



PLANNING COMMISSION STAFF REPORT

DATE: November 12, 2014

SUBJECT: RHSMAX T41, LLC, OWNER FOR A MAJOR ARCHITECTURE APPLICATION AND RE-ADOPTION OF A PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION FOR THE CONSTRUCTION OF A 41-UNIT CONDOMINIUM COMPLEX KNOWN AS VIBRANTE, LOCATED AT 6500 34TH AVENUE, ZONE R-G-A(6), SECTION 30. (GM)

FROM: Flinn Fagg, AICP, Director of Planning Services

SUMMARY

The Planning Commission to review a Major Architectural application request for a 41-unit condominium complex consisting of four (4) house types and seven (7) house elevations and the re-adoption of a previously approved Mitigated Negative Declaration.

RECOMMENDATION:

Approve Major Architecture to include new house elevations and re-adoption of previously approved Mitigated Negative Declaration.

ISSUES:

- Project was originally approved by City Council on October 4, 2006 for a 41-unit condominium complex.
- A Mitigated Negative Declaration was adopted for the project.
- Entitlements for architectural review expired in 2010.

BACKGROUND:

<i>Related Relevant City Actions by Planning, Fire, Building, etc.</i>	
10/4/2006	City Council approves TTM 32736 for a 41-unit condominium development and adopts a Mitigated Negative Declaration.
10/4/2009	Planning Commission approves a one-year time extension until 2009.
10/4/2010	Planning Commission approves a one-year time extension until 2010.
7/21/2014	AAC reviews Vibrante project and votes to table discussion with direction to applicant.
9/8/4014	AAC tables discussion and appoints sub-committee to review revised plans.
10/6/2014	AAC sub-committee meets to review revised plans and recommends several changes to landscape plan and building architecture.

10/15/2014	Applicant revises plans based upon sub-committee recommendations.
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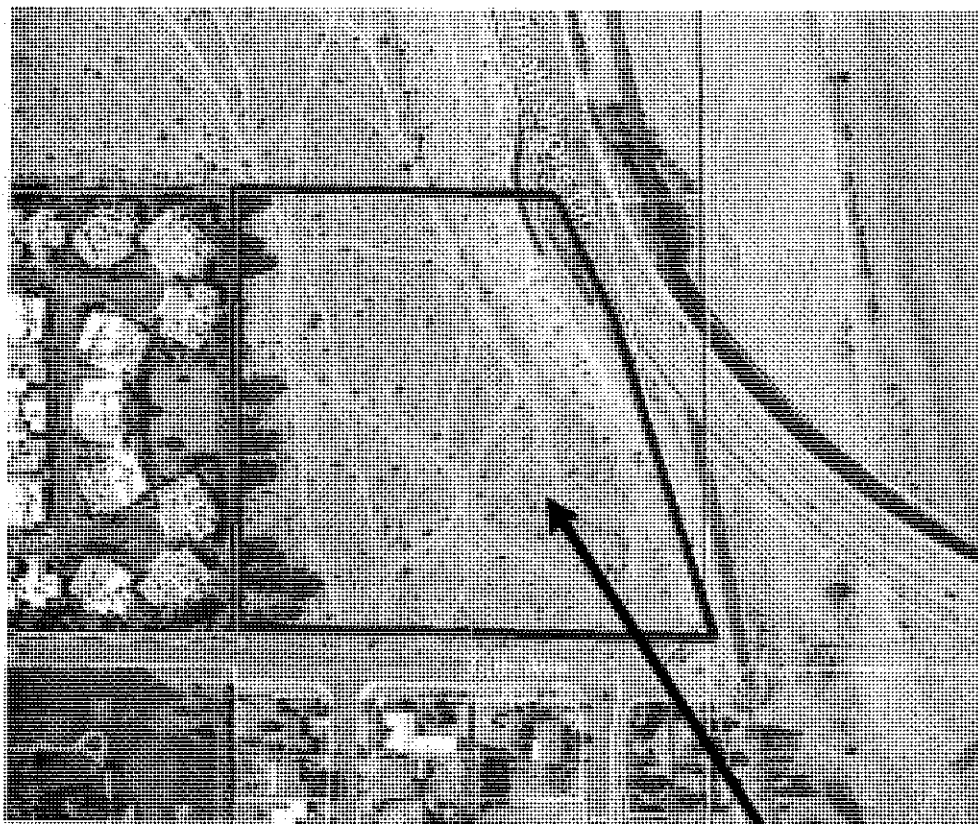
Most Recent Ownership	
4/29/2013	RHS MAX T41, LLC

Neighborhood Notification	
10/29/2014	Public hearing notice sent to all property owners within 500 feet.
	No neighborhood organization is present.

Field Check	
October 2014	Staff visited site to observe existing conditions

Site Posting	
6/30/2014	Property posted with project description

Details of Application Request	
Site Area	
Net Area	7.6-acres



Subject Site: 6500 34th Avenue

ANALYSIS:

Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	Low Density Residential	Vacant	RGA (6) - Cluster Residential Zone
North	Tourist Resort Commercial	Vacant	M-1 Industrial
South	Low Density Residential	Single-Family Residential	R-1-C Single-Family Residential
East	Low Density Residential	Dinah Shore Drive	M-1 Industrial
West	Low Density Residential	Condo Complex	RGA (6) - Cluster Residential Zone

General Plan			
Land Use Designation	Units / Acre	Request	Compliance
Low Density Residential	6 units per acre	5.4 units per acre	Yes

Zoning – Uses & Lot Standards			
	RGA(6) Zone	Proposed	Compliance
Uses permitted	Multi-Family Residential	Same	Yes
Lot Standards			
Min. Area	2 acres	7.6 acres	Yes
Min. Width	165 ft. minimum	635 ft.	Yes
Min. Depth	135 ft. minimum	625 ft.	Yes

Zoning – Building Development Standards			
	RGA(6) Zone	Proposed	Compliance
Building Height	24 ft.*	19 ft. – 2 nd story units	Yes
Yard Setbacks			
Front	25 ft. front prop. line	25 ft. front prop. line	Yes
Landscape	50% of site area	Over 50% of site area	Yes
Rear	20 ft.	20 ft.	Yes
Off-street Parking	2 parking spaces per unit = 82 1 guest space per 4 units = 10 Total = 92	82 garage parking spaces 32 guest spaces Total = 114	Yes

- Building height RGA(6): buildings and structure may have a height not to exceed 24 feet and 2 stories; provided that the second story and the area of the buildings with a height over fifteen (15) feet does not exceed more than 50% of the enclosed ground floor area. The purpose of this section is to provide a variety of building heights for design purposes.

PROJECT DESCRIPTION:

The project consists of an approved Tentative Tract Map consisting of one lot and a condominium map along with an architectural approval for the development of a 41-unit condominium complex on approximately 7.6-acre property fronting 34th Avenue. The new residential development named Vibrante will consist of single story detached units; and one duplex house plan all ranging in sizes of 1,834 to 2,449-square feet. The proposed architectural style is re-imagined Mid-Century with Modern elements consisting of four (4) house types and seven (7) building elevations. Plans 1, 2, 3, and 4 with two house elevations each.

This project was originally approved in 2006 for the development of a 41-unit condominium complex. The project received two time extensions in 2009 and 2010 with architectural entitlements expiring in 2011. The Tentative Tract Map has been extended by State Legislature AB 116 and is active. Staff has determined that the proposed application is consistent with the 2006 TTM with minor revisions to street layouts.

The access to the gated community will be from two entry points along 34th Street. The previous project was to be gated similar to the current proposal. The main entrance will consist of a circular patterned driveway with front entry wall with complex name. Perimeter walls will be constructed of precision block combination of single score and split face block tan color. Walls within the complex are to be concrete block stuccoed and painted a brown color.

Proposed building elevations are described as the following:

- **Plan 1** - One-Story Elevations A & B
- **Plan 2** - Two-Story Elevations A & B
- **Plan 3** - Two-Story Duplex Elevation A
- **Plan 4** - One-Story Elevations A & B

Each of the units will have a two car garage and contain three bedrooms on a first or second floor. To provide variety in the house elevations, 9 paint schemes are proposed. Each scheme provides a combination of door, stucco wall, concrete block and garage door color. Additional elevation variations include the use of scored stucco, double steel front entry posts, roof overhangs, and varied roof angles.

The landscape plan consists of a combination of trees, palms, shrubs, accent plants, ground cover, rock and gravel. Each proposed house Plan will include a typical planting scheme for Plans 1 and 4; and Plans 2 and 3 to provide variety throughout the

community. A community pool and restroom building is proposed centrally located in the middle of the development.

The landscape area for the 34th Avenue frontage includes a meandering sidewalk as a continuation of the adjacent complex to the west. Five pedestrian gates providing access to the street are proposed for all units backing on 34th Avenue. In addition, two man-gates are to be located at each vehicular access point. These gates provide visual relief and connect the gated community to the neighborhood. Plantings at the community entrance and along the street include shade trees and palms, shrubs, accents, boulders, gravel and rock.

AAC REVIEW AND REVISIONS:

The Architectural Advisory Committee reviewed the project on July 21, and September 8, 2014 and voted to table the discussion with direction to the applicant. The AAC reviewed included extensive discussions on the design of the vehicle and wall along 34th Avenue. The AAC felt that adding seven pedestrian gates, varying height, and staggering the wall for lots backing up to 34th Avenue will provide a community connection. The AAC made several recommendations regarding the building elevations ranging from roof lines, window placement, exterior wall treatments, awning designs and colors (see AAC minutes for detail listings). Additional revisions to the site and landscape plan included enhanced plantings, street pavers inside the complex, individual pool locations, and internal wall designs. The applicant has revised all the plans based upon the AAC recommendations.

D. Planning Commission Architectural Advisory Committee Review Guidelines.

The Planning Commission and Architectural Advisory Committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

1	Does the proposed development provide a desirable environment for its occupants?	Yes	The proposed Vibrante condo complex will provide a desirable place for its occupants and the surrounding community.
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2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	The adjacent area around the proposed complex consists of similar multi-family developments and single-family homes.
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	Proposed building materials include stucco walls, metal doors, windows with sloped and flat roofs. Nine color schemes include a combination of browns, bright door colors, and the use of slate and precision block.
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	The proposed site layout will allow for ease of pedestrian and vehicular circulation. Proposed vehicular access and driveway widths are consistent with City Standards. Seven pedestrian gates are proposed along the wall fronting 34 th Avenue.
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	The use of 4 house types with 2 different front elevations will provide variety within the complex. In addition, 2 typical planting palettes are proposed for the front yard landscaping.
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	The maximum height, overall mass, and setbacks are all in keeping with the required development standards of the RGA(6) zone.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	The combination of 9 paint schemes utilizing browns, and brightly colored accents for the house doors is consistency in the composition and treatment of the proposed homes.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	The proposed materials, colors and other components of the building are adequate.
9	Consistency of composition and treatment	Yes	There is consistency in the composition and treatment of the building as proposed.

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	Yes	The proposed landscape plans are consistent with desert appropriate plants.
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ENVIRONMENTAL DETERMINATION:

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an Environmental Initial Study was prepared for the proposed project in 2006. Additional studies for greenhouse gas and noise have been submitted. From these studies, Staff has concluded that the originally adopted Mitigated Negative Declaration shall remain as the approved environmental document.


