



## PLANNING COMMISSION STAFF REPORT

DATE: August 27, 2014

SUBJECT: GAIN LIMITED PARTNERSHIP FOR A GENERAL PLAN LAND USE AMENDMENT FROM TOURIST RESORT COMMERCIAL TO LOW DENSITY RESIDENTIAL; A PLANNED DEVELOPMENT DISTRICT IN-LIEU OF ZONE CHANGE TO ALLOW A SINGLE-STORY, DETACHED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT; AND A TENTATIVE PARCEL MAP TO SUBDIVIDE APPROXIMATELY 0.91-ACRES INTO THREE RESIDENTIAL LOTS LOCATED AT APPROXIMATELY 260 WEST VISTA CHINO ROAD, EXISTING ZONE: R-3; PROPOSED ZONE: PD-368 (CASE 5.1333 GPA, PD-368 AND TPM 36686).

FROM: Department of Planning Services

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### SUMMARY

The Planning Commission will consider a General Plan Land Use Amendment from Tourist Resort Commercial (TRC) to Low Density Residential (LDR); a Planned Development District (PDD) in-lieu of zone change for a proposed single-story, detached single-family residential development consisting of three dwellings; and a Tentative Parcel Map to subdivide an approximately 0.91-acre parcel into three residential lots that are each about 13,200-square feet in size. The project name is "Kaptur Court".

### RECOMMENDATION:

Adopt a Categorical Exempt pursuant to CEQA; approve PD-368, subject to conditions; and recommend City Council (1) approve the proposed land use amendment to the 2007 General Plan; (2) approve Tentative Parcel Map 36686 and (3) approve PD-368, including Preliminary and Final Development Plans, subject to conditions.

### ISSUES:

- Current General Plan land use designation inconsistent with single-family residential. Amendment proposed to extend Low Density Residential land use designation from northwest to project site.
- Single-family residential prohibited within R-3 Zoning. Change of zone to PD-368 required to permit single-family residential.

**BACKGROUND:**

**Most Recent Change of Ownership**

|            |  |
|------------|--|
| March 2014 | Gain Limited Partnership purchased the property. |
|------------|--|

**Planning Areas**

|                 |      |  |
|-----------------|------|--|
| Specific Plan   | None |  |
| Design Plan     | None |  |
| Airport Overlay | None |  |
| Indian Land     | None |  |

**Neighborhood Meeting**

|      |  |
|------|--|
| None |  |
|------|--|

**Field Check**

|             |  |
|-------------|--|
| August 2014 | Staff visited the site to observe existing conditions. |
|-------------|--|

**Related Relevant City Actions by Planning, Fire, Building, etc...**

|           |   |
|-----------|---|
| 8/25/2014 | The Architectural Advisory Committee (AAC) will review the proposed project. A summary of the AAC action will be provided to the Planning Commission. |
|-----------|---|

**Site Area**

|          |            |
|----------|------------|
| Net Area | 0.91-acres |
|----------|------------|

**Sign Posting of Pending Project**

|           |  |
|-----------|--|
| 7/25/2014 | The City received verification that a sign had been posted on-site as required by Section 94.09.00 of the Zoning Code. |
|-----------|--|

**General Plan, Zoning and Land Uses of Site & Surrounding Areas**

|       | Existing Zoning Designations | Existing General Plan Designations                                | Existing Land Use                    |
|-------|------------------------------|---|--------------------------------------|
| North | RGA-6 and R-3                | Low Density Residential (LDR) and Tourist Resort Commercial (TRC) | Condominium Complex and Resort Hotel |
| South | R-2                          | Mixed Use / Multi-Use (MU)  | 4-unit Condominium                   |
| East  | R-3                          | TRC   | Vacation Rental Complex              |
| West  | R-1-B                        | Estate Residential (ER)   | Single-family Residential            |



**SUBJECT SITE**

**PROJECT DESCRIPTION:**

The project site is located on the north side of Vista Chino Road at the Kaweah Road terminus (west of Palm Canyon Drive). The property was previously disturbed with development as depicted by remnants of deteriorating flat-work and a low garden wall along the street frontage. A sidewalk exists along the street. The site is surrounded by development consisting of a mixture of land uses on three sides and is a transition parcel between residential to the south and west and resort / hotel to the east and north.

The proposed development consists of the subdivision of an existing 0.91-acre lot into three residential lots with private access. Each lot will be approximately 13,198-square feet in size.

The application includes the architectural plans of the three single-family residences at approximately 2,300-square feet each. The floor plan will be the same for each lot and consist of three bedrooms and two-and-a-half bathrooms with a two car garage. Elevations will differ for each home.

**ANALYSIS:**

**General Plan**

**Land Use:** The current General Plan Land Use of the project site is "TRC" (Tourist Resort

Commercial), which is described as follows:

***Tourist Resort Commercial (0.35 FAR for stand-alone commercial uses; 43 hotel rooms per net acre; 86 rooms per net acre on Indian Land).*** This land use designation provides for large-scale resort hotels and timeshares including a broad range of convenience, fitness, spa, retail, and entertainment uses principally serving resort clientele. Commercial recreation and entertainment facilities, such as convention centers, museums, indoor and outdoor theatres, and water parks are included in this designation, but should be designed to be compatible with neighboring development. Tourist Resort Commercial facilities are most appropriate in the Palm Canyon Drive and Tahquitz Canyon Drive corridors. It is intended that the primary use in any Tourist Resort Commercial area shall be hotel/tourist-related uses; if residential uses are proposed within the Tourist Commercial Designation (timeshares, condominiums, etc.) they shall be a secondary use ancillary to the proposed hotel uses and shall not exceed a maximum of 30 dwelling units per acre. Permanent residential uses and commercial activities are allowed subject to approval of a planned development district.

An amendment to change the designation from "TRC" to "LDR" (Low Density Residential) is proposed for the project site. The General Plan describes this designation as follows:

***Low Density Residential (up to 6.0 dwelling units per acre).*** Similar to the Very Low Density Residential designation, the Low Density Residential designation also represents "typical" single-family detached residential development and other uses allowed by code.

The project proposes detached single-family dwellings at a density of about 3 units per the acre. This is consistent with the proposed land use designation. Additional analysis on the General Plan Amendment is found below in the Required Findings section of this report.

## **Zoning**

The project site is zoned "R-3" (Multiple-family and Hotel) with an overlay zone of "R" (Resort Overlay). The applicant seeks approval of a PD-in-lieu of zone change. If approved, the new zoning of the site would be PD-368.

### **Permitted Uses:**

Single-family residential is prohibited under the "R-3" zone. The PD-in-lieu of zone change will specifically permit single-family residential within PD-368. Accessory structures and uses will be consistent with the R-1 Zone, Section 92.01.03 of the Zoning Code.

The Resort Overlay zone requires the approval of a Conditional Use Permit when multiple-family dwellings are proposed. Since the project proposes single-family residential, no additional requirements must be fulfilled.

