-022-058 through 508-022-090		508-057-009 through 508-057-016	
508-034-010		508-057-025	
508-034-011		508-070-038	
508-034-018		508-540-001 through 508-540-006	
508-035-025 through 508-035-048		508-540-008 through 508-540-021	
508-035-051 through 508-035-058		508-580-039 through 508-580-054	
508-035-063 through 508-035-070		508-035-073	
508-035-073		508-036-001 through 508-036-051	

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 (50 copies)
Envelopes

Hart

RETURN SERVICE REQUESTED

CITY OF PALM SPRINGS

OFFICE OF THE CITY CLERK

3200 E. TAHQUITZ CANYON WAY - P.O. BOX 2743

PALM SPRINGS, CA 92263-2743

TO: Bureau of Indian Affairs
3700-A East Tachevah Drive., Suite 201
Palm Springs, CA 92262

Attn: Claudia Salgado



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 City Council Meeting of October 2, 2013, Item No. 1.A.

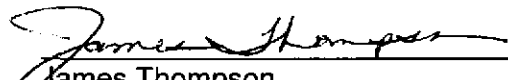
PRAETOR INVESTMENT, LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 (PDD 333) AND TENTATIVE PARCEL MAP (TPM 35236) FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD:

has been continued to Wednesday, November 6, 2013, Council Chamber, 3200 E. Tahquitz Canyon Way, at 6:00 p.m., or as soon thereafter as possible.

AFFIDAVIT OF POSTING

State of California)
County of Riverside) ss.
City of Palm Springs)

I, James Thompson, City Clerk of the City of Palm Springs, California, certify this Notice of Continuance was posted at or before 6:00 p.m., October 3, 2013, as required by established policies and procedures.


James Thompson
City Clerk