Glenn Mlaker, AICP
Assistant Planner

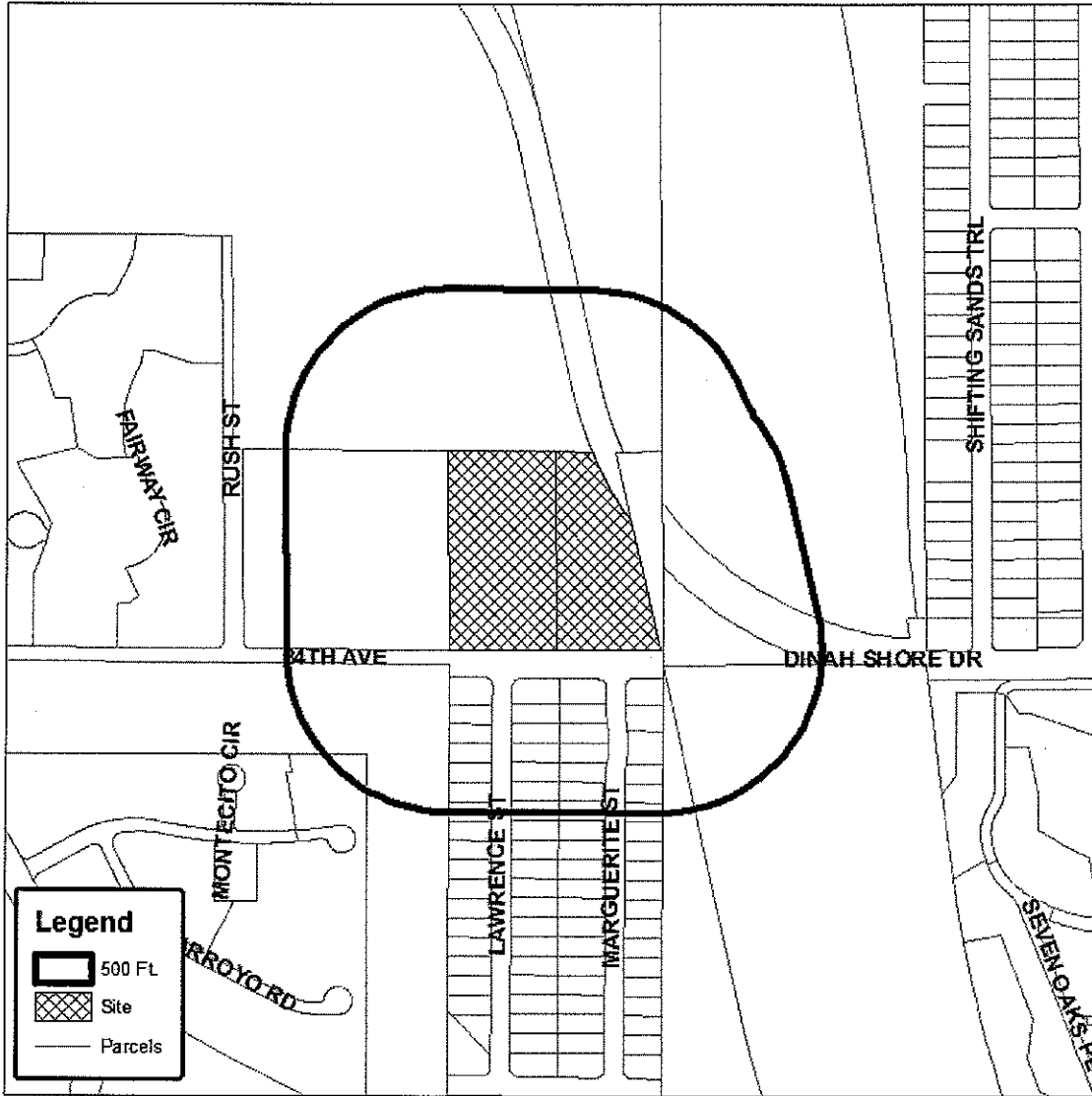

Flinn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Justification Letter
5. Minutes of July 21, 2014 AAC Meeting
6. Email from applicant detailing plan revisions 9/2/2014
7. Minutes of September 8, 2014 AAC Meeting
8. Minutes of October 6, 2014 AAC Sub-Committee Minutes
9. Adopted Mitigated Negative Declaration dated October 4, 2006
10. Notice of Determination
11. Petition from Neighborhood Residents / Desert Sun New Article 7/24/2014
12. Site / Landscape / Entry Wall Plan
13. Paint Schemes
14. Photo Simulation of Entry Gate and Streetscapes
15. Building Elevations / Floor Plans



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 3.3745 MAJ
APPLICANT: RHSMAX T41 LLC

DESCRIPTION: RHSMAX T41, for a Major Architectural application and a re-adoption of a previously approved Mitigated Negative Declaration for the construction of a 41-unit condo complex known as Vibrante located at 6500 34th Avenue, Zone RGA(6), Section 30

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A MAJOR ARCHITECTURE APPLICATION AND RE-ADOPTION OF A PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION FOR THE CONSTRUCTION OF A 41-UNIT CONDOMINIUM COMPLEX KNOWN AS VIBRANTE, LOCATED AT 6500 34TH AVENUE, ZONE R-G-A(6), SECTION 30.

WHEREAS, on October 4, 2006, the City Council adopted a Mitigated Negative Declaration (MND); a Tentative Tract Map 32736; and Major Architectural 5.1112 to construct forty-one (41) residential condominium units on approximately 7.6 acres at the subject site; and

WHEREAS, Case 5.1112 MAJ expired as a result of no action but TTM 34580 is presently valid as a result of automatic time extensions granted by the State of California; and

WHEREAS, RHSMAX T41, LLC ("Applicant") has filed an application with the City pursuant to Section 94.04.00 (Architectural Review) seeking architectural approval and a re-adoption of the previously approved Mitigated Negative Declaration (MND) proposing a 41-unit condominium complex known as Vibrante located at 6500 34th Avenue; and

WHEREAS, on July 21 and September 8, 2014, the Architectural Advisory Committee (AAC) reviewed the proposal and appointed a sub-committee to review further revisions; and

WHEREAS, on October 6, 2014 a sub-committee of the AAC reviewed revised plans 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 3.3745 MAJ and re-adoption of a previously approved Mitigated Negative Declaration was given in accordance with applicable law; and

WHEREAS, on November 12, 2014, a public hearing on Case 3.3745 MAJ was held by the Planning Commission in accordance with applicable law; and

WHEREAS, pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an Environmental Initial Study was prepared for the proposed project in 2006. Additional studies for greenhouse gas and noise have been reviewed and are acceptable; and

WHEREAS, the originally adopted Mitigated Negative Declaration shall remain as the approved environmental document and re-adopted by the Planning Commission.

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.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). The Planning Commission previously adopted a Mitigated Negative Declaration (MND) as part of Tentative Tract Map 32736 and Major Architectural 5.1112 MAJ and hereby re-adopts the previously approved MND;

Section 2: *Architectural Review.* Pursuant to Section 94.04.00 "Architectural Review" of the Zoning Code, the proposed project is evaluated against the review guidelines listed in subsection (D) as follows:

1. *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;*

Site and building layout will allow for ease of pedestrian and vehicular circulation. Proposed vehicular access and driveway widths are consistent with City standards. Seven pedestrian gates are to be placed along the wall fronting 34th Avenue connecting the development to the neighborhood.

2. *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;*

The use of four (4) house types with two (2) front elevations will provide variety within the complex. In addition, two typical planting palettes are proposed for the front yard landscaping to include a combination of shade and palm trees, shrubs, and other accent plants.

3. *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;*

The maximum height, overall mass, and setbacks are all in keeping with the required development standards of the RGA(6) zone. The development includes a one-story single-family house and two-story duplexes and single-family residences.

4. *Building design, materials and colors to be sympathetic with desert surroundings;*

The combination of 9 paint schemes utilizing browns, and brightly colored accents for the house doors is consistency in the composition and treatment of the proposed homes.

5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*

The proposed materials, colors and other components of the building are adequate. The use of scored stucco, concrete block, metal posts and awnings and a variety of paint schemes will provide contrast and interest.

6. *Consistency of composition and treatment;*

There is consistency in the composition and treatment of the building as proposed. The site plan includes the placement of four (4) house types and seven (7) building elevations throughout the community providing varied streetscapes.

7. *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;*

The proposed landscape plans are consistent with desert appropriate plants and includes the use of a typical planting scheme for Plans 1 and 4; and Plans 2 and 3 to provide variety throughout the Community. Landscaping along 34th Avenue frontage includes shade trees and palms, shrubs, accent plants, boulders, gravel and rock.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 3.3745 MAJ for architectural approval and re-adopt a previously approved Mitigated Negative Declaration.

ADOPTED this 12th day of November, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Planning Commission Resolution No.
Case 3.3745 MAJ – Vibrante

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Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case 3.3745 MAJ

VIBRANTE

November 12, 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.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 3.3745 MAJ; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped October 21, 2014, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- 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 3.3745. 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 the Major Architectural Application (MAJ) 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 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. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 12. 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 13. CC&R's.
- ADM 22. 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 23. 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
- ADM 24. 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, roadway closures for special events and other activities which may occur in the Central Business District, Desert Museum and Desert Fashion Plaza. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.
- ADM 25. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.
- ENV 3. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.

- ENV 4. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- a. A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
 - b. Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

- PLN 3. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 4. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 5. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 6. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 7. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 8. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 10. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:
- a. The document to convey title.
 - b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.
 - c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

- PLN 11. Notice to future buyers on views. Applicant shall notify all prospective buyers of units within the proposed development that there are no written or implied rights to the preservation of scenic views from any of the units.
- PLN 12. “Smart Controllers” for landscape irrigation. Single Family Residential units are to be provided with “smart controllers” for managing efficient use of water for landscape irrigation.
- PLN 13. Pre-wiring for Installation of Photo-voltaic systems. If the project does not include photo-voltaic system(s) for electrical production, “pre-wiring” and appropriate configuration of electrical panels and conduit must be provided to accommodate the future installation of such equipment on rooftops of structures within the proposed development.
- PLN 14. (add any additional conditions imposed by the Planning Commission or City Council here)

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.

STREETS

1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
2. Submit street improvement plans prepared by a California Registered Civil Engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.

34TH AVENUE

3. Construct a 6 inch curb and gutter located 32 feet north of centerline along the frontage with an appropriate transition to the existing 6 inch curb and gutter located 32 feet north of centerline at the southwest corner of the site in accordance with City of Palm Springs Standard Drawing No. 200.

4. Construct a 40 feet wide driveway approach (Main Entry) in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the Main Entry shall be aligned with the centerline of Lawrence Street. The gated entry design, including widths of ingress and egress lanes, shall be subject to the review and approval by the Fire Marshall. Emergency access shall be provided to the Fire Department.