Development Standards:

|   | <b>R-3 Requirements</b>   | <b>Proposed Project: PDD 368</b>   | <b>Comply</b> |
|---|---|--|---------------|
| <b>A. Lot Area</b>                            | 20,000 sq. ft. (10,000 sq. ft. typical minimum lot size for R-1-C Zone)   | 13,200 sq. ft.   | No, per PDD   |
| <b>B. Lot Dimension</b>                       |   |  |               |
| Min. Width                                    | 130 feet  | 130 feet   | Yes           |
| Min. Depth                                    | 150 feet  | 100 feet   | No, per PDD   |
| <b>C. Density</b>                             | Min. of 2,000 sq. ft. of lot area / unit for multi-family   | 13,200 sq. ft. of lot area / per unit  | Yes           |
| <b>D. Building Height</b>                     | 15 feet and one story (due to location of adjacent Single Family Residential)   | 1 story, 15 feet   | Yes           |
| <b>E. Yard Setbacks</b>                       |   |  |               |
| 1. General Provisions                         | Front of garages / carports shall be located not less than 25 feet from property line abutting the street from which such garage has access.    | 25 feet  | Yes           |
| 2. Front Yard                                 | 25 feet   | Parcel 1: 55 feet (east property line)<br>Parcel 2 and 3: 45 feet (east property line)   | Yes           |
| 3. Side Yards                                 | - 10 feet, except buildings over 12 feet in height are required to meet setback equal to building height.<br>- Street side yards to be 20 feet. | Parcels 1 and 2: 8 feet (north and south property lines)<br>Parcel 3: 16 feet (south property line) and 8 feet (north property line) | No, per PDD   |
| 4. Rear Yard                                  | 10 feet, except buildings over 12 feet in height are required to meet setback equal to building height.   | Parcels 1, 2 and 3: 12 feet (east property line)   | Yes           |
| <b>F. Distance Between Buildings</b>          | 15 feet minimum<br>30 feet minimum for interior court   | 16 feet between buildings  | Yes           |
| <b>G. Walls, Fences and Landscaping</b>       | Refers to Section 93.02.00  | TBD  | -             |
| <b>H. Access.</b>                             | Required per to Section 93.05.00  | Access provided by 25 ft. access easement  | Yes           |
| <b>I. Off-street Parking</b>                  | 2-covered parking spaces per residence.   | 2-covered parking spaces per residence.  | Yes           |
| <b>J. Off-street Loading and Trash Areas.</b> | Trash containers stored within 50 feet of access way and concealed from public view.  | Trash containers to be stored in side yard and concealed from view.  | Yes           |
| <b>Performance Standards</b>                  | Minimum of 45 percent landscape open space  | 59% opens space  | Yes           |

REQUIRED FINDINGS:

**General Plan Amendment:** State of California Governmental Code Sections 65350 – 65362, outline the procedures and requirements for Cities and Counties to create and

amend their General Plan. There are, however, no specific findings for a General Plan Amendment. Staff has evaluated the GPA based upon the following:

- Compatibility of the proposed designation with adjacent land uses
- Potential adverse impacts to existing or future development in the vicinity.

*Compatibility of the proposed designation with adjacent land uses.*

The project site is surrounded by a variety of existing land uses including single family residential, multi-family residential and hotel developments. This remaining vacant lot is an in-fill site that transitions the existing single-family residential to the west and tourist resort area to the east. The re-designation will provide a logical transition between the Estate Residential (up to 2 units per acre) and Tourist Resort Commercial land uses.

*Potential adverse impacts to existing or future development in the area.*

The amendment will allow low density residential development. The General Plan Amendment from "TRC" to "LDR" for the subject parcel provides a logical transition between large lot single family and resort hotels. The area around the proposed project is fully built out and the proposed project represents infill development of a type, density, massing and scale that is consistent with and complementary to, the existing neighborhood in which it is proposed.

Staff has concluded that the requested General Plan Amendment poses no detrimental impacts to existing or future development in the vicinity.

***Planned Development in lieu of Zone Change:*** The Planning Commission and City Council must find that a Planned Development Districts proposed in-lieu of zone change is consistent with the findings outlined in Section 94.07.00 *Change of Zone*. Those findings are listed below with Staff's analysis.

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

The General Plan land use designation of the subject site is LDR (Low Density Residential). This designation allows residential uses with densities of up to six dwelling units per acre. The proposed project includes single family residences at a density of about 3 dwelling units per acre, which is consistent with the type and density of development within the LDR land use designation. Thus, the proposed change of zone is in conformity with the General Plan map and report.

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

The density of the proposed project is much less than the R-3 zone permits. The proposed site plan incorporates a private access way that will be required to conform to the minimum width for access and safety. The project proposes lot sizes that are adequate to provide usable outdoor space, including outdoor living. Thus, the project is deemed consistent with this finding.

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

The applicant proposes single-story single-family dwelling units on individual lots exceeding 13,000-square feet in size. Similar development exists to the west and south. The proposed zone change is necessary and proper to allow a lower density project. The use would not be detrimental to adjacent property or residents in this area due to a less dense project and zoning.

**PDD CUP Findings:** A Planned Development District (PDD) is subject to the requirements of Zoning Code Section 94.02.00 *Conditional Use Permit (CUP)*, including required findings contained therein. An analysis is provided below:

a. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

As part of the proposed project, a change of zone from R-3 to PD-368 has been requested to allow single family residential. Section 94.03.00 specifically allows such action; therefore, the use applied for at the subject location is properly one for which is authorized by the Zoning Code.

b. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

The proposed use is a typical form of single-family living within Palm Springs with lot sizes at roughly 13,200 square feet in size. Each site will accommodate a one-story residence with garage and private yard space. Other projects of similar design and size

are located west of the project site. Therefore, the use is desirable for the development of the community.

The land use designation of the site is LDR (Low Density Residential), which is described as “*typical’ single-family detached residential development and other uses as allowed by code.*” The proposed single-family residential use is detached. Thus, the use is consistent with the general plan.

The project will consist of one-story single-family residential on vacant land which will be re-zoned to PD-368. No other uses are permitted within this zone. Should alternate uses be proposed, an amendment to the PD would be required. Consequently, the use is not detrimental to the existing uses or to future uses specifically permitted in the zone (PD-368).

*c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The subject property is approximately 0.91-acres in total size and will be subdivided to accommodate three residential lots with a reciprocal access easement. The PD will establish all development standards for each residential parcel to accommodate a typical single-family residence with open space and outdoor living. The development will be consistent in height as those existing uses to the west and south. Therefore, the site for the intended residences is adequate in size and shape to adjust such use to those existing and future permitted uses of land in the neighborhood.

*d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The project site is located adjacent to West Vista Chino Road, which is defined as a Collector road by the General Plan Circulation Element. Collectors are designed as two lanes and typically carry local traffic. Vista Chino Road is improved to two lanes wide. Thus, the adjacent street is properly designed and improved to carry the type of traffic expected for a 3-lot single-family subdivision.

*e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare*



*and may include minor modification of the zone's property development standards.*

The project was evaluated under the California Environmental Quality Act (CEQA) and is considered exempt from further review, pursuant to Section 15303 (a) of the CEQA Guidelines. Conditions imposed include code requirements to ensure the public health, safety and general welfare is protected.

***Tentative Parcel Map:*** Findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and a discussion of the project as it relates to these findings follow:

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

The TPM proposes three individual residential lots with a reciprocal access easement. The proposed density is less than the maximum density permitted by the Low Density Residential General Plan land use designation. No specific plans are associated with the subject property.

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

The proposed project design and improvements will be consistent with the standards and design details of PD-368, which is the proposed zoning for the TPM. The project includes single-family lots that are approximately 13,200-square feet in size; access is provided via improved reciprocal access easement on the east side of the property. With the approval of the PD, the project will be consistent with this finding.

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

The project site is generally flat with a slight slope from northwest to southeast. Residential development exists to the west and south, while hotel development exists to the east and north. The project is an in-fill property and was previously disturbed. A total of three residences are proposed on the 0.91-acre site. The site has adequate vehicular access with the proposed 25-foot wide vehicular easement to each parcel. Therefore, the site is physically suited for this type of development.

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

The project proposes three single-family dwelling units on approximately 0.91-acres or roughly three dwelling units / acre, which is consistent with the density under the General Plan. The site abuts improved public streets with existing utilities and with right of way widths that are projected in the City's 2007 General Plan update to operate at normal

levels of service (LOS).

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

The site is an in-fill project that was previously disturbed. The site does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

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

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of an internal private street provides access to each lot. No serious public health problems are anticipated.

*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.

