



CITY COUNCIL STAFF REPORT

DATE: July 16, 2014

PUBLIC HEARING

SUBJECT: NORTHWOOD-PALM SPRINGS, LLC FOR A TENTATIVE TRACT MAP CONVERT 104 APARTMENTS TO FOR-SALE CONDOMINIUMS AND CREATE A ONE-LOT CONDOMINIUM MAP ON A ROUGHLY 5.28-ACRE PARCEL LOCATED AT 1700 SOUTH ARABY DRIVE, ZONE R-3. (CASE NO. TTM 36756).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

The City Council will review a Tentative Tract Map application (TTM 36756) for a one-lot subdivision for condominium purposes to convert an existing 104 unit apartment complex to for-sale condominiums on approximately 4.97-acres on land located at 1700 South Araby Drive.

RECOMMENDATION:

1. Open the public hearing and receive public testimony.
2. Direct Staff to file with Riverside County a Notice of Exemption (NOE) from the California Environmental Quality Act (CEQA).
3. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP, CASE TTM 36756, TO CONVERT 104 EXISTING APARTMENTS TO FOR-SALE CONDOMINIUMS THROUGH A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES ON A 5.28-ACRE SITE LOCATED AT 1700 ARABY DRIVE."

PRIOR ACTIONS:

On December 22, 2000, the Planning Commission approved a Conditional Use Permit (Case 5.0843 CUP) and architectural application for the development of the 104-unit apartment complex.

ITEM NO. 1.C.

On February 14, 2001, the City Council rejected an appeal and approved Resolution No. 19992 for a Conditional Use Permit and architectural application to allow the construction of a 104-unit apartment complex.

On April 10, 2002, the Planning Commission recommended approval of a Tentative Parcel Map (TPM 30292) to the City Council to combine 43 parcels into one vacant 4.97-acre parcel for the development of the 104-unit apartment complex.

On May 15, 2002, the City Council approved Tentative Parcel Map (TPM 30292) to combine 43 parcels into one vacant 4.97-acre parcel for the development of the 104-unit apartment complex.

In 2003, a building permit was issued for the construction of the apartment complex.

On June 25, 2014, the Planning Commission recommended approval of Tentative Tract Map (TTM 36756) to convert the existing apartments to 104 condominiums.

BACKGROUND AND SETTING:

Most Recent Ownership	
09/2013	Northwood Palm Springs LLC

Notifications	
6/12/2014	Notice of the Planning Commission Public Hearing was sent to all tenants within the complex and all property owners within 500 feet of subject site.
6/12/2014	Email notification of the Planning Commission Public Hearing was sent to representatives of Sonora Sunrise, Los Compadres, Araby Commons and Araby Cove Neighborhood Organizations.
7/03/2014	Notice of the City Council Public Hearing was sent to all tenants within the complex and all property owners within 500 feet of subject site.
7/03/2014	Email notification of the City Council Public Hearing was sent to representatives of Sonora Sunrise, Los Compadres, Araby Commons and Araby Cove Neighborhood Organizations.

Field Check	
May 2014	Staff visited site to observe existing conditions



Subject Site: Southeast Corner of East Palm Canyon Drive and Araby Drive

Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	HDR (High Density Residential)	Multi-family Residential	R-3 with Resort Overlay Zone (Multi-Family and Hotel)
North	HDR	Multi-family Residential	R-3 with Resort Overlay Zone
South	HDR & ER (Estate Residential)	Multi-family and Single-family Residential	R-3 with Resort Overlay Zone & R-G-A(6) (Garden Apartment and Cluster Residential)
East	HDR	Multi-family Residential	R-3 with Resort Overlay Zone
West	HDR	Single-Family Residential	R-3 with Resort Overlay Zone

ANALYSIS:

In order to convert an existing apartment building(s) to for-sale condominiums, a property owner must comply with Title 9 of the Palm Springs Municipal Code (PSMC) and various California Government Codes. Staff has provided an analysis of the proposal below.

PSMC: Chapter 9.62.020 "Condominium Conversion" states the following:

A tentative map, parcel map or final map involving prospective conversion of one or more existing structures or parcels into a condominium, stock cooperative, or any other form of community ownership, shall be approved only if the proposed condominium use of the property will be in conformity with the general plan and such conversion conforms to any other requirements or restrictions which may be adopted by the city council by ordinance dealing with the conversion of existing structures or parcels of land from rental units to community ownership; and further, only if any structure, parcel or design, if newly constructed as of the date of tentative map approval, could be lawfully constructed in accordance with the applicable zoning regulations, building codes and fire safety codes. A tentative map shall be required for all conversions including those of fewer than five units or parcels except for exceptions and exclusions set forth in the State Subdivision Map Act.

As noted above, the project must be consistent with the (1) General Plan, (2) other city requirements / restrictions and (3) current law for constructing a multi-family residential project for individual sale. A summary of the project as it applies to each of these is provided below.

- 1) *General Plan:* The subject site is located within HDR (High Density Residential) General Plan Land Use designation. This designation allows up to 30 dwelling units per acres. Based on the property size of 4.97-acres, the project consists of approximately 21 units per acre. Thus, the project is consistent with the General Plan density.
- 2) *Other city requirements / restrictions:* No other City requirements / restrictions exist which would prevent the proposed development from being converted to for-sale units.

- 3) *Current law for constructing a multi-family residential project for individual sale:*
 As the project was built in 2001 without any associated variances or deviations, the development could be constructed under the current zoning law, including development standards, for the R-3 zone, because there haven't been any changes in requirements. Pursuant to Section 93.06.00 of the Zoning Code, the project does include one covered parking space for each of the 104 units.