The gated Main Entry is subject to review and approval by the City Engineer and Fire Marshall. The applicant shall provide an exhibit showing truck turning movements around the entry, demonstrating the ability of standard size vehicles to maneuver through the entry (without reversing) if unable to enter the project. A minimum of 50 feet shall be provided between the back of sidewalk on the adjacent street and the gated entry directory/control panel, with an approved maneuvering area provided between the directory/control panel and the entry gates. The ingress and egress lanes shall be a minimum of 20 feet wide, unless otherwise approved by the Fire Marshall. An opticom system for automatic operation by emergency vehicles, with uninterrupted power supply (battery back-up), shall be installed for the entry gates, meeting the approval of the Fire Marshall.

5. The second gated entry onto 34th Avenue is not approved; the access shall be limited to emergency access for the benefit of the City of Palm Springs. The gated entry, as proposed, does not provide sufficient stacking or maneuvering area for vehicles unable to enter the development.
6. Construct a 35 feet wide emergency exit access driveway approach in accordance with City of Palm Springs Standard Drawing No. 201. The centerline of the emergency access shall be aligned with the centerline of Marguerite Street. The entry shall be restricted to emergency access only, to the City of Palm Springs, in a manner acceptable to the Fire Marshall.
7. Construct a Type C curb ramp meeting current California State Accessibility standards on each side of the Main Entry in accordance with City of Palm Springs Standard Drawing No. 214. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer and ADA Coordinator. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
8. Construct a 5 feet wide sidewalk behind the proposed curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210. The applicant may construct a 5 feet wide meandering sidewalk. Easements for sidewalk purposes shall be dedicated for those portions of the meandering sidewalk that extend onto private property.

9. Construct a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 315. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
10. The applicant shall be required to construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete, as may be determined by the City Engineer. Paving of streets in one lift prior to completion of on-site construction will not be allowed, unless prior authorization has been obtained from the City Engineer. Completion of asphalt concrete paving for streets prior to completion of on-site construction activities, if authorized by the City Engineer, will require additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as required by the City Engineer.
11. All broken or off grade street improvements shall be repaired or replaced.

DINAH SHORE DRIVE EMBANKMENT SLOPE MAINTENANCE ROAD

12. Dedicate an easement for access purposes with the right of ingress and egress for service vehicles and personnel over the southeast corner of the site as necessary to provide a 15 feet wide access road along the Dinah Shore Drive embankment slope.
13. Acquire an easement for access purposes for the benefit of Palm Springs across the property located immediately east of the project, identified by Assessor's Parcel Number 680-340-002, as may be necessary to construct the 15 feet wide access road from Avenue 34. In the event it is not possible to acquire said easement, the site plan shall be revised to relocate the 15 feet wide access road such that the entire access road is located on-site.
14. Dedicate an easement for access purposes with the right of ingress and egress for service vehicles and personnel over the northeast corner of the site as necessary to provide a turn-around maneuvering area for the north end of the 15 feet wide access road along the Dinah Shore Drive embankment slope. The layout of the turn-around maneuvering area shall be submitted to the City Engineer for review and approval.

15. Construct a retaining wall in accordance with a Geotechnical Report and designed by a California registered Engineer, along the easterly property line to support the proposed embankment for the access road to the Dinah Shore Drive Bridge embankment slope, as generally indicated in Typical Section "D" and Detail 1 on Tentative Tract Map 32736. The retaining wall shall be designed using appropriate loading caused by maintenance vehicles on the access road. The structural retaining wall design shall be submitted to and approved by the Building Department prior to approval of a grading plan.
16. Construct a 15 feet wide access road in accordance with a Geotechnical Report and designed by a California registered Engineer, on the easterly side of the proposed retaining wall along the easterly property line. The access road shall be designed for maintenance vehicles and shall be gated at the south end. The access road shall be surfaced with clean gravel.

ON-SITE PRIVATE STREETS

17. The on-site layout of streets and parking spaces is subject to further review and approval by the City Engineer. Adjustment of proposed street alignments, and deletion or relocation of proposed parking spaces may be required during review and approval of construction plans for on-site improvements, as required by the City Engineer. Approval of the preliminary site plan does not constitute approval of the on-site layout of streets and parking spaces as proposed. **CONDITION HAS BEEN SATISFIED PER TTM 32736 DATED 5/23/14**
18. The proposed central island of the traffic circle shall not exceed 20 feet in diameter. Construct the traffic circle with a minimum outside curb radius of 43 feet throughout the traffic circle.
19. An accessible pedestrian path of travel shall be provided throughout the development, as may be required by applicable state and federal laws. An accessible path of travel shall be constructed of Portland cement concrete, unless alternative materials meeting state and federal accessibility standards is approved by the City Engineer.
20. Dedicate an easement for public utility purposes, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private streets.
21. All on-site private streets shall be constructed with standard 6 inch curb and gutter, a wedge curb, or other approved curbs, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system. On-site streets may also be constructed with inverted crowns as necessary to convey street surface drainage to the on-site drainage system.

22. Construct a minimum pavement section of 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of the proposed gutters. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
23. Parking shall be restricted along the on-site private streets as necessary to maintain a 24 feet wide clear two-way travel way, except for designated parking spaces and parking bays. Regulatory Type R26 "No Parking" signs or red curb shall be installed along the drive aisles as necessary to enforce parking restrictions. A Home Owners Association shall be responsible for regulating and maintaining required no parking restrictions, which shall be included in Covenants, Conditions, and Restrictions required for the development.

SANITARY SEWER

24. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
25. The on-site private sewer system shall connect to the existing public sewer system in 34th Avenue. Connection shall be made to the gravity sewer main and not into the existing sewer force main. Sewer plans shall be submitted to the Engineering Division for review and approval. Private on-site sewer mains for residential projects shall conform to City sewer design standards, including construction of 8 inch V.C.P. sewer main and standard sewer manholes. All on-site private sewer systems shall install sewer manhole covers with the words "Private Sewer". A profile view of the on-site private sewer mains is not necessary provided sufficient invert information is provided in the plan view, including elevations with conflicting utility lines. Plans for sewers other than the private on-site sewer mains, i.e. building sewers and laterals from the buildings to the on-site private sewer mains, are subject to separate review and approval by the Building Division.
26. The on-site private sewer system shall not connect to the existing sewer manhole within 34th Avenue. The on-site sewer system shall connect to the sewer main with a standard sewer lateral connection in accordance with City of Palm Springs Standard Drawing No. 405.
27. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

GRADING

28. Submit a Precise Grading and Paving Plan prepared by a California registered Civil Engineer to the Engineering Division for review and approval. The Precise Grading and Paving Plan shall be approved by the City Engineer prior to issuance of grading permit.
 - a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at www.AQMD.gov. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Precise Grading and Paving plan.
 - b. The first submittal of the Precise Grading and Paving Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Tentative Tract Map; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.
 - c. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
 - d. Perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

- e. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
29. Prior to approval of a Grading Plan, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
30. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
31. A National Pollutant Discharge Elimination System (NPDES) stormwater permit, issued from the California Regional Water Quality Control Board (Phone No. 760-346-7491) is required for the proposed development. A copy of the executed permit shall be provided to the City Engineer prior to issuance of a grading permit.
32. Notice of Intent to comply with Statewide General Construction Stormwater Permit (Water Quality Order 99-08-DWQ as modified December 2, 2002) is required for the proposed development via the California Regional Water Quality Control Board (Phone No. (760) 346-7491). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading permit.
33. In accordance with City of Palm Springs Municipal Code, Section 8.50.025 (c), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre for mitigation measures for erosion/blowsand relating to this property and development.
34. A soils report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the soils report shall be submitted to the Engineering Division with the first submittal of a grading plan.
35. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food

and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Precise Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

DRAINAGE

36. All stormwater runoff passing through and falling onto the site shall be accepted and conveyed to a new drainage system to be constructed as part of the development. On-site retention and other storm drainage facilities approved by the City Engineer shall be required.
37. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Said measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.
38. This project may be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, may be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. If required, such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

39. Submit storm drain improvement plans for all on-site storm drainage system facilities for review and approval by the City Engineer.
40. Construct drainage improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site streets into the on-site underground retention system, as described in the Hydrology and Hydraulic Study for Mountain Terraces at Indian Oasis, Tentative Tract No. 32736, prepared by Jones, Cahl & Associates, revised March 9, 2005. The hydrology study for Tentative Tract Map 32736 shall be amended to include catch basin sizing, storm drain pipe sizing, and underground retention system sizing calculations and other specifications for construction of required on-site storm drainage improvements.
41. The applicant is advised that the proposal for an underground retention system within the landscaped parkway along 34th Avenue may preclude the ability to install appropriate landscaping as may be required by the Department of Planning Services. The underground retention system shall be designed at a sufficient depth to allow typical landscape planting, including trees, and in a manner that does not interfere with the ability of the system to receive runoff in the future.
42. Installation, maintenance and operation of drywells or similar facilities used for on-site stormwater management are subject to certain federal regulations. In accordance with the Code of Federal Regulations (CFR) Title 40 Part 144.26, the owner and/or operator of any Class V injection well shall submit an Inventory Form to the Environmental Protection Agency (EPA) to register ownership, liability, and location for any and all Class V injection wells. Drywells, unlined sumps, seepage pits, and infiltration galleries are all classified as shallow Class V injection wells. Injection wells on private property (except for those strictly intended for roof runoff) are subject to these regulations. No owner and/or operator of any Class V injection well, shall construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity in a manner that allows the movement of fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause a violation of any drinking water regulation under CFR Chapter 40 Part 142 or may otherwise adversely affect the health of persons (in accordance with CFR Title 40 Part 144.12). Every injection well and infiltration device shall be accessible for routine inspection and maintenance. For more information on the use of Best Management Practices for drinking water source protection in relation to Class V injection wells, go to <http://www.epa.gov/safewater/protect/swpbmp.html>.
43. The underground retention system shall be installed on-site and not within the public right-of-way. The underground stormwater retention system shall be sized to have a sufficient capacity equal to the volume of increased stormwater runoff due to development of the site, as identified in a final hydrology study approved by the City Engineer. A decrease to the required retention volume may be allowed for percolation of the stormwater runoff into the underlying gravel and

soil, not to exceed 2 inches per hour or as otherwise supported by a percolation test at the site. Provisions for maintenance of the underground stormwater retention system shall be included in Covenants, Conditions, and Restrictions (CC&R's) for the Home Owners Association (HOA), including reference to the fact that maintenance and/or replacement of the system may require removal of existing landscaping improvements within the landscape parkway at the sole expense of the HOA. The CC&R's shall reserve the right of the City to inspect and ensure that the underground retention system is operable, and in the event of its failure, shall provide the City the right to advise the HOA and require its repair or replacement to the satisfaction of the City Engineer.

44. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.
45. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.
46. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.

GENERAL

47. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities

installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

48. All proposed utility lines shall be installed underground.
49. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities across the south property line (excluding the 115kV power lines) meet the requirement to be installed underground. A letter from the owners of the affected utilities shall be submitted to the Engineering Division prior to approval of a grading plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, a utility undergrounding plan shall be submitted to the Engineering Division identifying all above ground facilities in the area of the project to be undergrounded. Undergrounding of existing overhead utility lines shall be completed prior to issuance of a certificate of occupancy.
50. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
51. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
52. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

53. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or) driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
54. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed per City of Palm Springs Standard Drawing No. 904.
55. The City's embankment slope parcel may be landscaped, if required by the Director of Planning Services or if requested by the applicant. In either case, the applicant shall submit an application for an Encroachment Agreement for installation and maintenance of landscaping within the City's embankment slope parcel. The applicant will be required to include provisions in the Covenants, Conditions and Restrictions (CC&R's) for this project which require the perpetual maintenance of the landscaping on the City's embankment slope parcel, including liability for all damages and for repair to the embankment slope and/or the Dinah Shore Drive street and bridge improvements in the event of failure of the City's embankment slope due to the applicant's use of the parcel.