**Architectural Review:** Staff evaluated the proposal against the architectural review guidelines, pursuant to Section 94.04.00 of the Zoning Code, and prepared the following response:

| Item | Guideline   | Conforms? | Staff Evaluation:   |
|------|---|-----------|---|
| 1    | Does the proposed development provide a desirable environment for its occupants?                    | Yes       | Individual residences will include two garage spaces and private yard and pool areas.   |
| 2    | Is the proposed development compatible with the character of adjacent and surrounding developments? | Yes       | Surrounding development includes one- and two-story residential and hotel development. The project will be consistent as a one-story residential project.   |
| 3    | Is the proposed development of good composition, materials, textures, and colors?                   | Yes       | Consistent composition will be used throughout the project with one floor plan for the three lots. The residence includes a modern design with excellent composition and use of materials appropriate for the desert environment. |

|    |   |     |  |
|----|---|-----|--|
| 4  | Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas                              | Yes | Site and building orientations are sensitive to existing development. Private street defined by hardscape; however, no sidewalk provided on interior of development.   |
| 5  | Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted | Yes | Adjoining property that is developed consists of one- and two-story residential and hotel. The one-story residential project will be in harmonious relationship with these developments.   |
| 6  | Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment   | Yes | Structure heights and mass will be consistent with other single-family developments to the west. Setbacks are proposed to be modified as a part of the PD process. Mechanical units will be located on the ground and screened by privacy walls. |
| 7  | Building design, materials and colors to be sympathetic with desert surroundings  | Yes | Colors consist of muted tans and grays, which are sympathetic with desert surroundings.  |
| 8  | Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously   | Yes | Materials, colors and composition are harmoniously applied on each of the proposed homes. Use of reveals, stone and stucco materials provide visual interest to the residences.  |
| 9  | Consistency of composition and treatment  | Yes | Floor plans are designed with similar composition and treatment.   |
| 10 | Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials  | -   | To be determined.  |

**ENVIRONMENTAL DETERMINATION:**


**General Plan Amendment:** Staff has determined the General Plan Amendment to reclassify the property to a lesser density than existing to be a Class 5 Categorical Exemption (Minor Alterations in Land Use Limitations) under the California Environmental Quality Act (CEQA) Guidelines.

**PDD and TPM:** The proposal to construct three single-family dwellings within an urbanized area is Categorically Exempt from CEQA as a Class 3 Exemption, pursuant

to Section 15303(a) of the CEQA Guidelines. Subdivisions of four or fewer parcels are exempt from further environmental review as a Class 15 exemption, pursuant to Section 15315.

NOTIFICATION:

A public hearing notice on the proposal was mailed to all property owners and occupants within 500 feet of the site and published in the local paper. As of the writing of this report, there has been no correspondence received.



David A. Newell  
Associate Planner



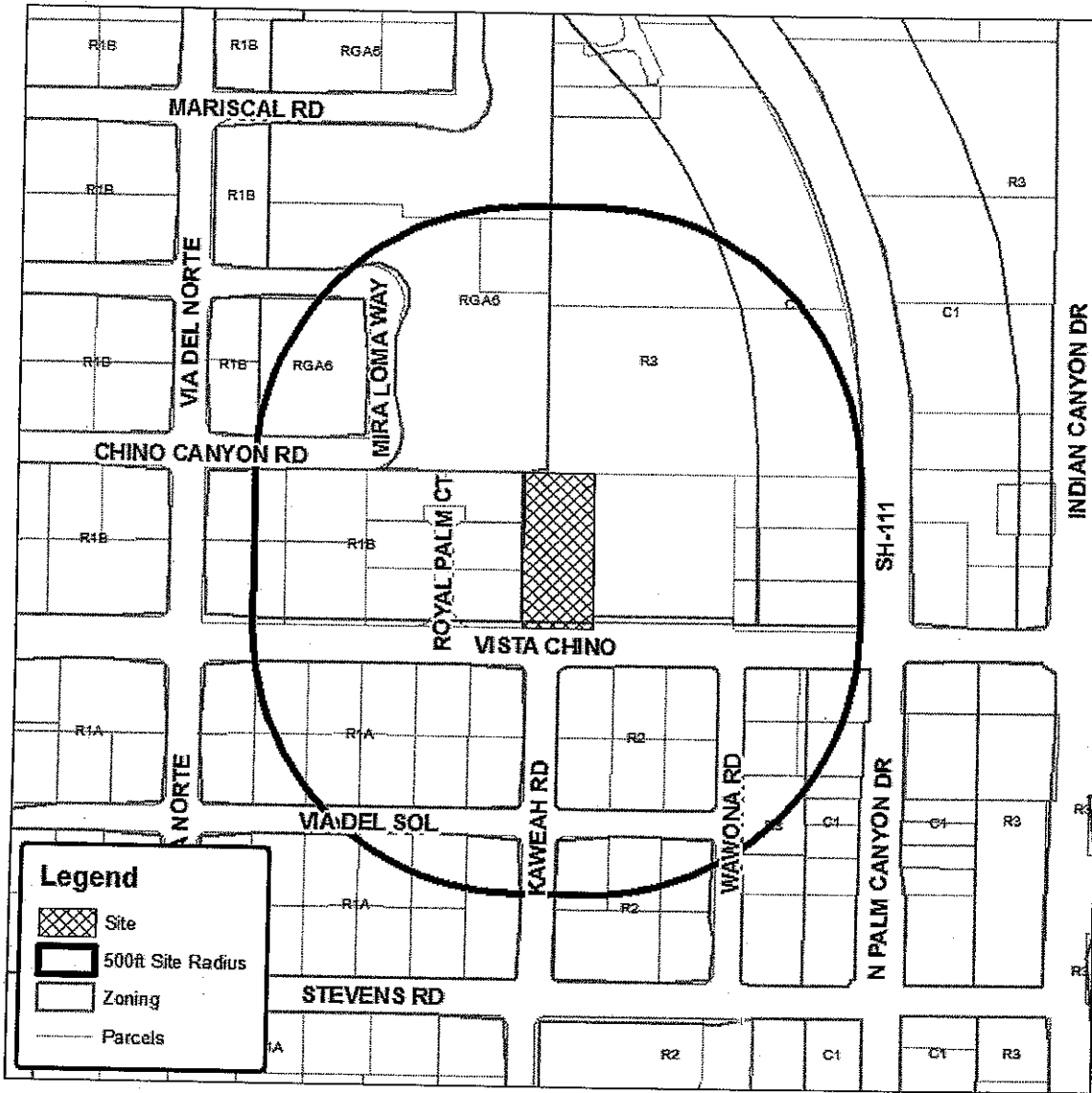
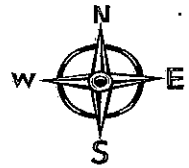
For Douglas R. Evans  
Interim Director of Planning Services

Attachments:


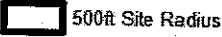
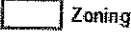
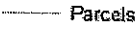
1. Vicinity Map
2. Draft Resolution for General Plan Amendment
3. Draft Resolution PDD and TPM with Conditions of Approval
4. Applicant Justification Letter
5. Land Use Map Exhibit
6. Reduced Plans



# Department of Planning Services Vicinity Map



**Legend**

-  Site
-  500ft Site Radius
-  Zoning
-  Parcels

## CITY OF PALM SPRINGS

**CASE NO:** 5.1333 GPA, PD-368  
& TTM 36686

**APPLICANT:** Gain Limited  
Partnership

**DESCRIPTION:** An application for a Planned Development District (PDD) in-lieu of zone change to allow a single-story, detached single-family residential development and a Tentative Tract Map (TTM) to subdivide about 0.91-acres into three residential lots. In relation to the project, the Planning Commission will consider a General Plan Amendment to change the land use designation of the site from Tourist Resort Commercial to Low Density Residential.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING APPROVAL OF AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077 REVISING THE LAND USE DESIGNATION FROM "TRC" (TOURIST RESORT COMMERCIAL) TO "LDR" (LOW DENSITY RESIDENTIAL) FOR A ROUGHLY 0.91-ACRE PARCEL LOCATED ON THE NORTH SIDE OF VISTA CHINO ROAD AT KAWEAH ROAD (260 WEST VISTA CHINO ROAD).