California Government Code: Under Gov't Code Section 66427, there are a number of requirements that must be followed when converting an apartment building(s) to condominiums. A description of each and conformance analysis is provided below:

CA Gov't Code	Description	Compliance
66427.1(a)(2)(A)	Written notification, pursuant to Section 66452.18, of intention to convert, provided at least 60 days prior to the filing of a tentative map pursuant to Section 66452.	Applicant provided to each tenant on February 10, 2014.
66427.1(a)(2)(B)	Ten days' written notification that an application for a public report will be, or has been, submitted to the Bureau of Real Estate, that the period for each tenant's right to purchase begins with the issuance of the final public report, and that the report will be available on request.	Applicant agrees to comply.
66427.1(a)(2)(C)	Written notification that the subdivider has received the public report from the Bureau of Real Estate. This notice shall be provided within five days after the date that the subdivider receives the public report from the Bureau of Real Estate.	Applicant agrees to comply.
66427.1(a)(2)(D)	Written notification within 10 days after approval of a final map for the proposed conversion.	Applicant agrees to comply.
66427.1(a)(2)(E)	One hundred eighty days' written notice of intention to convert, provided prior to termination of tenancy due to the conversion or proposed conversion pursuant to Section 66452.19, but not before the local authority has approved a tentative map for the conversion.	Applicant agrees to comply
66427.1(a)(2)(F)	Notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that the unit will be initially offered to the general public or terms more favorable to the tenant pursuant to Section 66452.20. The exclusive right to purchase shall commence on the date the subdivision public report is issued, as provided in Section 11018.2 of the Business and Professions Code, and shall run for a period of not less	Applicant agrees to comply

	than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right.	
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PLANNING COMMISSION REVIEW:

At its regular meeting of June 25, 2014, the Planning Commission reviewed the proposed condominium conversion and expressed interest and concern of the impact to affordable housing. Staff noted that this property is not part the City's affordable housing inventory and the conversion of this property would not affect the City's ability to meet the housing needs required by the State of California. (See attached meeting minutes for full discussion.)

After additional questions and comments related to existing parking, easements and landscaping, the Commission recommended approval of the project subject conditions contained in the attached draft resolution.

REQUIRED FINDINGS:

Findings are required for the proposed subdivision pursuant to Section 66474 of the California Subdivision Map Act. If any of these findings are not met, the City shall deny approval:

- a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.*

The TTM proposes one (1) lot equaling 5.28 gross acres for the purpose of a 104 unit condominium project. The site is located within the HDR (High Density Residential) General Plan Land Use designation, which allows up to 30 dwelling units per acre. The residential density is 21 units per acre and therefore consistent with the current General Plan. Therefore, the finding has been met.

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

The proposed subdivision is consistent with the R-3 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling roughly 230,202-square feet. The design of the proposed condominium plan is consistent with the existing development, including covered parking, and applicable zoning. Therefore, the finding has been met.

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

The site is an existing 104 unit residential complex with adequate access to streets. No

further development of units is proposed. The surrounding neighborhood is a mix of established and newly constructed residential properties. The site is physically suited for this type of development and the finding has been met.

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

The density of the existing development will not change. It is physically suited for the density of the development (104 units) with common open space, off-street parking and circulation for pedestrians and vehicles. The only difference will be the ability to sell individual units. Therefore, the finding has been met.

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

The California Environmental Quality Act considers these types of applications as being exempt from environmental review, pursuant to Section 15301(k) "Division of multiple-family residences into common-interest ownership...". Thus, the subdivision is not likely to cause environmental damage.

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

The subdivision will create a one lot parcel for the sale of individual units. There are no improvements proposed that would likely cause serious public health problems.

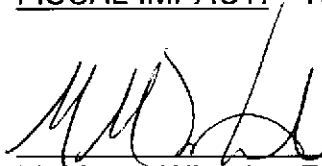
g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

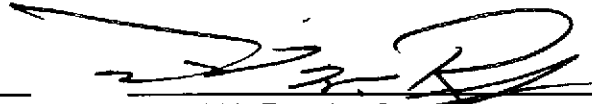
ENVIRONMENTAL DETERMINATION:

The subject application has been evaluated and deemed a project under the guidelines of the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines, the proposed project is Categorically Exempt under Section 15301(k): "Division of existing multiple family or single-family residences into common-interest ownership...where no physical changes occur which are not otherwise exempt."

FISCAL IMPACT: No fiscal impact.



M. Margo Wheeler, FAICP
Director of Planning Services



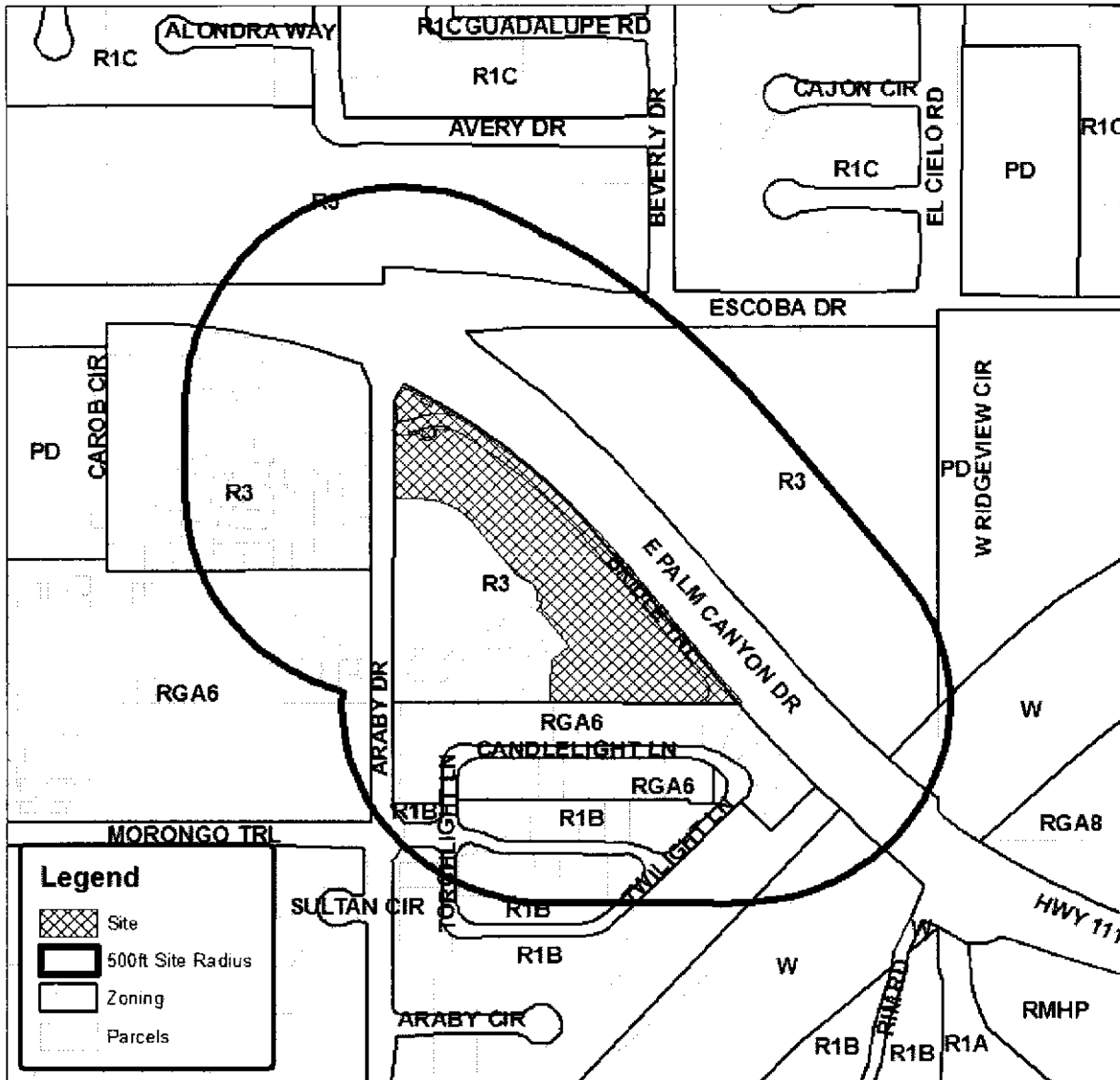
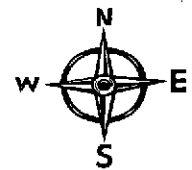
David H. Ready, City Manager

Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. TTM 36756
4. Site Plan (with off-street parking tabulation)
5. 6/25/2014 Planning Commission Minutes (draft)
6. Correspondence from Applicant



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: TTM 36756

APPLICANT: Northwood-Palm Springs, LLC

DESCRIPTION: To consider an application by Northwood-Palm Springs, LLC, owner for a Tentative Tract Map to convert 104 apartments to for-sale condominiums and create a one lot, condominium map of 104 units. The roughly 5.28-acre site is located at 1700 Araby Drive, Zone R-3, Section 25.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A TENTATIVE TRACT MAP, CASE TTM 36756, TO CONVERT 104 EXISTING APARTMENTS TO FOR-SALE COMINIUMS THROUGH A ONE LOT SUBIDIVISION FOR CONDOMINIUM PURPOSES ON A 5.28-ACRE SITE LOCATED AT 1700 ARABY DRIVE.”

WHEREAS, Northwood-Palm Springs LLC (“Applicant”) has filed an application with the City pursuant to Chapter 9.62 of the City’s Municipal Code (Maps) and Section 66474 of the State of California Subdivision Map Act, for a Tentative Tract Map proposing one lot for 104 condominiums at 1700 Araby Drive, Zone R-3, Section 25; and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case TTM 36756 was given in accordance with applicable law; and

WHEREAS, on February 26, 2014, a public meeting on Case TTM 36756 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, at said meeting 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 7-0 to recommend approval of the Tentative Tract Map by Resolution, subject to Conditions of Approval; and

WHEREAS, notice of public hearing of the City Council of the City of Palm Springs to consider TTM 36756 was given in accordance with applicable law; and

WHEREAS, the proposed project is considered a “project” pursuant to the terms of the California Environmental Quality Act (“CEQA”), and has been determined to be Categorically Exempt as a Class 1 exemption (*Division of existing multiple family or single-family residences into common-interest ownership...where no physical changes occur which are not otherwise exempt*) pursuant to Section 15301(k) of the CEQA Guidelines; and

WHEREAS, the City Council has 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.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is exempt from CEQA review as the proposal meets the Class 1 Exemption under Section 15301(k), whereby the project conforms to the following: *"division of existing multiple family or single-family residences into common-interest ownership...where no physical changes occur which are not otherwise exempt."*

SECTION 2. Pursuant to Municipal Code Chapter 9.64 (Maps) and the State of California Subdivision Map Act Section 66474, the City Council finds as follows:

a. That the proposed Tentative Tract Map is consistent with all applicable general and specific plans.

The TTM proposes one (1) lot equaling 5.28 gross acres for the purpose of a 104 unit condominium project. The site is located within the HDR (High Density Residential) General Plan Land Use designation, which allows up to 30 dwelling units per acre. The residential density is 21 units per acre and therefore consistent with the current General Plan. Therefore, the finding has been met.

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

The proposed subdivision is consistent with the R-3 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling roughly 230,202-square feet. The design of the proposed condominium plan is consistent with the existing development, including covered parking, and applicable zoning. Therefore, the finding has been met.

c. The site is physically suited for this type of development.

The site is an existing 104 unit residential complex with adequate access to streets. No further development of units is proposed. The surrounding neighborhood is a mix of established and newly constructed residential properties. The site is physically suited for this type of development and the finding has been met.

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

The density of the existing development will not change. It is physically suited for the density of the development (104 units) with common open space, off-street parking and circulation for pedestrians and vehicles. The only difference will be the ability to sell individual units. Therefore, the finding has been met.

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

The California Environmental Quality Act considers these types of applications as being

exempt from environmental review, pursuant to Section 15301(k) "*Division of multiple-family residences into common-interest ownership...*". Thus, the subdivision is not likely to cause environmental damage.

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

The subdivision will create a one lot parcel for the sale of individual units. There are no improvements proposed that would likely cause serious public health problems.

g. 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.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council hereby approves Case TTM 36756; a Tentative Tract Map one lot subdivision for 104 condominiums at 1700 Araby Drive; subject to the attached conditions set forth in Exhibit A.

ADOPTED this 16th day of July, 2014.

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

EXHIBIT A

Tentative Tract Map 36756

Northwood Palm Springs LLC
104-unit Condominium Conversion at the Southeast Corner of
East Palm Canyon Drive and Araby Drive
1700 Araby Drive

July 16, 2014

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.