MAP

56. A Final 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.
57. 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 Map, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of a Certificate of Occupancy.
58. Upon approval of a final (parcel) map, the final (parcel) 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.

TRAFFIC

59. Install a street name sign at the intersection of 34th Avenue and the Main Entry in accordance with City of Palm Springs Standard Drawing Nos. 620 through 625.
60. Install a 30 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at the intersection of 34th Avenue and the Main Entry in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
61. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks (or pedestrian paths of travel) shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the 34th Avenue frontage of the subject property.
62. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control of the California Manual on Uniform Traffic Control Devices for Streets and Highways" dated January 13, 2012 or subsequent additions in force at the time of construction.
63. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

- FIRE 1 These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan received and dated May 27, 2014. Additional requirements may be required at that time based on revisions to site plans.
- FIRE 2 Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

FIRE 3 Buildings and Facilities (CFC 503.1.1): Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

FIRE 4 Security Gates (CFC 503.6): The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

FIRE 5 The Palm Springs Fire Department requires a minimum width of 24 feet for two-way private streets, minimum width of 24 feet. No parking shall be allowed in either side of the roadway.

FIRE 6 Designated fire lanes in private developments shall be not less than 24 feet wide (curb face to curb face) with no parking on either side. Wedge, or rolled curbing contained within a 24 foot fire lane shall be capable of supporting 73,000 pound GVW fire apparatus.

FIRE 7 Reduced Roadway Width: Areas with reduced roadway width (such as

entry and exit gates, entry and exit approach roads, traffic calming areas) that are under 36 feet wide require red painted curb to maintain minimum 24 foot clear width. Red curb shall be stenciled "NO PARKING" and "FIRE LANE" with white paint.

- FIRE 8 Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 45 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.
- FIRE 9 **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- FIRE 10 **Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5):** Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this project is 750 gallons per minute (with fire sprinklers) (CFC Appendix B) and one available fire hydrant must be within 250 feet from any point on lot street frontages. (CFC Appendix C)
- FIRE 11 **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings
- FIRE 12 **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13R, 2010 Edition, as modified by local ordinance.

END OF CONDITIONS

Taquitiz 41, LLC

32823 Temecula Pkwy., Temecula CA 92592
(951) 296-5070 Fax (951) 296-5071

May 27, 2014

Mr. David Newell
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Major Architectural Review
TTM 32736
Case #5.1112-MAJ

Dear Mr. Newell,

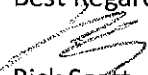
This property is located along the North Side of 34th Avenue at Lawrence Street and West of the Dinah Shore Drive Bridge. The homes that are proposed range in size between approximately 1,834 to 2,449 S.F. with two-car garages and will be one and two stories in height. The private streets will have the appearance of conventional streets without sidewalks. Project will provide guest and supplementary parking.

As discussed prior, this application is being submitted for consideration for Major Architectural Review. The project site of 7.6 Acres has an approved Tentative Map for 41 detached and attached condominium residential units with the General Plan Designation, L6 Low and Zoned for R-G-A (6) (Cluster Residential). At the time of the Tentative Map approval, August 23, 2006, the applicant also received a major architectural review approval for the product. The project did not start construction before it was stopped due to the recession of 2008. The Tentative Map is still valid however the Major Architectural approval has since expired. We are reprocessing a Major Architectural Review Application to obtain approval for the subject residential units.

It is important to note that the project scope has not changed. The original approval consisted of an Initial Study/Mitigated Negative Declaration. There still is no anticipated impact on this project. Additionally, we are in process of obtaining the Study for Green House Gas. It has been conveyed by our Engineer that our project will not exceed the maximum emissions/gases allowed for this property.

That being said, with many approvals behind us, we anticipate a smooth transition and we look forward to working with you through this process of approval. Should you have any questions, please do not hesitate to contact me.

Best Regards,


Rick Scott

Authorized Agent

RECEIVED

MAY 27 2014

PLANNING SERVICES
DEPARTMENT

5745
3.3745

2. RHSMAX T41, LLC, OWNER FOR A TENTATIVE TRACT MAP AMENDMENT (TTM 32736) FOR A CONDOMINIUM MAP AND MAJOR ARCHITECTURE APPLICATION FOR THE CONSTRUCTION OF A 41-UNIT CONDOMINIUM COMPLEX KNOWN AS VIBRANTE, LOCATED AT 6500 34TH AVENUE, ZONE R-G-A(6), SECTION 30 (CASE 3.3745 MAJ). (GM)

ASSISTANT PLANNER MLAKER presented the proposal and mentioned correspondence presented.

RICK SCOTT, applicant, presented and explained the history of the project.

CHRIS HERMAN, Landscape Architect, said the wall for this project is to enhance the street view by creating some offsets and some texture changes by using different types of blocks. There will be split face and eight by eight inch color precision block. From a landscape perspective, this is completely drought tolerant, water efficient design with no turf areas in any of the public spaces.

BOARD MEMBER HIRSCHBEIN asked how much of a planting bed will there be between the perimeter wall and sidewalk.

MR. HERMAN said there is at least fifteen feet from the sidewalk to the wall.

BOARD MEMBER SONG likes the idea of separating two different materials on the side wall, but would like to see the cap match the color of the eight by eight stacks.

MR. HERMAN said yes he can do that.

CHAIR FAUBER asked if the gate is open wrought iron or is it filled in.

MR. HERMAN said the bottom panel is a patina solid and the pickets are open.

CHAIR FAUBER asked what the spacing on the pickets is.

MR. HERMAN said they are four inches.

BOARD MEMBER SECOY-JENSEN asked what the material of the base and the gate is.

MR. HERMAN said the material is metal that looks like patina steel.

BOARD MEMBER SONG asked what the roof overhang is. She feels that it needs to be wider.

MR. HERMAN said the roof overhang is two feet

BOARD MEMEBR SONG asked if the applicant is proposing to use brick as a secondary material.

MR. HERMAN said that if there is a different approach that anyone thinks they should take they will be open to that.

BOARD MEMBER SONG said the overhang should be two feet 8 inches minimum and that the east coast use of the brick may conflict with the style of the project.

BOARD MEMBER CASSADY asked if the applicant gave any thought into adding a second pool because 1 pool seems insufficient for forty-one units.

MR. HERMAN said there will be room for small pools in individual lots.

BOARD MEMBER SECOY-JENSEN said both houses at the entry should be one story.

MR. SCOTT said that could be accomplished.

SCOTT CONNOLLY, neighbor, has concerns about the sound wall on Dinah Shore and wanted to know what that will look like. He also asked if the plant heights will block the San Bernardino mountain views. He asked about sufficient water supply, and if there was any consideration of having the development more open without gates.

TRAE DANIELS, neighbor, said that this is a very nice neighborhood and he has concerns. He does not want the project to be walled off. He wants the gates removed, and minimally to have the walls lowered.

CHAIR FAUBER asked if any of the backyards along the road are going to be sloping.

MR. SCOTT said no, the back yards will not be sloped.

BOARD MEMBER SECOY-JENSEN asked to see roof plan

MR. SCOTT said there are two composites they will use. The pitch is 3 ½ or less per twelve.

BOARD MEMBER CASSADY asked will there be solar or prewired.

MR. SCOTT said prewired.

BOARD MEMBER HIRSCHBEIN would like to defer the landscape approval to the subcommittee of landscape members.

BOARD MEMBER SECOY-JENSEN said she is not ready to move forward with the architecture because there are so many unknowns. She would like to see the wall cap,

would like to know what the overhang size is, and like to see gate material, like to see the single level plan and the detailing of doors and windows.

CHAIR FAUBER would like to see sidewalks and see gate to be more community friendly.

DIRECTOR MARGO WHEELER confirmed that the pervious application is no longer binding.

BOARD MEMBER HERSHBEIN said he wants to see a more developed elevation and to replace stone and brick veneer with different material type.

BOARD MEMBER SONG said the second emergency entry needs a pedestrian gate.

BOARD MEMBER CASSADY would like to see more refinement on the elevation.

CHAIR FAUBER would like to see a two foot 8 inch overhang

BOARD MEMBER HIRSCHBEIN would like to see a change of placement of windows.

BOARD MEMBER SECOY-JENSEN said the international style is very uniform, relates to each other and should be aligned.

M/S/C (Fauber/ Cassady, 5-0-2, absent Fredricks, Purnel). Tabled

COMMITTEE MEMBER COMMENTS: Board members thanked Director Wheeler for her work with the city.

STAFF MEMBER COMMENTS: None

ADJOURNMENT: The Architectural Advisory Committee of the City of Palm Springs adjourned at 4:25 pm to the next scheduled joint meeting with the Planning Commission at 11:30 am on July 23, 2014, Large Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

M. Margo Wheeler, FAICP
Director of Planning Services

Glenn Mlaker

From: Rick Scott <rick@cormanleigh.com>
Sent: Tuesday, September 02, 2014 11:01 AM
To: Glenn Mlaker
Subject: Case # 3.3745; Tentative Tract Map 32736/ Northside of 34th Street; Response to AAC

Glenn

I am resending our response letter with two changes noted below in red. Please advise if you wanted this communication as an attached word document.

The revised color schemes should be available before 12 noon.

Thanks
Rick

From: Rick Scott [mailto:rick@cormanleigh.com]
Sent: Tuesday, September 02, 2014 9:54 AM
To: Glenn Mlaker (Glenn.Mlaker@palmsprings-ca.gov)
Cc: Chris Hermann (chris@hdg-inc.com); 'Charles Melton'; 'Jeff Johnson'; ssendowsky@knitter.com; Bruce Raymond - HDG (bruce@hdg-inc.com); Opus Garza (opus@hdg-inc.com)
Subject: Case # 3.3745; Tentative Tract Map 32736/ Northside of 34th Street; Response to AAC

Glenn,

Following is our response to the comments made by the AAC at the meeting of July 21, 2014. The response is organized in three parts: Architectural Elevation Approach and Materials; Clarification of certain Site Plan Features; Clarification of certain Site Plan Items. Please note that some of the responses are based on the fact that the project has an approved tentative map, and thus conditions of approval, that remains valid through October 2015.