WHEREAS, the current General Plan of the City of Palm Springs was adopted by the City Council in 2007; and

WHEREAS, the owner of the subject parcel submitted a Planned Development Application (Case 5.1333 PD-368) and Tentative Parcel Map (TPM 3686) for a three lot single-family residential subdivision, which was not consistent with the General Plan "TRC" land use designation; and

WHEREAS, the proposed General Plan Amendment, Case 5.1333 GPA, ("Amendment") is considered a project under the guidelines of the California Environmental Quality Act (CEQA); and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider the subject General Plan Amendment, Case No. 5.1333 GPA, was given in accordance with applicable law; and

WHEREAS, on August 27, 2014, a public hearing on the General Plan Amendment, Case 5.1333 GPA, was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the public hearing on the project, including but not limited to the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: The Commission recommends the City Council deem the proposed Amendment as exempt from further environmental review as a Class 5 Categorical Exemption (Minor Alterations in Land Use Limitations) under the California Environmental Quality Act (CEQA) Guidelines, because the "LDR" designation is a

lesser density and lesser land use intensity than the current "TRC" land designation.

SECTION 2: The Commission recommends the City Council approve Case 5.1333 GPA, an amendment to the Land Use Map of the 2007 General Plan of the City of Palm Springs by changing the land use designation of 0.91-acre parcel on the north side of Vista Chino Road at Kaweah Road from "TRC" (Tourist Resort Commercial) to "LDR" (Low Density Residential) to allow a transition between Estate Residential to the west and Tourist Resort Commercial to the east, as shown in the attached Exhibit A.

ADOPTED THIS 27TH DAY OF August, 2014.

ADOPTED this 14<sup>th</sup> day of May, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Douglas R. Evans  
Interim Director of Planning Services

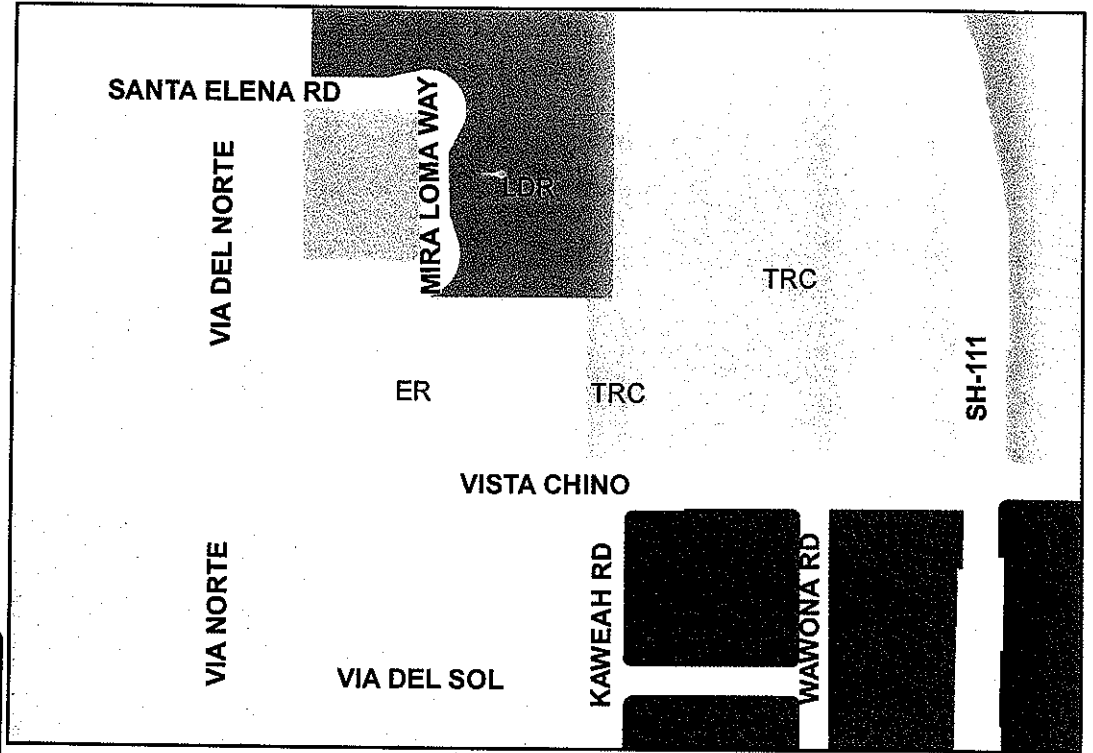


# Department of Planning Services

## General Plan Amendment Case 5.1333 GPA



### EXHIBIT A

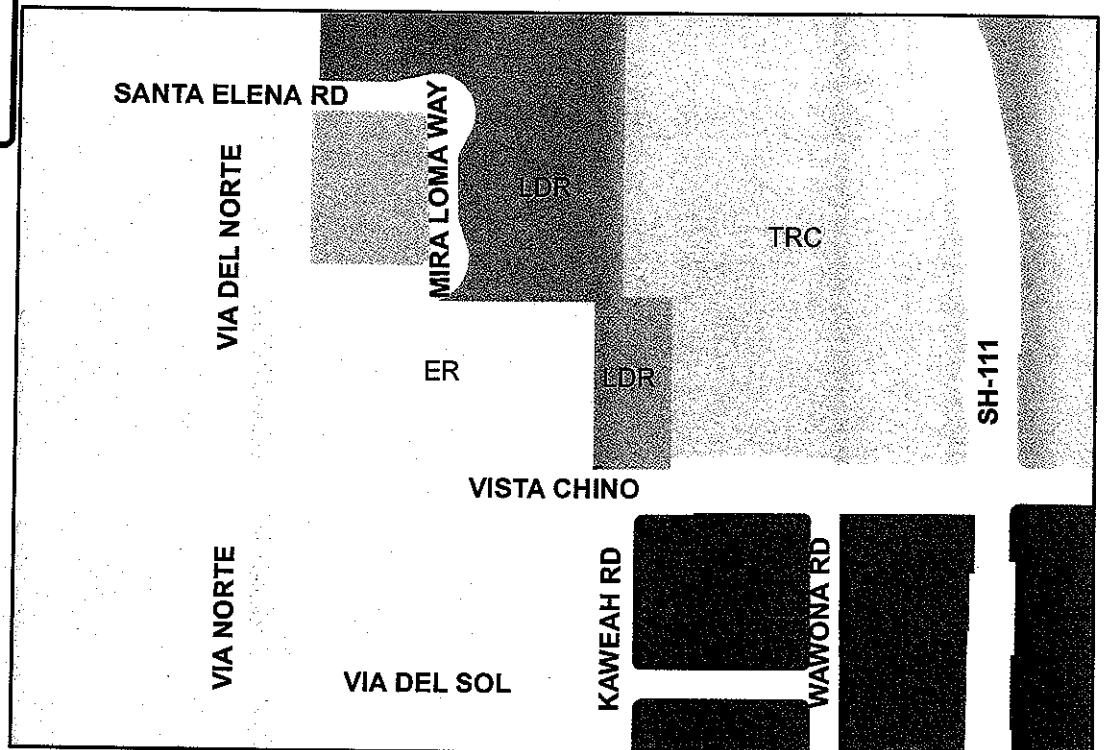


Existing Land Use

**Legend**

**General Plan Land Use**

- ER (Estate Residential)
- LDR (Low Density Residential)
- MU (Mixed Use / Multi Use)
- TRC (Tourist Resort Commercial)



Proposed Land Use



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE FOR CASE 5.1333 PDD 368 (KAPTUR COURT), CHANGING THE DEVELOPMENT STANDARDS, DENSITY AND TYPE OF RESIDENTIAL UNITS AT AN APPROXIMATELY 0.91-ACRE PARCEL LOCATED AT 260 WEST VISTA CHINO ROAD (NORTH SIDE OF VISTA CHINO ROAD, AT THE KAWEAH ROAD INTERSECTION), AND RECOMMENDING APPROVAL BY THE CITY COUNCIL OF THE PDD AND TENTATIVE PARCEL MAP 36686, A SUBDIVISION OF THREE SINGLE FAMILY RESIDENTIAL LOTS WITH PRIVATE ACCESS AT THE SAID LOCATION.