PROJECT CONDITIONS:

1. Smart meters shall be installed and continuously maintained for all common landscaping.
2. Applicant shall meet all State laws regarding relocation.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case TTM 36756, except as modified by the conditions below.
- ADM 2. Reference Documents. The Final Map shall be consistent with approved Tentative Tract Map, date stamped May 6, 2014 on file in the Planning Division.
- 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.

- 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. 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 TTM 36756. 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 6. 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 7. Time Limit on Approval. Approval of a 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 and City Council upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. CC&R's The applicant prior to issuance of building permits 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. These 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 10. CC&R's. Prior to recordation of a final Tentative 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 11. 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 \$675 filing fee shall also be paid to the City Planning Department for administrative review purposes. Note: these fees may change upon City Council approving updates to the current fee schedule.

ADM 12. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events and roadway closures for special events. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.

ADM 13. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

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

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.

ON-SITE

ENG 1. Dedicate an easement for the right of ingress and egress for service and emergency vehicles and personnel over the proposed private travel way.

ENG 2. All easements of Record that have been recorded on said property are to remain in place, all access to easements (vehicular, utility, bike path or other) to remain accessible.

MAP

ENG 3. A Final Tract 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 4. 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 (Parcel) Map by the City Council, or in the absence of a Final (Parcel) Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 5. 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 (e00), 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.

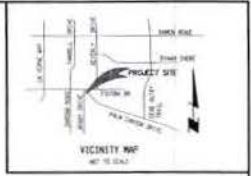
END OF CONDITIONS

IN THE CITY OF PALM SPRINGS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
TENTATIVE TRACT NO. 36756

A PORTION OF PARCEL 1 AS SHOWN BY PARCEL MAP NO. 30262 IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP FILED APRIL 4, 2004, IN BOOK 206, PAGES 64 AND 65 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY REGISTER OF SAID COUNTY, FOR CONDOMINIUM PURPOSES.

TRANSTECH

APRIL 2014



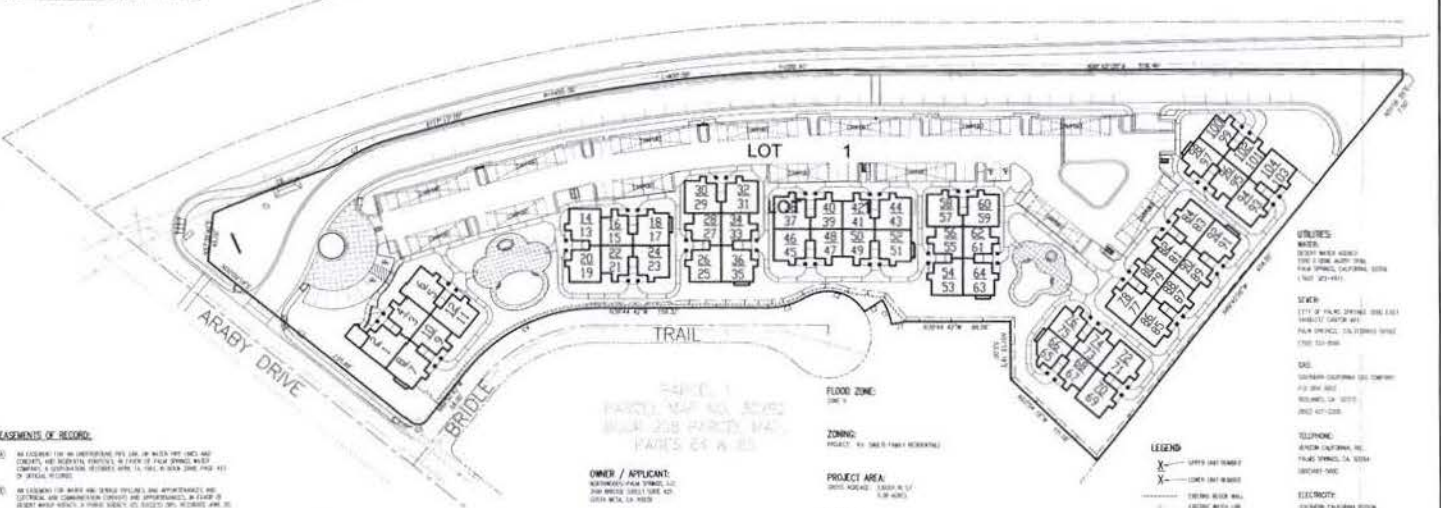
CURVE DATA TABLE

LINE	BEARING	CHORD	ANGLE	TANGENT
CD	275.70°	88.00	23.32'	12.17'
DE	275.70°	88.00	80.22'	38.20'
DF	275.70°	88.00	33.20'	20.70'
CG	275.70°	88.00	14.82'	7.10'
CH	275.70°	88.00	6.75'	3.26'
CI	275.70°	88.00	3.12'	1.50'

LINE DATA TABLE

LINE	BEARING	LENGTH
CD	275.70°	88.00'
DE	275.70°	88.00'
DF	275.70°	88.00'
CG	275.70°	88.00'
CH	275.70°	88.00'
CI	275.70°	88.00'