Architectural Elevation Approach and Materials:

1. In representing some of the characteristics of the architectural period, the elevations are relatively simplistic with clean lines and discrete, tasteful elevation enhancements. All plans will have the primary stucco wall treatment extended to include the eaves and the 2" by 10" fascia. Where applicable, roof overhangs extend 2' 4" beyond the exterior walls.
2. Metal awnings and covers are presented on most plans. Plan 1A, Plan 2A and B, Plan 3A and Plan 4A and B will have metal covers in the entry areas of each plan. The covers will be white and supports (metal posts, etc.) will be the color of the front door. The Plan 4 will also have a metal awning, primarily for decorative and sun shading purposes, over the front elevation window.
3. Plans 1 and 2 will have metal rear patio covers with metal posts painted the color of the front door. (Note for plans 1, 2 and 4 glass front doors will be offered as an option).
4. There are 9 color schemes presented. Certain elevations will have accent materials applied to the front and front-sides of the subject plan. The intention is to create a varied street scene by mixing elevation types and color schemes throughout the community. Please refer to both the color schemes and the elevation drawings to observe the accent materials that will be used on particular elevations. The elevation enhancements will consist of either 18" by 18" slate tile, and/or a vertical rake treatment composition consisting of 2" by 4" foam vertical slates approximately 4" on center and color coated. Additionally, 4" by 8" precision scored block will be used to enclose the courtyard of plan 4 and hide the AC unit near the front door of the entry of the plan 3.

5. Front doors will be solid, 2 panel fiberglass doors with schlage hardware, the century collection. An optional glass door will be made available. Windows will be white vinyl framed.
6. The roofs will be composed of a 3-ply composition material with final layer being white.
7. Where ever possible windows were aligned to give a sense of uniformity. This was particularly a concern with the plan two. Windows have been changed on both the first and second floor front elevations to improve the sense of uniformity. Where exceptions exist, such as the window in the second floor bathroom of the plan 2, significantly adjusting the window was not practicable.

Certain Site Plan Features

1. The perimeter wall will have offset sections to enhance the street view. The main sections will be color precision block 8" by 8" and the offset sections will be split face. The cap over all sections will match the color of the 8" by 8" precision block. Please refer to the landscape plan for details.
2. The main entry gate will be a metal base approximately 18" tall (patina-steel like in appearance) with open metal members in a geometric pattern. (Please see the perspective illustration of the entry gate). The pedestrian gate will have essentially the same construction. [Please note: It was briefly discussed at the July 21st meeting as to whether or not a gate was appropriate. It is the preference of the developer that the gate remain a feature of the community. All facilities including streets, the community pool, drainage improvements, common landscaping etc., will be privately owned and maintained by the home owners association. Liability will also be shouldered by the home owners association, not the City of Palm Springs. The gate enhances their ability to maintain their property and preserve their community.]
3. All landscaping in the common areas will be drought tolerant materials. No grass areas are planned throughout the common areas of the community. Please refer to the landscape plan for details.

Certain Site Plan Items

1. The project offers one community pool. Additionally the developer will provide "pool packages" for the home owners to purchase to include in their private yard areas. A study is provided the Committee which demonstrates that using either a pool template of 10' by 20' and a spa template of 7' by 7', every lot but four can fit either the pool, pool plus spa or spa in their private yard areas. Upon "fine tuning" of the site plan in the final engineering phase and by utilizing other shapes than the templates used in the study, it is assumed all units but 2 will be able to accommodate a private pool or spa.
2. The width of the secondary, emergency access entrance was questioned in the July 21st meeting. The conditions of approval require the driveway opening at the street to be 35' and the width of the private roads can be no less than 28' with parking on one side or 24' with no parking. The developer cannot reduce the opening at the street and prefers not to reduce it at the location of the gates. Though the island offers an attractive element and accommodates the gates, it could be removed if preferred by the AAC. Also, the developer will include a pedestrian gate on the west side of the secondary entrance with sidewalk to the public street.
3. The drive approaches to any unit will be no less than 3' in length from the curb to the garage door. It is required by the conditions of approval to stipulate where no parking occurs by both on site signage and in the CCR document.
4. The site, by underlying zoning, is required 10 guest parking spaces. The site plan offers 32 spaces, which are spread throughout the community.
5. A single story unit will be positioned on either side of the main entry gate.
6. Because the community is private with all traffic being destination-specific (no through traffic) and the streets are short in length with turning movements and constriction points which will "quiet" on-site traffic, sidewalks are not contemplated.

We believe we have addressed the comments made at the meeting of July 21, 2014. We look forward to this upcoming hearing. Thank you for your effort.

City of Palm Springs
ARCHITECTURAL ADVISORY COMMITTEE
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

Minutes of September 8, 2014

CALL TO ORDER: Chair Fauber called the meeting to order at 3:02 pm

ROLL CALL:

Committee Members Present: Cassady, Secoy-Jensen, Hirschbein, Purnel, Song, Vice-Chair Fredricks and Chair Fauber.

Committee Members Absent: None

Planning Commissioner Present: Doug Hudson

Also Present: Interim Director Evans, Associate Planner Newell, and Assistant Planner Mlaker

REPORT OF THE POSTING OF AGENDA: Agenda is available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Department counter by 6:00 pm on Wednesday, September 3, 2014.

ACCEPTANCE OF THE AGENDA: The agenda was accepted, as presented.

PUBLIC COMMENTS: None

CONSENT CALENDAR:

1. APPROVAL OF MINUTES: AUGUST 25, 2014

M/S/C (Fredricks/Secoy-Jensen, 7-0) Approve the minutes of August 24, 2014, as amended.

UNFINISHED BUSINESS:

- 2. RHSMAX T41, LLC, OWNER FOR A TENTATIVE TRACT MAP AMENDMENT (TTM 32736) FOR A CONDOMINIUM MAP AND MAJOR ARCHITECTURE APPLICATION FOR THE CONSTRUCTION OF A 41-UNIT CONDOMINIUM COMPLEX KNOWN AS VIBRANTE, LOCATED AT 6500 34TH AVENUE, ZONE R-G-A(6), SECTION 30 (CASE 3.3745).**

ASSISTANT PLANNER MLAKER presented the proposed project as outlined in the staff memorandum.

RICK SCOTT, developer, explained that the landscape plan was changed in accordance to the comments made by the Architectural Advisory Committee.

CHRIS HERMAN provided a description of the landscape plan and answered questions.

CHAIR FAUBER said that it would be best to present the landscape and the architectural plan together before posing questions.

CHRIS HERMAN described the landscape plan to include palm trees no turf grass would be in place, front yards would be maintained by the owners. The option to have a pool/spa would have the dimensions of 20 feet by 10 feet and for a spa to be 7 feet by 7 feet. A pedestrian gate will be added at both entrances to the community.

PUBLIC COMMENT:

TREY DANIEL does not support the use of gates/walls around the community. He proposed that the homes on 34th Avenue be reconfigured to face onto the street and sent a memo to Rick Scott.

RANDOLPH SCOTT stated that he is opposed the construction of a gated community, for the reason that it excludes the neighboring homes.

WENDY ROGERS said that she is opposed to the construction of the walls since it would disconnect and isolate the neighboring homes.

RICK SCOTT countered that the proposed project is a private community and there would be no additional traffic added to the area. The walls are part of the original approval. They would be attractive walls, but the proposed project is a private community.

CHAIR FAUBER asked when the approved tentative tract map was made.

PLANNER MLAKER answered that the map was approved in the mid 2000's.

INTERIM PLANNING DIRECTOR EVANS stated that in the event that the walls are removed the result would be that the proposed homes would not have a backyard or pool space.

RICK SCOTT stated that the engineering section of the tentative tract map was reviewed and the conditions set in it were acted on. For instance, the street parking was adjusted for easier mobility.

INTERIM PLANNING DIRECTOR EVANS stated that the previously approved Tentative Tract Map remains active; however any changes would require a new review with a recommendation from AAC.

MEMBER HIRSCHBEIN asked if other areas within the community will utilize pavers similar to main entrance.

RICK SCOTT answered that pavers would only be used in the entry features.

MEMBER HIRSCHBEIN stated that the renderings did not match the descriptions.

AAC members discussed the following items: material for wall cap; tree sizes; house color schemes; color of window frames; parapets on elevation #1; awning styles; and use of slate.

COMMISSIONER HUDSON suggested the use of pedestrian gates along 34th Avenue as a way to integrate the two communities.

M/S/C (Fauber/Fredricks, 7-0) Table with review by sub-committee (Purnel, Song, Fredricks) focusing on the following:

1. Redesign front wall along 34th Street to include 7 pedestrian gates.
2. Plant trees at main entry, remove pots.
3. Add man gate on secondary access.
4. Show color schemes correctly.
5. 3D renderings to accurately show color schemes.
6. Refinement of elevations.
7. Plans 2A re-look at element above garage door.
8. Substitute slate with block.
9. Placements of windows.
10. Detail of awnings.
11. Show window frame color.
12. Add decorative pavers within the project.
13. Provide landscape plan fronting along 34th Street.
14. Increase tree sizes to 36" box.

NEW BUSINESS:

3. **MOJAVE BLUE L.P., OWNER FOR A MINOR ARCHITECTURAL APPROVAL AND VARIANCE REQUEST TO REDUCE SETBACK TO 5 FEET FOR THE CONSTRUCTION OF FIVE TRELLIS CARPORTS AT THE MOJAVE BLUE APARTMENTS LOCATED AT 2720 EAST TAHQUITZ CANYON WAY, ZONE R-3, SECTION 13 (CASES 6.541 & 3.1120).**

City of Palm Springs
ARCHITECTURAL ADVISORY COMMITTEE
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

Minutes of
Sub-Committee – October 6, 2014
Meeting after regular AAC

Case 3.3745 – Vibrante

Members:
Maria Song
Gary Fredricks
Randy Purnel

Sub-Committee reviewed revised plans and made the following comments:

Site Plan

- Walkways from street side pedestrian gates to be solid material such as a sidewalk. Committee understands the presence of water retention swale.
- Landing pads at foot of gates to be more generous, larger and deeper.
- Wall facing 34th Street to vary in height. Walls adjacent to gates to be lowered to 5 feet to provide relief.
- Top of all gates (house and entry) to be square and not angled.
- Add canopy trees along 34th Street to break up long wall and give a residential feel.
- Landscaping to be more organized along 34th Street.
- All 24" trees increased to 36".

Architecture

- **Plan 2A** – scored stucco over garage extended to sides to line-up with edges of garage.
- Remove block from column, make column double steel posts.
- Chevron roof over garage is odd - continue with shed roof plane.
- **Plan 2B** – Stucco scoring to extend out and up to include 2nd-story.
- **Plan 3A** – Columns to be double steel posts with no block.
- **Plan 4A** – Remove overhang brace.
- Scored stucco continue to roof line.
- **Plan 4B** – Roof over garage to be one slope - one roof plane.
- Scored stucco continue to roof line.

**CITY OF PALM SPRINGS
INITIAL STUDY / MITIGATED NEGATIVE DECLARATION**

1. Project title:

Mountain Terraces - Case 5.1112 - MAJ / TTM 32736

2. Lead agency name and address:

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

3. Contact person and phone number:

Edward Robertson, Principal Planner
(760) 323-8245

4. Project location:

North side of 34th Avenue, at Lawrence and Marguerite Streets

5. Project sponsor's name and address:

Mountain Terrace, 02, LLC
30 West Wyoming
Las Vegas, Nevada 89102

6. General plan designation:

L6 Low (Density Residential)

7. Zoning:

W-R-G-A (6) (Cluster Residential)

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The project consists of a Tentative Condominium Map (TTM 32736) and Major Architectural application for a residential condominium subdivision with 41 units.