WHEREAS, Gain Limited Partnership ("Applicant") has filed an application with the City pursuant to Section 94.03.00 (Planned Development District), and 94.07.00 (Zone Change) of the Zoning Code, seeking approval for a Planned Development District in Lieu of a Change of Zone (including Preliminary Development Plans) proposing three single-family residential dwellings with minor deviations to development standards on an approximately 0.91-acre parcel located at 260 West Vista Chino Road; and

WHEREAS, the applicant has submitted an application with the City pursuant to Section 9.62 of the City of Palm Springs Municipal Code and the State of California Subdivision Map Act for a Tentative Tract Map No. 36686, to subdivide the 0.91-acre parcel into three residential lots; and

WHEREAS, on August 25, 2014, the Architectural Advisory Committee (AAC) reviewed the proposal and made a favorable recommendation to the Planning Commission; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case 5.1333 PD-368 & TPM 36686 was given in accordance with applicable law; and

WHEREAS, on August 27, 2014, a public hearing on Case 5.1333 PD-368 and TPM 36686 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project has been determined to be a project subject to environmental analysis under the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission 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.

to the west and south. The proposed zone change is necessary and proper to allow a lower density project. The use would not be detrimental to adjacent property or residents in this area due to a less dense project and zoning.

In addition to the above, required findings outlined in Section 94.02.00 *Conditional Use Permit* apply to Planned Developments. The project as it relates to these findings is found below:

a. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

As part of the proposed project, a change of zone from R-3 to PD-368 has been requested to allow single family residential. Section 94.03.00 specifically allows such action; therefore, the use applied for at the subject location is property one for which is authorized by the Zoning Code.

b. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

The proposed use is a typical form of single-family living within Palm Springs with lot sizes at roughly 13,200 square feet in size. Each site will accommodate a one-story residence with garage and private yard space. Other projects of similar design and size are located west of the project site. Therefore, the use is desirable for the development of the community.

The land use designation of the site is LDR (Low Density Residential), which is described as "*typical' single-family detached residential development and other uses as allowed by code.*" The proposed single-family residential use is detached. Thus, the use is consistent with the general plan.

The project will consist of one-story single-family residential on vacant land which will be re-zoned to PD-368. No other uses are permitted within this zone. Should alternate uses be proposed, an amendment to the PD would be required. Consequently, the use is not detrimental to the existing uses or to future uses specifically permitted in the zone (PD-368).

c. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping*

*and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The subject property is approximately 0.91-acres in total size and will be subdivided to accommodate three residential lots with a reciprocal access easement. The PD will establish all development standards for each residential parcel to accommodate a typical single-family residence with open space and outdoor living. The development will be consistent in height as those existing uses to the west and south. Therefore, the site for the intended residences is adequate in size and shape to adjust such use to those existing and future permitted uses of land in the neighborhood.

*d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The project site is located adjacent to West Vista Chino Road, which is defined as a Collector road by the General Plan Circulation Element. Collectors are designed as two lanes and typically carry local traffic. Vista Chino Road is improved to two lanes wide. Thus, the adjacent street is properly designed and improved to carry the type of traffic expected for a 3-lot single-family subdivision.

*e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's properly development standards.*

The project was evaluated under the California Environmental Quality Act (CEQA) and is considered exempt from further review, pursuant to Section 15303 (a) of the CEQA Guidelines. Conditions imposed include code requirements to ensure the public health, safety and general welfare is protected.

**Section 3:** *Tentative Tract Map.* The findings required for the proposed Tentative Map are pursuant to Section 66474 of the California Subdivision Map Act. The project is evaluated against these findings as follows:

*a. The proposed Tentative Tract Map is consistent with all applicable general and specific plans.*

The TPM proposes three individual residential lots with a reciprocal access easement. The proposed density is less than the maximum density

*and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The subject property is approximately 0.91-acres in total size and will be subdivided to accommodate three residential lots with a reciprocal access easement. The PD will establish all development standards for each residential parcel to accommodate a typical single-family residence with open space and outdoor living. The development will be consistent in height as those existing uses to the west and south. Therefore, the site for the intended residences is adequate in size and shape to adjust such use to those existing and future permitted uses of land in the neighborhood.

*d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The project site is located adjacent to West Vista Chino Road, which is defined as a Collector road by the General Plan Circulation Element. Collectors are designed as two lanes and typically carry local traffic. Vista Chino Road is improved to two lanes wide. Thus, the adjacent street is properly designed and improved to carry the type of traffic expected for a 3-lot single-family subdivision.

*e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's properly development standards.*

The project was evaluated under the California Environmental Quality Act (CEQA) and is considered exempt from further review, pursuant to Section 15303 (a) of the CEQA Guidelines. Conditions imposed include code requirements to ensure the public health, safety and general welfare is protected.

**Section 3: Tentative Tract Map.** The findings required for the proposed Tentative Map are pursuant to Section 66474 of the California Subdivision Map Act. The project is evaluated against these findings as follows:

*a. The proposed Tentative Tract Map is consistent with all applicable general and specific plans.*

The TPM proposes three individual residential lots with a reciprocal access easement. The proposed density is less than the maximum density

permitted by the Low Density Residential General Plan land use designation. No specific plans are associated with the subject property.

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

The proposed project design and improvements will be consistent with the standards and design details of PD-368, which is the proposed zoning for the TPM. The project includes single-family lots that are approximately 13,200-square feet in size; access is provided via improved reciprocal access easement on the east side of the property. With the approval of the PD, the project will be consistent with this finding.

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

The project site is generally flat with a slight slope from northwest to southeast. Residential development exists to the west and south, while hotel development exists to the east and north. The project is an in-fill property and was previously disturbed. A total of three residences are proposed on the 0.91-acre site. The site has adequate vehicular access with the proposed 25-foot wide vehicular easement to each parcel. Therefore, the site is physically suited for this type of development.

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

The project proposes three single-family dwelling units on approximately 0.91-acres or roughly three dwelling units / acre, which is consistent with the density under the General Plan. The site abuts improved public streets with existing utilities and with right of way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

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

The site is an in-fill project that was previously disturbed. The site does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

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

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of an internal private street provides access to each lot. No serious public health problems are anticipated.

*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.

Section 5: Public Benefit. The Planning Commission makes the finding that the Public Benefit is identified as the preservation of open space and making such open space available via improved public access provided by the applicant.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves and recommends City Council approve Case 5.1333 PD-368 for the development of three single-family residential dwellings on individual lots with private access, and recommends City Council approve Tentative Parcel Map No. 36686 to subdivide a roughly 0.91-acre parcel into three residential lots located on the north side of Vista Chino Road at Kaweah Road (260 West Vista Chino Road), subject to the conditions set forth in Exhibit A.

ADOPTED this 27th day of August, 2014.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Douglas R. Evans  
Interim Director of Planning Services



**JUSTIFICATION LETTER  
0 Vista Chino - Vacant Land  
APN# 504-310-011**

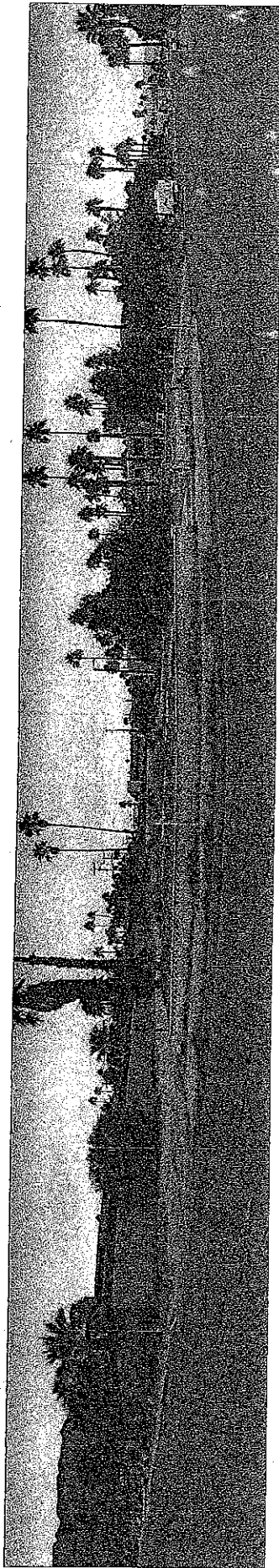
The subject property existing zoning is R3, our interest is in developing Three R1 lots and build three Mid-century inspired homes designed by Architect Hugh Kaptur. It is our understanding in order to achieve our goals, we must first apply for the General Plan Amendment. In a letter signed by Margo Wheeler, Palm Springs City Planning Director, and after discussions with David Ready, Palm Springs City Manager, the city will be the applicant for the General Plan Amendment due to the fact the city believes the concurrent designation is not the most appropriate for this small parcel of land.