EAST PALM CANYON DRIVE



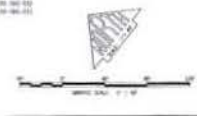
- EASEMENTS OF RECORD:**
- AN EASEMENT FOR THE TRANSMISSION OF GAS, AIR, WATER, AND OTHER UTILITIES, AND NECESSARY PARTS THEREOF, IN FAVOR OF PALM SPRINGS WATER COMPANY, A CORPORATION INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAP NO. 15,161 IN BOOK 206, PAGE 65 OF PARCEL MAPS.
 - AN EASEMENT FOR WATER AND SEWER UTILITIES AND APPURTENANCES AND UTILITIES AND CONDUITS, UTILITIES AND APPURTENANCES, IN FAVOR OF GREAT BAY AREA WATER SUPPLY DISTRICT, INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAP NO. 15,161 IN BOOK 206, PAGE 65 OF PARCEL MAPS.
 - AN EASEMENT FOR PUBLIC UTILITIES UTILITIES IN FAVOR OF THE CITY OF PALM SPRINGS, INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAP NO. 15,161 IN BOOK 206, PAGE 65 OF PARCEL MAPS.
 - AN EASEMENT FOR TRANSMISSION OF GAS, AIR, WATER, AND OTHER UTILITIES, AND NECESSARY PARTS THEREOF, IN FAVOR OF PALM SPRINGS WATER COMPANY, A CORPORATION INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAP NO. 15,161 IN BOOK 206, PAGE 65 OF PARCEL MAPS.
 - AN EASEMENT FOR GAS, WATER, AND OTHER UTILITIES, AND NECESSARY PARTS THEREOF, IN FAVOR OF THE CITY OF PALM SPRINGS, INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAP NO. 15,161 IN BOOK 206, PAGE 65 OF PARCEL MAPS.
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LEGAL DESCRIPTION:
 A PORTION OF PARCEL 1 AS SHOWN BY PARCEL MAP NO. 30262 IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP FILED APRIL 4, 2004, IN BOOK 206, PAGES 64 AND 65 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY REGISTER OF SAID COUNTY.

OWNER / APPLICANT:
 TRANSTECH
 1000 WEST 10TH STREET
 COSTA MESA, CA 92626

ENGINEER / SURVEYOR:
 JAMES W. HARRIS
 1000 WEST 10TH STREET
 COSTA MESA, CA 92626

ASSESSOR'S PARCEL NUMBER:
 001-000-000
 001-000-000
 001-000-000
 001-000-000



FLOOR ZONE:
 ZONE 1

ZONING:
 PROJECT AS SHOWN BY RECORDING MAP NO. 15,161

PROJECT AREA:
 SHOWN AS SHOWN BY RECORDING MAP NO. 15,161

NOTES:
 ALL NOTES SHALL BE IN ACCORDANCE WITH THE RECORDING MAP NO. 15,161.

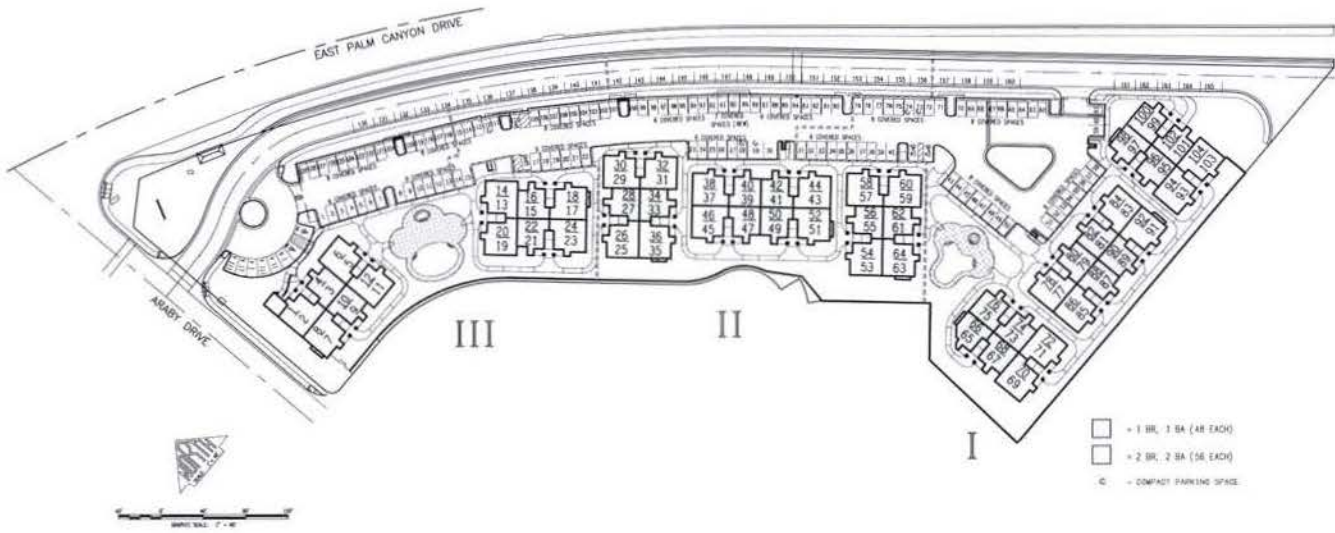
CONDOMINIUM NOTE:
 THIS PROJECT IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4100 OF THE CIVIL CODE AND SUBDIVISION MAP NO. 30262 AS SHOWN BY RECORDING MAP NO. 15,161. THIS PROJECT IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4100 OF THE CIVIL CODE AND SUBDIVISION MAP NO. 30262 AS SHOWN BY RECORDING MAP NO. 15,161.

LEGEND:
 X - LOT LINE MARKER
 X - LOT LINE MARKER
 --- EXISTING WALKWAY
 --- EXISTING WALKWAY
 --- EXISTING WALKWAY
 --- EXISTING WALKWAY

PRELIMINARY
 4-30-2014

Tract No. 36756
 PALM SPRINGS WATER SUPPLY DISTRICT
 PALM SPRINGS, CALIFORNIA 92506
 1 OF 1

		CITY OF PALM SPRINGS TENTATIVE TRACT MAP NO. 36756 SITE PLAN
		SHEET NO. 1 OF 1 DATE: APRIL 2014



- = 1 BR, 1 BA (48 EAO)
- = 2 BR, 2 BA (56 EAO)
- = COMPACT PARKING SPACE

I		II		III	
UNITS		UNITS		UNITS	
1/1	24	1/1	16	1/1	8
2/2	16	2/2	24	2/2	16
TOTAL	40 (85-104)	TOTAL	40 (25-64)	TOTAL	24 (1-24)
PARKING		PARKING		PARKING	
UNCOVERED	16 (39, 40, 59-61, 62, 71, 157-165)	UNCOVERED	24 (15, 29, 30, 80, 81, 100, 101, 111, 112, 142-156)	UNCOVERED	16 (1, 8, 120A, 129, 130-141)
COVERED	40 (31-38, 43-50, 51-58, 63-70, 72-79)	COVERED	42 (14, 17-28, 82-99, 102-109, 113-115)	COVERED	24 (2-7, 9-13, 116-120, 121-128)
DISABLED	2 (41, 42)	DISABLED	2 (16, 110)	DISABLED	2 (UP FRONT)
VISITOR	2 (UP FRONT)	VISITOR	2 (UP FRONT)	VISITOR	2 (UP FRONT)
TOTAL	60	TOTAL	70	TOTAL	44