The proposal is to subdivide approximately 7.6-acre site into three lettered lots and three numbered lots served by internal private, loop streets within the property. The three lettered lots will consist of one lot containing the private streets, one lot containing open space that consists of an embankment with part of the Dinah Shore Drive Bridge over the Whitewater River, and one lot containing subterranean retention basins and a sidewalk in the parkway adjacent to 34th Avenue. The three numbered lots will contain 41 residential condominium units. The condominiums will be constructed as a mix of detached homes and side-by-side duplexes with individual, exclusive-use front driveways, front entries, and rear yards. Four models are being proposed. Homes are proposed to range in size between approximately



1,362 and 2,402 square feet, with two-car garages, and will be one and two-stories in height. The private streets will have widths of 28 to 32 feet, and will have the appearance of conventional streets without sidewalks. Parking will be allowed as an Engineering condition on one side of the 32-foot wide loop street, and will provide guest and supplementary parking.

Recreational areas with swimming pool and Jacuzzi are provided within landscaped areas. The project will also have on-site storm water detention in the form of subterranean basins in the lettered lot abutting the parkway along 34th Avenue. The project will be gated..

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

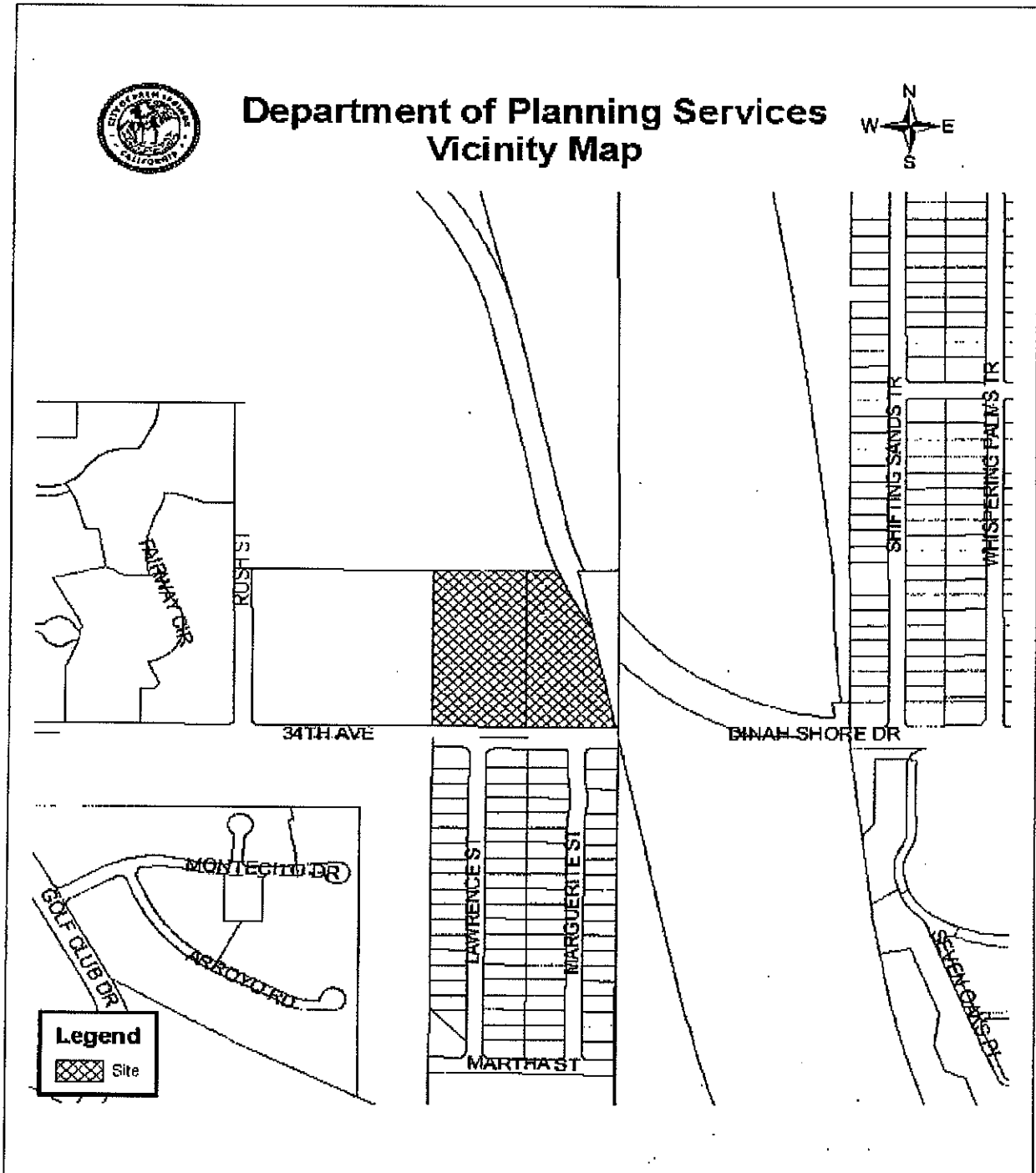
North: Vacant
South: 34th Avenue, Single-family homes
East: Dinah Shore Drive Bridge and Whitewater River
West: Clustered residential

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

None



FIGURE 1 – VICINITY MAP



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

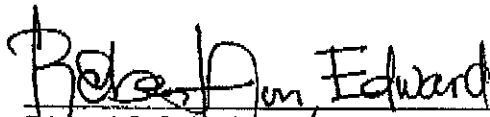
- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |



DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Edward O. Robertson
Principal Planner

8.15.06
Date



APPLICATION CERTIFICATION:

I certify that I am the applicant for the project described in this Initial Study. I acknowledge that I have read this Initial Study and the proposed mitigation measures. Further, I have revised project plans or proposals and/or hereby agree to the proposed mitigation measures to avoid the effects or mitigate the effects to a point where clearly no significant environmental effects would occur.

Signature

Date

Print name and title



EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.



- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-c) **No Impact.** The project site is currently vacant and located north of 34th Avenue. It is not located near any scenic vistas or state scenic highways. The proposed project is for 42, one-story residential condominiums. The buildings will have a height of approximately eighteen feet. Open space is integrated throughout the project. The proposed building height and amenities is substantially similar to the existing condominiums and single-family residences that surround the site. The buildings maintain the appearance of single-family residences and duplexes and are oriented to provide a subdivision design that is similar to the existing surrounding neighborhood. With these features incorporated in the project, the project will actually improve the existing visual character of the site and immediate vicinity by removing a blighted condition. Therefore, there will be no impact on the visual character of the site, scenic vistas, and scenic resources on state scenic highways.

d) **Less Than Significant Impact.** The site is currently vacant and does not currently generate light or glare. Therefore, the construction of the project would have some lighting impacts, characteristic of a residential area. However, it is not anticipated that the project will create substantial light and glare that could affect night time views. The type of lighting proposed would be typical of a residential project such as landscape up-lighting, entrance lighting, and pedestrian-scale lighting. In addition, the project would be required to comply with City's "dark sky" ordinance pursuant to standards outlined in Section 93.21.00 of the zoning ordinance. Therefore, there will be a less than significant impact to day or nighttime views in the area due to light and glare.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The Farmland Mapping and Monitoring Program of the California Resources Agency have not designated this area as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No impact to farmland would occur.
- b) **No Impact.** The proposed project site is zoned for multi-family residential use and is not covered by a Williamson Act contract. Furthermore, no Williamson Act Contracts are located in the immediate vicinity of the project site. Therefore, no impacts to Williamson Act Contracts would occur.
- c) **No Impact.** The proposed project is designated multi-family residential; the surrounding land consists of developed commercial or residential property. Implementation of the proposed project would, therefore, not result in conversion of farmland to non-agricultural uses. No Impacts to conversion of agricultural land will occur.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A technical report was the basis for the following analysis and can be found in Appendix A.

- a) **Less than Significant Impact.** The proposed project is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Development at the project site will be governed by the 2003 Air Quality Management Plan (2003 AQMP) and the 2002 Coachella Valley PM₁₀ State Implementation Plan (CVPM₁₀ SIP). CEQA requires that projects be consistent with the applicable AQMP.

The project would result in development intensities that are lower than what is allowed under the current General Plan land use designation. The Palm Springs General Plan is the basis for the AQMP emissions inventories, which is a key underlying assumption associated with the AQMP. Projects that are consistent with local General Plan land use development intensities are considered consistent with the air quality related regional plans including: the current AQMP, the Coachella Valley PM₁₀ SIP and other applicable regional plans.

On a peak day during the grading phase, the generated emissions are projected to include approximately: 9 pounds of ROG, 66 pounds of NO_x, 72 pounds of CO and 3 pounds of PM₁₀ (Endo Engineering, 2005). Of that total, the active soil disturbance associated with earthwork on 6 acres per day would generate an estimated 60 of fugitive dust per day. Emissions at this rate would not exceed the SCAQMD daily



significance thresholds but would represent 66 percent of the significant threshold for NOx.

On a peak construction day after grading is completed, air pollutant emissions associated with building activities (including the actual construction of the buildings and the architectural coating application process) are projected to total approximately 64 pounds of ROG, 73 pounds of NOx, 76 pounds of CO, and 3 pounds of PM10, provided the paving activities do not occur at the same time the architectural coatings are being applied (Endo Engineering, 2005). Emissions at this rate would not exceed the SCAQMD daily significance thresholds but would comprise 86 percent of the ROG threshold of significance during architectural coating activities and 73 percent of the NOx threshold during the construction of buildings. Without mitigation, the NOx threshold will not be exceeded provided the building activities do not occur the same time as paving operations.

The proposed project is not expected to exceed the SCAQMD daily or quarterly construction emission thresholds of significance during construction activities on site provided the paving activities on-site are not conducted on those days when the architectural coatings are being applied on-site.

Upon full occupancy in the year 2008, the project is expected to generate up to 213 pounds of carbon monoxide, 27 pounds of reactive organic gases, 30 pounds of NOx, 19 pounds of PM10 and less than one pound of SOx, daily (Endo Engineering, 2005). Project-related motor vehicle and area source emissions are not projected to exceed the SCAQMD operational emission significance thresholds.

Operational emissions from the project would be within established thresholds and construction emissions exceeding daily thresholds would be mitigated through implementation of measures from the *South Coast Air Quality Management District CEQA Handbook*. Therefore, the project is not anticipated to conflict with or obstruct implementation of the 2003 AQMP. This impact is considered less than significant.

- b-d) **Less than Significant Impact with Mitigation Incorporated.** Construction activities are a minor source of organic gas emissions. Solvents in adhesives, non-waterbase paints, thinners, some insulating materials and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application. The URBEMIS-2002 for Windows (Version 7.4.2) program estimates maximum emissions from site grading, construction worker trips, stationary and mobile equipment, architectural coatings and asphalt off-gassing.

URBEMIS 2002 was used to estimate potential emissions for the proposed project. Emissions from construction activities (grading and building), area sources (consumer products, gas fireplaces) and operations (vehicles) are provided in **Table III-1**. These calculations assume that demolition would not be necessary as the project site is currently vacant. Construction would occur over an eighteen-month period with project occupancy estimated late in the year 2008.