With the current multi-family zoning, the developer will be required to make an application for a Planned Development District in order to accommodate the size, dimensions and setbacks for the proposed lots.

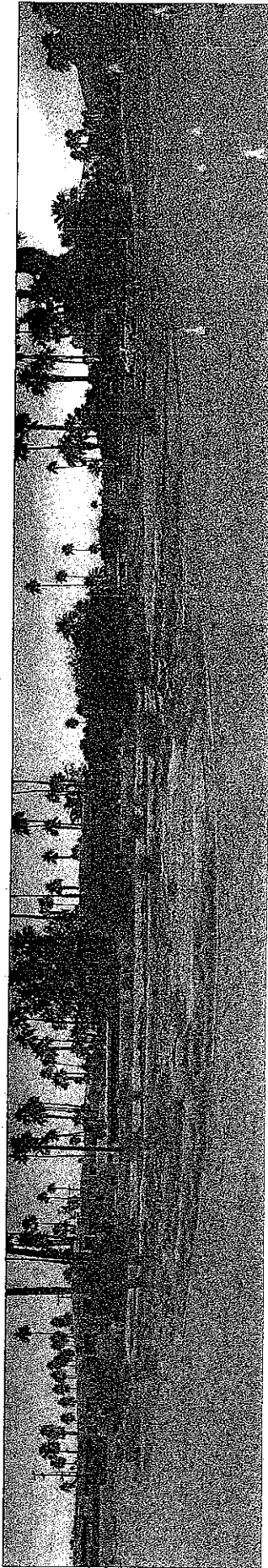
Thank you for your consideration.



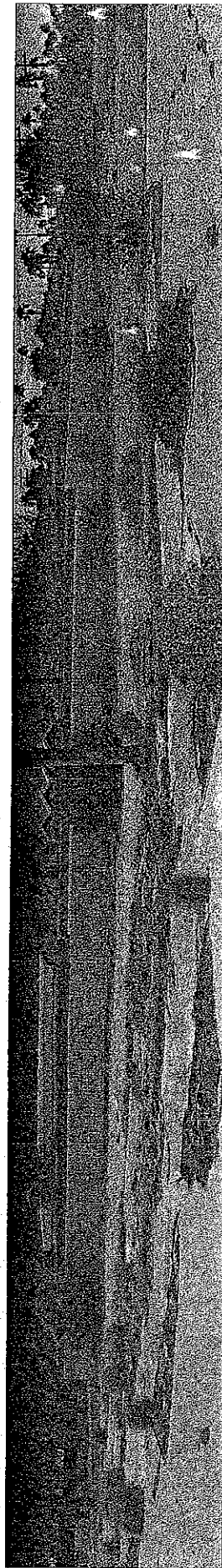
Neil Curry  
Project Manager



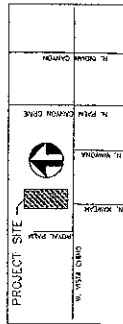
VISTA CHINO FACING NORTH



FACING EAST



FACING WEST



7.14.16  
RECEIVED  
FEB 20 2014



**FOMOTOR ENGINEERING**  
225 S. CHINO DRIVE, SUITE 1-3  
DAILY SPRINGS, CA 92535  
(714) 233-0400 (FAX) 233-1344

CITY OF DAILY SPRINGS, STATE OF CALIFORNIA  
**PHOTOGRAPHIC EXHIBIT**  
HOUGH HARTON  
13021  
OF 1 OF 5 PAGES  
J. SHEETS

PLANNING SERVICES  
DEPARTMENT



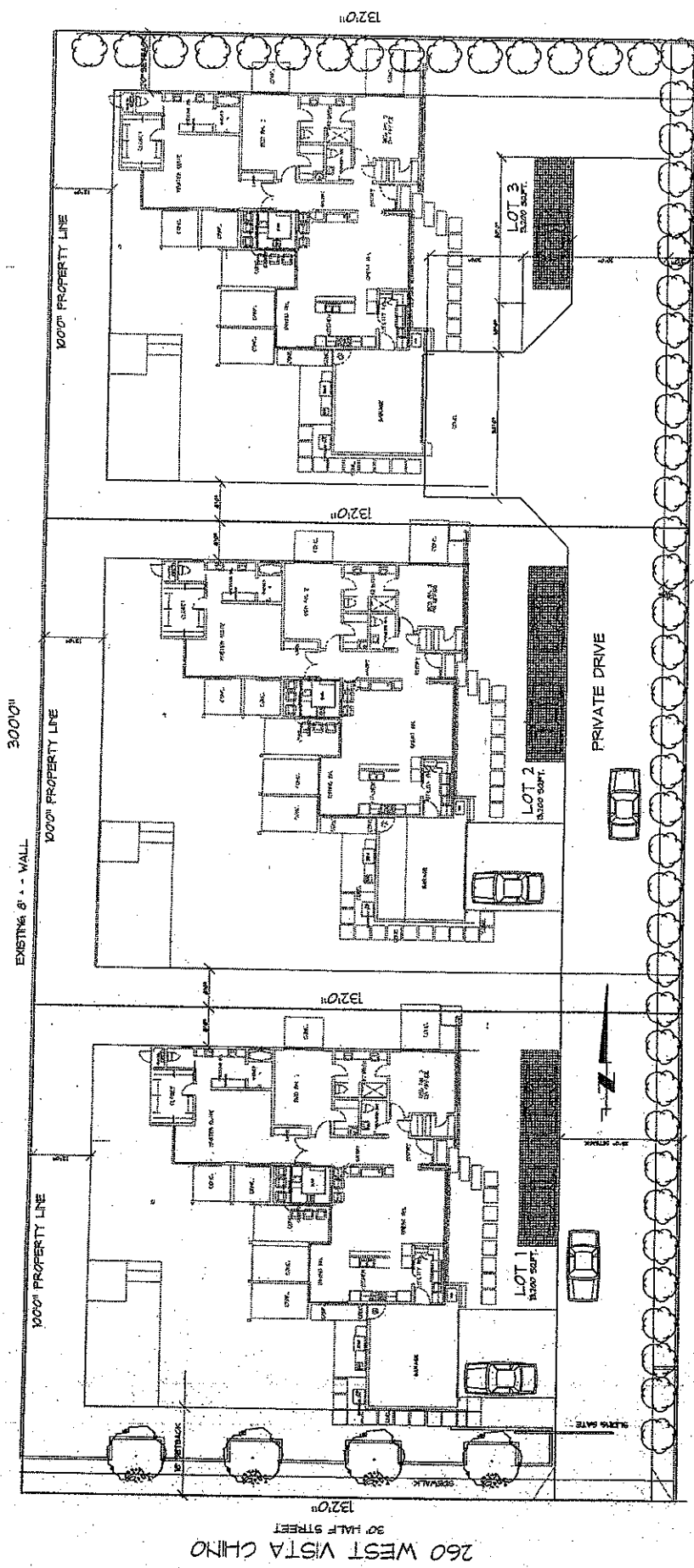


HUGH M. KAPTUR P.L.R. & ASSOC., INC.  
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 38165 HANCOCK CIRCLE WEST  
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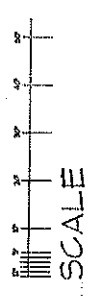