PRELIMINARY
NOT FOR CONSTRUCTION
8/23/2014

477 HAWKEYE DRIVE
SAN BERNARDINO, CA 92408
(951) 394-1944

PUBLIC WORKS / ENGINEERING
CITY OF PALM SPRINGS
EXISTING SITE PLAN
THE VILLA BOUTIQUE LIVING
I, II, III

DATE: 02/13/14
SCALE: 1/4" = 1'-0"
SHEET: 1 OF 1

~~VICE-CHAIR HUDSON said he would like to see taking a more comprehensive look at Indian Canyon Way. He supports a 2-way street and would like to see this important edge studied by the Tribe and City.~~

~~COMMISSIONER WEREMIUK commented that the City will review against adopted guidelines.~~

~~**ACTION:** Recommend adoption of the MND and approval of the proposed Section 14 Specific Plan Update to the City Council.~~

~~**Motion:** Chair Donenfeld, seconded by Commissioner Klatchko and unanimously carried on a roll call vote.~~

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

~~COMMISSIONER CALERDINE proposed further study of a potential road Calle Alvarado to Tahquitz Canyon with non-standard width on 1-way and have that brought back to the Planning Commission prior to future development.~~

~~CHAIR DONENFELD AND COMMISSIONER KLATCHKO accepted the amendment.~~

~~**3A. KEITH ZIMMERMAN FOR A TENTATIVE PARCEL MAP, VARIANCE AND ADMINISTRATIVE MINOR MODIFICATION TO SUBDIVIDE A 0.62-ACRE LOT INTO THREE RESIDENTIAL LOTS WITH REDUCED LOT WIDTHS; LOCATED ADJACENT TO ORANGE AVENUE, SOUTH OF SUNNY DUNES ROAD AND NORTH OF MESQUITE AVENUE, ZONE R-1-D (CASE NOS. TPM 36562, 6.539 VAR AND 7.1427 AMM). (DN)**~~

~~**ACTION:** Continue to July 9, 2014.~~

~~**Motion:** Commissioner Roberts, seconded by Commissioner Calerdine and unanimously carried on a roll call vote.~~

~~AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk, Vice Chair Hudson and Chair Donenfeld~~

~~**3B. NORTHWOOD-PALM SPRINGS, LLC FOR A TENATIVE TRACT MAP CONVERT 104 APARTMENTS TO FOR-SALE CONDOMINIUMS AND CREATE A ONE-LOT CONDOMINIUM MAP ON A ROUGHLY 5.28-ACRE PARCEL LOCATED AT 1700 SOUTH ARABY DRIVE, ZONE R-3. (CASE NO. TTM 36756). (DN)**~~

ASSOCIATE PLANNER NEWELL presented the proposed project. He noted that Admin. Condition #9 is not required for this project.

COMMISSIONER ROBERTS questioned were the City stands with affordable housing needs.

DIRECTOR WHEELER gave information from our Housing Element consultant regarding affordable housing.

COMMISSIONER WEREMIUK said this does not mention State relocation. Do they meet requirements?

DIRECTOR WHEELER responded yes.

COMMISSIONER CALERDINE asked about the right turn traffic signal from Araby Drive onto East Palm Canyon. He noted that landscape is grown on Ventura. There is a movement issue and proposed a study.

CHAIR DONENFELD opened the public hearing:

DAVID MLYNARSKI, APPLICANT, said they are in agreement with staff's conditions. They see it as benefit to project by making it owner occupied. It has been well received by occupants.

There being no further appearances the Public Hearing was closed.

COMMISSIONER ROBERTS said he has concerns about removing any rentals from the city's affordable housing.

COMMISSIONER WEREMIUK questioned the number of parking spaces.

DAVE MLYNARSKI, APPLICANT, said 160 parking spaces for 104 units. They covered some that spaces that were not.

COMMISSIONER WEREMIUK asked about utilities.

DAVID MLYNSARSKI responded that he needs to check utilities. They have gone through along process with housing.

RANDY FRIEND, APPLICANT, said it was built 10 years as condos and noted the gas and electric are separately metered.

COMMISSIONER WEREMIUK asked how water is metered.

DAVID MLYNSARSKI said it is group metered. Units have patios and balconies. No useable turf.

COMMISSIONER WEREMIUK asked what the terms are.

RANDY FRIEND, APPLICANT, said they are honoring all leases.

ASSOCIATE PLANNER NEWELL distributed the parking plan.

COMMISSIONER KLATCHKO recollected that this originally was designed as condominiums and is appropriate.

COMMISSIONER WEREMIUK inquired about a smart meter. She is concerned with loss of rental housing stock.

ACTION: Approve and recommend approval to the City Council, subject to conditions.

Motion: Commissioner Klatchko, seconded by Vice Chair Hudson and unanimously carried on a roll call vote.

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

DIRECTOR WHEELER said this will move forward to the City Council.

~~3C. STEVE HERMANN HOTELS, LLC, FOR A CONDITIONAL USE PERMIT TO ALLOW A RESTAURANT AS AN INTEGRAL PART OF A 20-ROOM HOTEL IN A NEW SERVICE BUILDING AT THE HORIZON HOTEL LOCATED AT 1050 EAST PALM CANYON DRIVE (CASE 3.0313 MAA).~~

ASSOCIATE PLANNER NEWELL presented the proposed project as outlined in the staff report.

VICE-CHAIR HUDSON asked about landscaping and signage.

COMMISSIONER KLATCHKO asked about exterior dining and shade structure.

COMMISSIONER ROBERTS had concerns about shading and asked about hours of operation.

DIRECTOR WHEELER responded 7am - midnight.

CHAIR DONENFELD opened the public hearing:

STEVE HERMANN, APPLICANT, addressed the details of operation for the hotel and noted that an outreach with Deepwell neighborhood occurred.