Table III-1

ESTIMATED EMISSIONS RESULTING FROM PROJECT CONSTRUCTION ACTIVITIES (POUNDS/DAY)

Emissions Source	ROG	NO _x	CO	PM ₁₀ Total
Site Grading Phase				
-Fugitive Dust	-	-	-	60.00
-Off-Road Diesel	8.99	65.74	71.31	2.97
-Worker Trips	0.08	0.13	2.34	0.01
Subtotal	9.07	65.87	73.65	62.98
Construction Process				
-Off-Road Diesel	9.10	72.19	65.28	3.28
-Worker Trips	0.91	0.51	10.77	0.15
Subtotal	10.01	72.70	76.05	3.43
Architectural Coatings				
-Off-Gasing	63.35	-	-	-
-Worker Trips	0.85	0.48	10.23	0.15
Subtotal	64.20	0.48	10.23	0.15
Asphalt Paving				
-Off-Gasing	0.48	-	-	-
-Off-Road Diesel	5.04	33.76	41.09	1.46
-On-Road Diesel	0.11	2.25	0.42	0.05
-Worker Trips	0.03	0.02	0.40	0.01
Maximum All Phases	64.20	72.70	76.05	62.98
SCAQMD Threshold	75	100	550	150
Threshold Exceeded	No	No	No	No

Source: Endo Engineering, 2005

The major air quality impacts resulting from project construction would be increased ROG, NO_x, CO, SO₂, and PM₁₀ emissions primarily from off road diesel, worker trips, off road diesel, and on road diesel. As shown in **Table III-1**, thresholds would not be exceeded on a pounds per day basis for any pollutant and would be below thresholds for pounds per day during construction.

Although emissions would not be exceeded on a pounds/day or quarterly basis, cumulative operational emissions generated over the long term by the proposed project in conjunction with the development of other projects in the region may exceed the SCAQMD operational emissions significance threshold criteria without mitigation. This projects cumulative impact would be mitigated through project level standard mitigation. Cumulative projects would not occur simultaneously, therefore, this project's construction air quality impacts, because they occur on their own time frame, and would



not be occurring during other developments in the City of Palm Springs, would not create cumulative impacts that would cause emissions to reach threshold levels. Therefore, mitigation measures are provided consistent with the provisions of the *South Coast Air Quality Management District CEQA Handbook* to mitigate construction-related air quality emissions both for the project and cumulatively.

In addition, the project would be required to comply with Chapter 8.50 of the Palm Springs Municipal Code (which requires that projects obtain an approved Fugitive Dust Mitigation Plan prior to commencing construction) and Section 8.04.230 and 8.04.240 of the Palm Springs Municipal Code (which address erosion control associated with grading projects and outlines measures required to assure that no debris is washed, blown by wind or otherwise deposited onto streets or adjacent property). The project must also comply with SCAQMD's Rule 403 to mitigate emissions to a less than significant level.

The mitigation measures below shall be implemented during all grading and construction phases of the project and enforced/monitored by the City of Palm Springs and the SCAQMD. Implementation of these mitigation measures would reduce construction-related emissions and are considered adequate by the District to reduce emissions to less than significant.

Mitigation Measures

- MM III-1** Earth-moving activities on the project site shall be suspended during first and second stage ozone episodes or when winds exceed 25 MPH, pursuant to the Coachella Valley PM₁₀ State Implementation Plan and SCAQMD Rule 403.1.
- MM III-2** Adequate watering techniques shall be employed on the project site to mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day, as part of the construction specifications.
- MM III-3** Any construction access roads to the project site shall be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved road surfaces shall be 15 mph.
- MM III-4** All trucks shall maintain at least two feet of freeboard.
- MM III-5** Trucks hauling dirt, sand, soil or other loose dirt material off-site, shall be covered and washed off before leaving the site.
- MM III-6** Adjacent streets shall be swept if silt is carried over to adjacent public thoroughfares.
- MM III-7** As part of the construction specifications, any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.
- MM III-8** Construction operations affecting off-site roadways shall be scheduled for off-peak traffic hours and shall minimize obstruction of through-traffic lanes.



- e) **Less than Significant Impact.** The project is not located in a high-density area, near a school, hospital, assisted living facility, or other facility that would house people with lowered immune systems. However, single-family residential development is located to the west, and south of the project site across 34th Avenue. Those developments may potentially be exposed to nuisance dust and heavy equipment emission odors (e.g. diesel exhaust) during construction. The duration of exposure to air emissions and dust would be relatively short. Furthermore, exhaust from construction equipment dissipates rapidly. Based on the short-term duration, rapid dissipation of construction emissions, and setbacks between the project site and adjacent residential areas, this impact is considered less than significant.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A technical report was the basis for the following analysis and can be found in Appendix B.

a-c) **No Impact.** A biological assessment was prepared by Tierra Environmental Services on May 5, 2004 and noted that the project site is currently vacant, is surrounded by urban development, and does not lie within the boundaries of federally protected wetlands riparian habitat. The grading of the project site can be expected to eliminate 7.2 acres of disturbed Sonoran creosote bush scrub habitat. However, given the widespread occurrence of the bush scrub, there will not be any impact upon this species. Therefore, development of the project site will not have any significant adverse impacts upon biological resources in the region.



- d) **No Impact.** The proposed project is not located within a water course, thus the project would not substantially interfere with the movement of any native resident or migratory fish. Therefore, no migratory patterns of fish or wildlife would be impacted by this project and no impact would occur.
- e) **No Impact.** The proposed project has no trees on site. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f) **No Impact.** No Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP) covers the project site that has been yet been adopted by the City of Springs. The Coachella Valley Association of Governments (CVAG) has prepared a draft regional "Coachella Valley Multi-Species Habitat Conservation Plan" (CVMSHCP) that encompasses threatened, endangered, and sensitive species and their habitats.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in " 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to " 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A technical report was the basis for the following analysis and can be found in Appendix C.

- a) **Less than Significant Impact.** Tierra Environmental Services, Inc. prepared a Cultural Resource Survey Report dated April 2004. The Coachella Valley is a historical center of Native American Settlement, where U.S. surveyors noted large numbers of Indian villages and rancherias, occupied by the Cahuilla people, in the mid-19th century. Historical sources consulted for this study suggest that no settlement or development activities took place in the vicinity of the project area until the late historic period, when the City of Palm Springs began its mid-20th century urban expansion.

According to records on file at the Eastern Information Center, the project area had not been previously surveyed for cultural resources and no resources had been recorded on or adjacent to the property. Outside the project boundaries, but within a one-mile radius, EIC records show nine previous archaeological investigations and six cultural resources overviews covering various tracts of land and linear features. No cultural resources have been recorded within a one-mile radius of the project area, and thus no further consideration is required.

No historical resources were encountered during Tierra Environmental's survey. However, the potential for discovery of resources is possible throughout the project area. The Agua Caliente Band of Cahuilla Indians are located near the area. Specific sites of known Cahuilla significance are located to the west and south of the City.

It is known that the Agua Caliente Tribe inhabited parts of the Palm Springs area. However, the proposed project is a generally flat vacant parcel and was surveyed by CRM TECH for signs of historical/archaeological resources. No historical resources were encountered. There are no physical structures of historical note within the area proposed for development. Therefore, the impact is considered less than significant.



- b-d) **Less than Significant With Mitigation Incorporated.** No archaeological or paleontological resources exist within or adjacent to the project area. The project, as currently proposed, would not cause substantial adverse change to any known archaeological or paleontological resources. No further cultural resources investigation is necessary for the proposed project unless development plans undergo such changes as to include areas not covered by the Tierra Environmental study. If buried cultural materials are discovered during any earth-moving operations associated with the project, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. During ground disturbing project activity the potential to inadvertently encounter paleontological or cultural resources during project construction is always possible. Therefore, the impact is considered less than significant with mitigation incorporated.

Mitigation Measures

- MM V-1** As there is always a possibility of buried cultural and paleontological resources in a project area, should buried cultural deposits be encountered, the developer shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to investigate the find. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death, involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-8 of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A technical report was the basis for the following analysis and can be found in Appendix D.

- a) i) **Less than Significant Impact.** The site is located within an active seismic area within approximately 7 miles (11.7 kilometers) of the San Andreas fault system. Well-delineated fault lines cross through this region as shown on California Geological Survey (CGS) maps; however, no active faults are mapped in the immediate vicinity of the site. The project site does not lie within a currently delineated State of California, Alquist-Priolo Earthquake Fault Zone. Therefore, active fault rupture is unlikely to occur at the project site. Ground rupture is generally considered most likely to occur along pre-existing faults (Smith, Peroni &



Fox, 1992). Therefore, active fault rupture is unlikely to occur at the project site. Compliance with Uniform Building Code (UBC) will reduce potential impacts to a less than significant level.

- ii) **Less than Significant Impact.** High levels of ground shaking may occur during future large magnitude Southern California earthquakes, particularly on the San Andreas Fault. All structures on the property will be subjected to this shaking, and could be seriously damaged if not properly designed. This potential impact could be reduced to a level of less than significant through ensuring that the structural design of all buildings is performed by knowledgeable structural engineers familiar with conservative seismic design principles. As a performance standard the project will be required to be constructed to conform to the California Building Code (CBC) requirements for Seismic Zone 4.
 - iii) **No Impact:** Liquefaction is the loss of soil strength from sudden shock (usually earthquake shaking), causing the soil to become a fluid mass. In general, for the effects of liquefaction to be manifested at the surface, groundwater levels must be within 50 feet of the ground surface and the soils within the saturated zone must also be susceptible to liquefaction. The potential for liquefaction is very low across most of the City of Palm Springs. The potential for liquefaction to occur at this site is considered negligible because the depth of groundwater around the site exceeds 100 feet. The project does not lie within the Riverside County designated liquefaction hazard zone. Therefore, no impact would occur.
 - iv) **No Impact.** The elevation on the parcel is approximately 400 feet above sea level. The site slopes gradually toward the southeast with storm runoff generally characterized as sheet flow interspersed by localized high and low points. Overland storm runoff currently overflows directly onto Baristo Road. The City of Palm Springs General Plan indicates that potential landslide hazard is primarily located in hillsides or mountainous areas of the City. Therefore, no impact would occur.
- b) **Less than Significant Impact.** During grading operations, the project has the potential to cause airborne and waterborne erosion. Standard City protocols would be enforced during review of engineering design plans (e.g., grading and erosion control requirements). Projects larger than 1 acre in size require compliance with National Pollution Discharge elimination System (NPDES) criteria, preparation of a Storm Water Pollution Prevention Plan (SWPPP), and the inclusion of appropriate best management practices (BMPs) to control soil erosion as well as off-site discharge to pollutants to surface waters. The project will also be required to prepare a Fugitive Dust (PM10) Mitigation Plan in compliance with adopted procedures of the SCQAMD and the City. Paving of streets and planting of landscaping will stabilize soil during the long-term operational phase of the project (home occupancy). For these reasons, project implementation will not result in substantial soil erosion problems or the loss of topsoil and no mitigation is required. Therefore, impacts are considered less than significant.

Compliance with these procedures will be required prior to issuance of grading permits and implemented throughout the project's construction period. These procedures will ensure that potential erosion is controlled during the construction process.

- c) **Less than Significant Impact.** Ground subsidence from seismic events or hydroconsolidation is a potential hazard in the Coachella Valley area. The elevation on



the parcel is approximately 400 feet above sea level. The site slopes gradually toward the southeast with storm runoff generally characterized as sheet flow interspersed by localized high and low points. Overland storm runoff currently overflows directly onto Baristo Road.