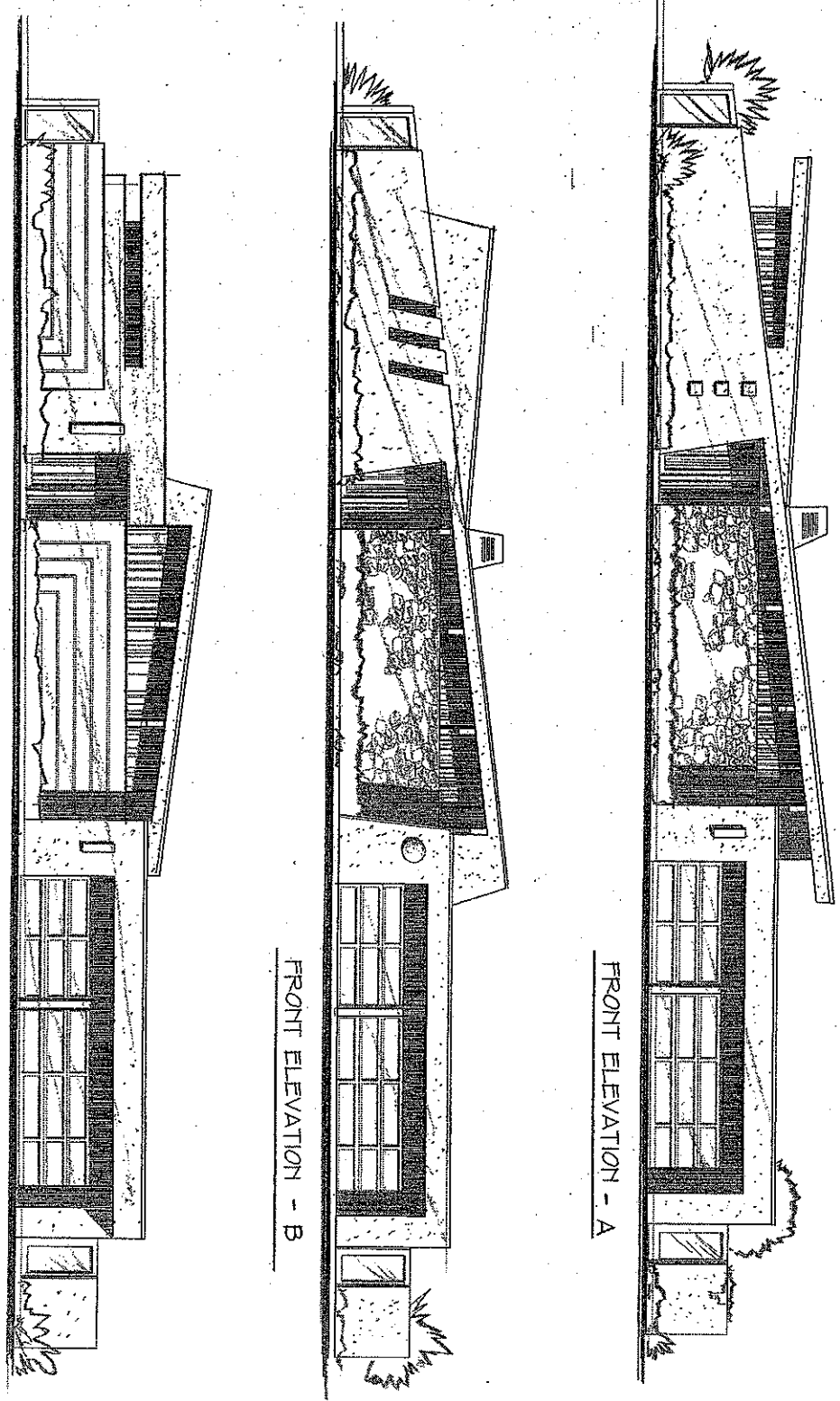
BRADLEY LORNE HOMES  
 PALM SPRINGS CALIFORNIA

SHEET NO.  
 DRAWING NO. 200-000  
 7/20/88



# SITE PLAN





FRONT ELEVATION - C

FRONT ELEVATION - B

FRONT ELEVATION - A

8/19/2013

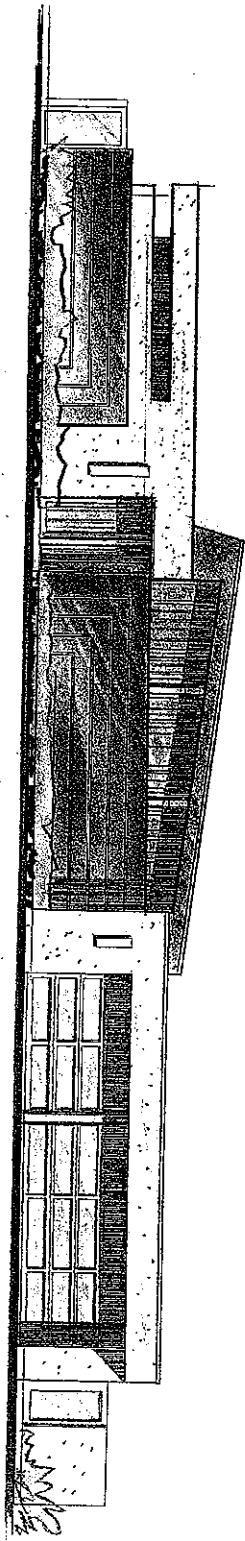
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PALM SPRINGS CALIFORNIA

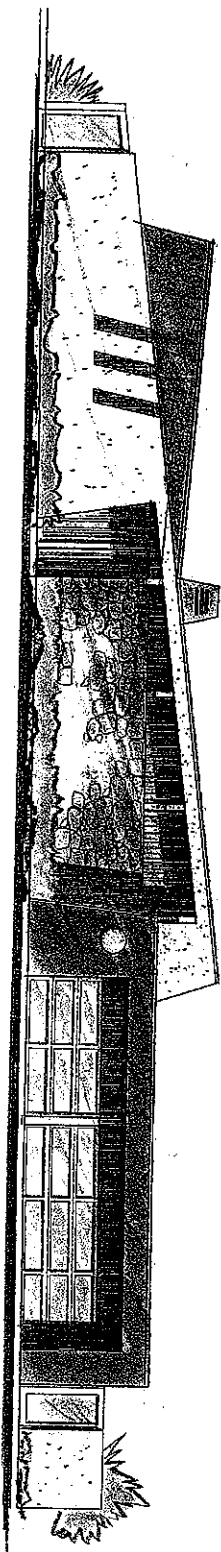


HUGH M. KAPTOR, AIA, & ASSOC., INC.  
A CALIFORNIA CORPORATION  
20-166 KARACASO CIRCLE WEST  
PALM SPRINGS CALIFORNIA 92264  
TELEPHONE 760-864 3241 FAX 760-864 3243

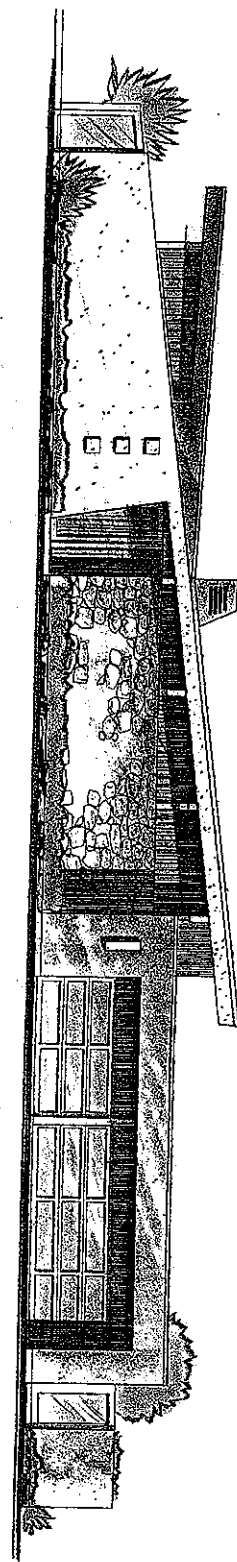
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8/20/13



FRONT ELEVATION - C



FRONT ELEVATION - B



FRONT ELEVATION - A

8/19/2013

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OF 14  
SHEET NO.