JUSTIFICATION LETTER

TENTATIVE TRACT NO. 36756 – 1770 S. ARABY WAY

RECEIVED

PALM SPRINGS, CA

APR 06 2014

SERVICES

The following is a brief description of the application submitted on behalf of the proposed subdivision 'for condominium purposes' for the subject property located at 1700 S. Araby Drive.

Project Description:

The subject property is a 4.18 acre parcel developed with 104 multi-family dwelling units. The current project was approved by the City of Palm Springs Planning Commission on December 13, 2000 and the City Council on February 14, 2001 (CUP No. 5.0843).

Subsequent to the approval and conditional to the CUP, Parcel Map No. 30292 was approved by the City (April 10, 2002 PC and May 15, 2002 CC). The approval of the final parcel map secured all necessary public right-of-ways, easements and public improvements, i.e. bus shelter, bike path and sidewalk accordingly.

At the time the project was developed the landowners held only a 'leasehold' interest in the property which is the primary purpose that the units were not offered as a 'for sale' property. The property owners have since acquired the fee title to the subject property and the property directly adjacent to the south and desire to offer the existing 1 and 2 bedroom units 'for sale' subject to the applicable rules and regulations.

The project owners have been working with Chicago Title, Department of Real Estate (BRE), FHA and other underwriters to provide proper documentation for the vesting and transfer of title on the units to perspective buyers.

The underlying parcel(s) for condominium purposes was established in 1960 (prior to enactment of the Subdivision Map Act) per a Record Of Survey (RS) that established condominium units across the subject property and that property to the immediate south. Half of the units were built and are occupied today. The subject property was never constructed upon until 2002, however the units were not offered for sale, but for rent. Market conditions have improved and it is the desire of the owners to offer those units for sale as the units to the south were sold.

The project owners are in the process of filing the condominium plan with BRE and FHA along with the vesting deed and proposed project budgets.

Other facts/details:

1. The subject property is less than 5 acres in net area (4.18 net acres).
2. The subject property has provided all public dedications, fronts on a public right-of-way and has all utilities installed and available to the units.
3. The subject property is a 1-Lot map (PM 30292).
4. No new parcels are being created.

5. A condominium plan will be filed with the BRE for processing accordingly.
6. All necessary notices to tenants have been mailed (60-day notice was sent in February 2014), subsequent notices to tenants and perspective tenants to follow.

Information:

The existing project consists of the following:

- Number of dwelling units – 104
 - 48 1 bedroom / 1 bath
 - 56 2 bedroom / 2 bath
- There is 1 full time property manager. All other services are contracted or managed by the corporate office staff.
- There is currently 1 lot. Proposed is 1 lot.
- Proposed units will be offered for sale as 'air-space' ownership with exclusive use areas e.g. patios, balconies, parking spaces, air conditioning units.
- Units for sale shall be offered to existing occupants / renters.
- Relocation expenses are being offered for those tenants choosing not to purchase a unit.

Findings:

The findings necessary for approving a Tentative Tract Map (TTM) include those outlined in Section 66474 of the Map Act:

- (a) That the proposed map is consistent with applicable general plan.**

The subject property is designated as H-43/21 (High Density Residential) on the City's General Plan Land Use Map and R-3 (Multiple-family Residential and Hotel Zone) pursuant to the Zoning Map. The proposed zoning and land use fits within the range of uses allowed with these categories and was found to be consistent at the time of construction. The proposed 'conversion' via a 1-Lot map of the 104 rental units into 104 for sale units is therefor in harmony with the various elements and objectives of the City of Palm Springs General Plan and is not detrimental to existing uses specifically permitted in the zone which the proposed use is located

- (b) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.**

The subject property is designated as H-43/21 (High Density Residential) on the City's General Plan Land Use Map and R-3 (Multiple-family Residential and Hotel Zone) pursuant to the Zoning Map. The proposed 1- Lot Map is compatible with the General Plan and existing land uses to the south, north (across Palm Canyon Drive) and east, as well as future uses of vacant land to the west (across Araby Drive, which could be developed with a variety of high density residential uses pursuant to the City's General Plan and Zoning Ordinance.

(c) That the site is physically suitable for the type of development.

The subdivision map is being requested to allow for the sale of the existing units. All necessary public improvements have been completed in accordance with the requirements of the R-3 zone and complies with all performance and development standards. All dedications and public improvements have been made. Thus, the project is compatible with the surrounding neighborhood.

(d) That the site is physically suitable for the proposed density of development.

The subject property is designated as H-43/21 (High Density Residential) on the City's General Plan Land Use Map and R-3 (Multiple-family Residential and Hotel Zone) pursuant to the Zoning Map. The proposed subdivision will not create any new parcels. The proposed map has been designed similar to the underlying parcel map and performance standards of the R-3 Zone. Thus, the project is compatible with the surrounding neighborhood.

(e) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

A Categorical Exemption pursuant to the standards of Section(s) 15332 and 15301, Class 1(K) of the California Environmental Quality Act (CEQA).

(f) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The proposed subdivision map has been designed for the purpose of 'for sale' of the existing units. All public improvements were designed and constructed in accordance with the applicable statutes and conditions of approval by the City of Palm Springs City Engineer and Fire Department. The subdivision is consistent with the development patterns in the area.

(g) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

The proposed subdivision map will not conflict with the existing traffic flow adjacent to the property or with access to utilities required to the serve the subdivision and the immediate area. The existing project has contributed to the improvement of these circumstances via dedication of exclusive easements for bikeways and pedestrians, in addition to, extension of dry utility systems.

Tenant
60-Day Notice of
Intent to Convert to Condominiums

To the occupant(s) of 1700 South Araby Drive, Palm Springs, CA units 1 through 104 inclusive:

The owner(s) of the building at 1700 South Araby Drive plans to file a Tentative Map or Map Waiver with the City of Palm Springs to convert this building to a condominium.

You shall be given notice of each hearing for which notice is required pursuant to sections 66451.3 and 66452.5 of the Government Code, and you have the right to appear and the right to be heard at any such hearing.

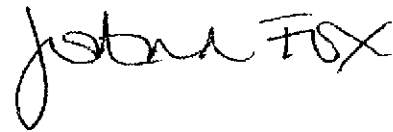


(Signature of Owner or Owner's agent)

February 10, 2014

Date

I, JoAnn Fox, declare that I mailed a true copy of this notice in the US mail in a sealed envelope with postage addressed to the tenants'.



Executed on Monday, February 10, 2014

Served by:

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**



Date: July 16, 2014
Subject: TTM 36756 Northwood-PalmSprings, LLC

AFFIDAVIT OF PUBLICATION

I, Cynthia A. Berardi, 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 5, 2014.

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




Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF POSTING

I, Cynthia A. Berardi, 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 July 3, 2014.

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

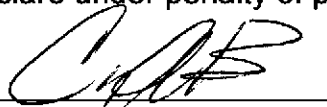


Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF MAILING

I, Cynthia A. Berardi, 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 July 3, 2014, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (376 notices)

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



Cynthia A. Berardi, CMC
Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

TENTATIVE TRACT MAP 36756
NORTHWOOD-PALMSPRINGS, LLC
1700 SOUTH ARABY DRIVE

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of July 16, 2014. 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 the hearing is to consider an application by Northwood-Palm Springs, LLC, for a Tentative Tract Map to convert 104 apartments to for-sale condominiums and create a one lot condominium map of 104 units. The roughly 5.28-acre site is located at 1700 Araby Drive, Zone R-3, Section 25.

ENVIRONMENTAL DETERMINATION: The proposed project has been evaluated pursuant to the guidelines of the California Environmental Quality Act (CEQA) and has been deemed "Categorically Exempt" under CEQA Section 15301(k).

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]).

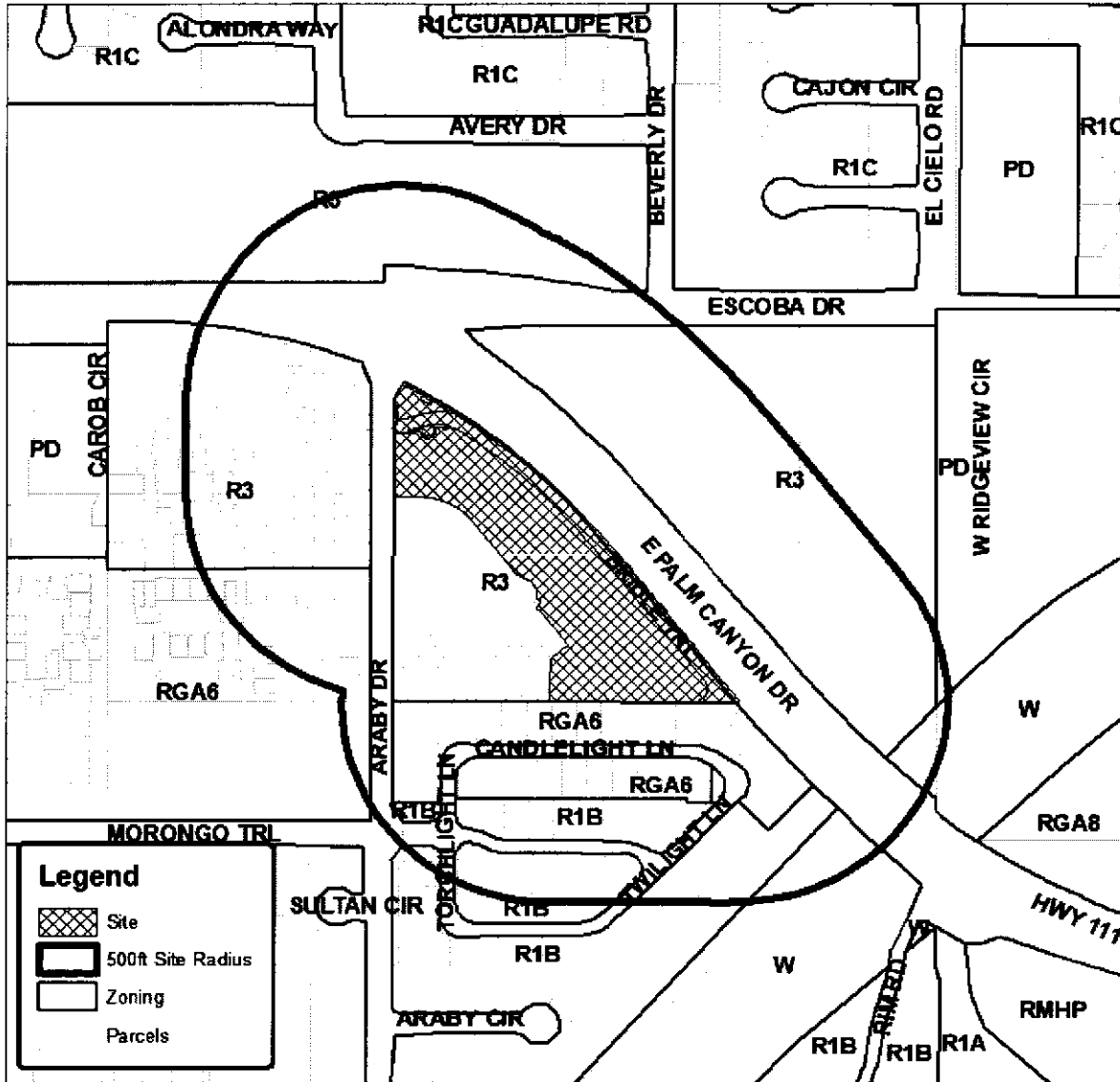
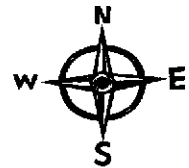
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David A. Newell, Associate Planner, at (760) 323-8245.

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



CITY OF PALM SPRINGS

CASE NO: TTM 36756

APPLICANT: Northwood-Palm Springs, LLC

DESCRIPTION: To consider an application by Northwood-Palm Springs, LLC, for a Tentative Tract Map to convert 104 apartments to for-sale condominiums and create a one lot condominium map of 104 units. The roughly 5.28-acre site is located at 1700 Araby Drive.