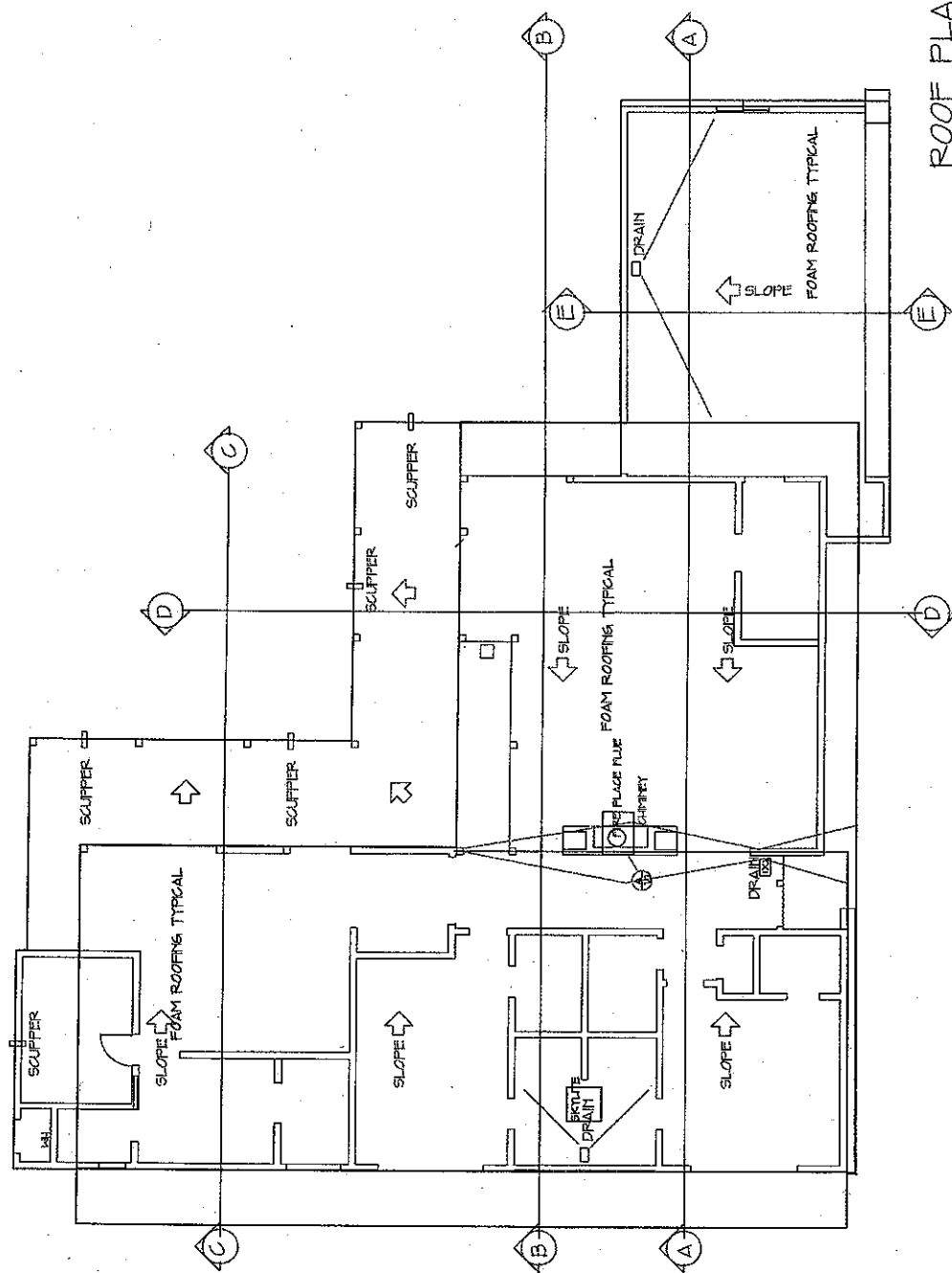
BRADLEY LORNE HOMES  
PALM SPRINGS CALIFORNIA



HUGH M. KAPTUR, AIA, & ASSOC., INC.  
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ARCHITECT

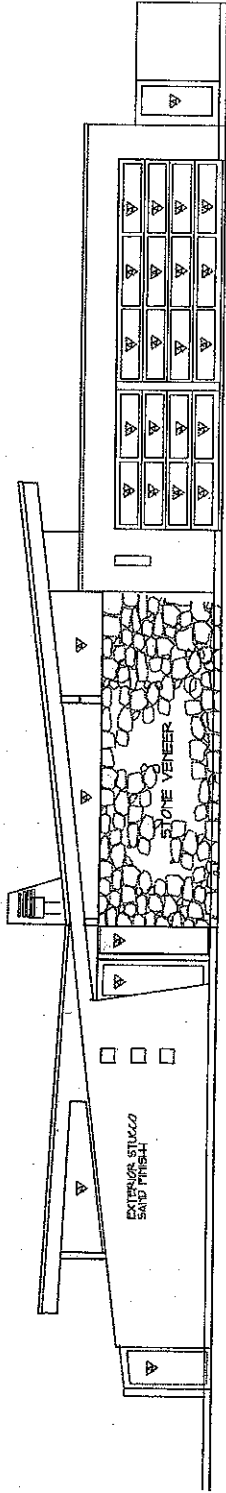




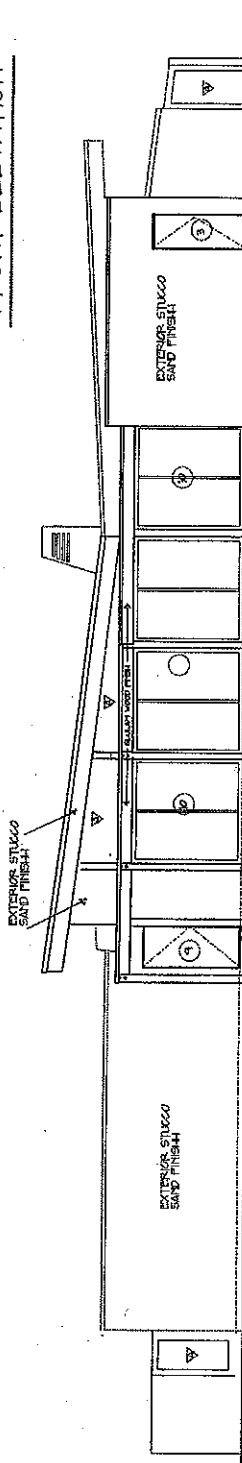
ROOF PLAN

SCALE 1/4"=10"

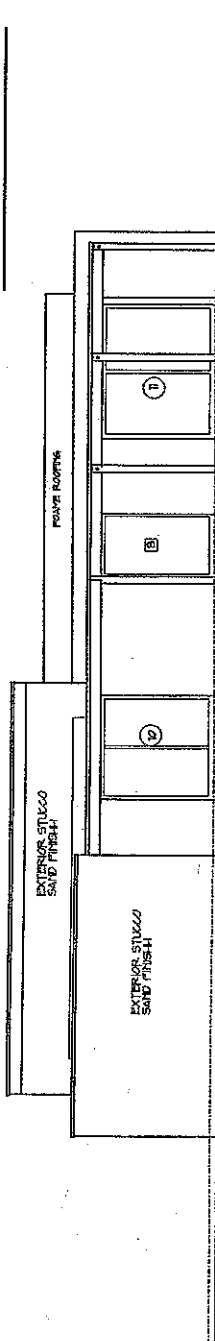
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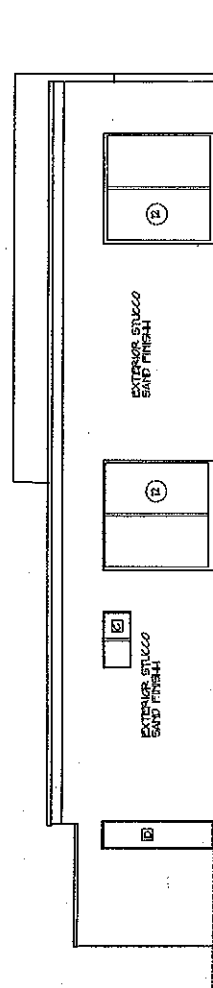
FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

EXTERIOR ELEVATION

SCALE 1/4"=1'0"

8/12/2013