Slope Instability

The site is relatively flat, therefore, potential hazards from slope instability, landslides, or debris flow are considered negligible.

Soil Liquefaction

See a. iii above.

Ground Subsidence

The potential for seismically induced ground subsidence is considered to be slight to moderate at or near the site. Dry sands tend to settle and densify when subjected to strong earthquake shaking. The amount of subsidence is dependent on relative density of the soil, ground motion, and earthquake duration. Uncompacted fill areas may be susceptible to seismically induced settlement. Adherence to the grading and structural recommendations in the Geotechnical report would reduce potential settlement problems to a less than significant level.

- d) **No Impact.** Site soils have a very low potential to be expansive. According to the Geotechnical Report prepared by Professional Service Industries dated May 20, 2004, the surface soils encountered during exploratory borings were found to be non-expansive. Laboratory testing indicated an Expansion Index of 0 that corresponds with the "very low" expansion category in accordance with UBC Standard 18-2. Therefore, no impact would occur.
- e) **No Impact.** No septic tanks or alternative wastewater disposal systems would be constructed as part of the proposed project. Therefore, no impact would occur.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) Less than significant Impact. Currently the site consists of vacant desert land. A sparse growth of native brush, grass and weed covers the site. Implementation of the project would result in the development of new residential units and open space components. Although small quantities of commercially available hazardous material could be used within the residential component, these materials would not be used in sufficient



quantities to pose a threat to human or environmental health. The project does not include the demolition or removal of older structures that may contain hazardous materials such as lead paint or asbestos.

Construction of the project would involve the use of heavy equipment, which uses small amounts of oils and fuels and other potentially flammable substances. During construction, equipment would require refueling and minor maintenance on location, which could lead to fuel and oil spills. The contractor would be required to identify a staging area for storing materials and equipment. The proposed project would not result in a significant risk of explosion or accidental release of hazardous substances. The use and handling of hazardous materials during construction activities would occur in accordance with applicable Federal, State, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements.

No waterways are located on the site and the project would be required to obtain a National Pollution Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit. The project contractor would be required to file a Notice of Intent under the State's NPDES General Construction Permit. This permit requires that a Storm Water Pollutant Prevention Plan be prepared specifying Best Management Practices to reduce construction related impacts on the project site. The proposed project would not result in a significant risk of explosion or accidental release of hazardous substances. As part of the building permitting process, all plans are reviewed for compliance with applicable Building and Fire Department requirements, pursuant to the Uniform Building and Fire Codes, and all other related City requirements. Therefore, implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous material.

- c) **No Impact.** There are no schools located within ¼ mile of the project site. As described in VII.a, the proposed project would include the construction of residential, a commercial and open space components. The operation of the project would not result in the routine use, transport, or disposal of substantial quantities of hazardous materials. Therefore, no impact would occur.
- d) **No Impact.** The proposed site is not located on the list of hazardous materials site compiled pursuant to Government Code Section 65962.5 and would not pose a significant hazard to the public or the environment. Therefore, no impact would occur.
- e) **No Impact.** The project is not located within the boundaries of the Riverside County Airport Land Use Compatibility Plan for Palm Springs International Airport and would not conflict with airport operations. Therefore, implementation of the proposed project would not expose people to air related hazards. Therefore, no impact would occur.
- f) **No Impact.** The project site is not located within the vicinity of a private airstrip. Therefore, implementation of the proposed project would not expose people to air related hazards. Therefore, no impact would occur.
- g) **No Impact.** The project would not impair implementation or physically interfere with an adapted emergency plan or emergency plan or emergency evacuation plan, although the project would be reviewed by the City Fire Department to ensure consistency with emergency response and evacuation needs. Therefore, no impact would occur.



- h) **No Impact.** The project is in a semi-urban area and development of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wild fire. Therefore, no impact would occur.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A technical report was the basis for the following analysis and can be found in Appendix E.



- a) **Less than Significant Impact.** The project is located north of 34th Avenue and consists of approximately 8.4 acres. The project would include 42 condominiums in a private, gated development. Construction at the site would be subject to National Pollutant Discharge Elimination System (NPDES) stormwater regulations for construction activities, which apply when there is a soil disturbance of more than one acre, or if less than one acre, part of a larger common plan of development one acre or greater. The applicant shall be required to comply with all rules, regulations and procedures of the NPDES permit for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board or any of its Regional Water Quality Control Boards (Colorado River Basin-Regional VII). Under this program development that proposes more than one acre of grading would apply for a permit to control the discharge of pollution to the maximum extent practicable. The project would be required to meet all City, regional and state applicable water quality standards or waste discharge requirements thereby avoiding violation of such standards or requirements. Therefore, compliance with all standards would ensure that potentially significant impacts will be reduced to less than significant.

As regards to wastewater, the proposed project would connect to the City's sanitary sewer system, which would convey project wastewater to the Palm Springs Wastewater Treatment Plant (WWTP). Operation of, and any future expansion of the WWTP are overseen by the Regional Water Quality Control Board. Compliance with existing NPDES regulations and discharge requirements of the RWQCB would ensure that potentially significant impacts would be reduced to less than significant. Therefore, the project would not violate any waste discharge requirement on a City, State or Federal level. This impact is considered less than significant.

- b) **Less than Significant Impact.** The project proposes to use water supplied by the Desert Water Agency (DWA). Water for the proposed project would be served by Desert Water Agency. The project is not anticipated to deplete groundwater supplies, interfere substantially with groundwater recharge, or substantially increase demand for water. Based on water demand for the proposed project as described in XVI.a, the DWA has sufficient water supply to generate water supply for the project, as does the City WWTP as described in XVI.a. Therefore, the impact is considered less than significant.

c. d) **Less than Significant Impact.** The proposed project would add new impervious surface approximately 10 acres of impervious surface. The proposed site currently consists of vacant desert land, covered with sparse native brush, grass, and weeds. The site is relatively flat and level with adjacent properties. The elevation on the parcel is approximately 400 feet above sea level. The site slopes gradually toward the southeast with storm runoff generally characterized as sheet flow interspersed by localized high and low points. Overland storm runoff currently overflows directly onto 34th Avenue.

Construction of the proposed project would create impervious surfaces on the site, which would alter the existing drainage conditions. Compliance with mandatory NPDES requirements would reduce the potential of erosion and siltation during the short-term construction and long term operation phases of the project. In addition, the project would be required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP), which specifies Best Management Practices (BMPs) that shall prevent all construction pollutants from contracting storm water and with the intent of keeping all products of erosion from moving off site into receiving waters.



A Preliminary Hydrology Report was prepared by Jones, Cahl and Associates, dated July 23, 2004. All storm runoff generated on-site would be conveyed through the proposed on-site streets to catch basins, where underground storm drain pipelines would then carry the runoff to the subterranean retention basins. The total runoff storage capacity provided by the retention basins would suffice to store the incremental increase of storm runoff due to development. The remainder of the storm runoff would overflow directly onto 34th Avenue. Additionally, compliance with all standards would ensure that potentially significant impacts would be reduced to less than significant.

- e) **Less than Significant Impact.** The Hydrology Study by Jones, Cahl and Associates indicated that the total capacity of the proposed retention basins and underground storage facilities for the proposed development is sufficient to store the incremental increase of runoff caused by development. The proposed development of Tentative Tract 32736 meets the hydrologic requirements set forth by the City of Palm Springs.
- f) **Less than Significant Impact.** Construction at the project site could produce pollutants that would have the potential to temporarily degrade the quality of receiving waters if not properly managed. The primary pollutant of concern is sediment that results from excessive erosion of disturbed soils. Other potential pollutants include metals, pesticides, nutrients and soil additives, construction chemicals and fuel, and miscellaneous waste. With the implementation of Best Management Practices (BMPs) required by the City as well as through the project's required SWPPP, no significant long-term impact to water quality would result from construction activities. Therefore, compliance with all BMPs would ensure that potentially significant impacts would be reduced to less than significant.
- g-h) **No Impact.** The project is not located within an area designated as a 100-year flood boundary by the Federal Management Emergency Agency (FEMA). The proposed retention basins are designed to capture storm water runoff from the project site as a result of the increase in impervious surface. Therefore the impact is considered less than significant.

The project could potentially redirect runoff in the event of a 100-year flood. However, improved streets surrounding the project currently prevent off site flows from entering the project site. Site elevations are approximately 335 feet above sea level, generally sloping toward the southeast, storm runoff would generally be characterized as sheet flow interspersed by localized high and low points. As a result of the proposed design, all 100-year storm runoff exceeding that currently generated on-site would be captured and stored on-site in the proposed retention basin. Therefore, this impact is considered less than significant.

- i) **No Impact.** The Palm Springs General Plan Environmental Impact Report does not identify risk of loss, injury, or death due to flooding as a result of levee or dam failure in the city of Palm Springs. Therefore, no impact would occur.
- j) **No Impact.** A tsunami is an unusually high sea wave, (more precisely, a series of waves), of local or distant origin that results from large-scale seafloor displacements associated with large earthquakes, major submarine slides, or exploding volcanic islands. It is not likely that Palm Spring would be affected by a tsunami because Palm Springs is located roughly 60 miles from the pacific coast. Therefore, no impact would occur.

A seiche is the oscillation of water in an enclosed body of water (such as a lake). Water in golf course lakes could be affected during a strong seismic event. However, no



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damage would be anticipated, as these features are not of sufficient size or depth to have a major destructive potential. There are no flood control/desilting basins in the vicinity of the project. Therefore, potential impacts of seiches would be minimal (Smith, Peroni and Fox, 1992).

Mudflow would be associated with a reservoir which could break resulting in flooding or mudflow to down stream properties. No reservoirs are located in the vicinity of the City of Palm Springs. Therefore, no impact would occur.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** As previously stated, the surrounding land uses are residential, commercial, and some offices. The project site is a vacant 7.6-acre parcel of land. The proposed project is for the construction of 41 condominiums and associated site. The proposed condominiums would be compatible with surrounding land uses. Therefore, the project would not physically divide an established community and no impact would occur.
- b) **No Impact.** The proposed condominium project is consistent with the goals and objectives of the L6 (Low-Density Residential 4-6 units/acre) General Plan designation for the subject property. The proposed density of 5.8 dwelling units per acre, or 7,467 square feet per unit is within the threshold of four and maximum of six dwelling units per acre called out in General Plan Objective 3.5a, and the design of the project "accommodates various types of low-density residential development, including traditional single-family homes" discussed in that Objective. Additionally, the proposed development is consistent with General Plan Policy 3.5.1 because the project proposes a design with the appearance and functionality of a single-family detached subdivision. The project is consistent with Policy 3.5.2 because the buildings are one story and maximum height is less than 18 feet. Finally, 65 percent of the lot area is maintained as open space or private recreational yard area per Policy 3.5.3. Therefore, the proposed project does not conflict with any local land use plans or policies.
- c) **No Impact.** There are no habitat conservation or natural community conservation plans currently adapted for the project area. A draft Coachella Valley Multi-Species Habitat Conservation Plan (HCP) is currently under consideration, but has not been adopted as yet by the City of Palm Springs. Therefore, there would be no impact to the natural community.



	Potential Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) **No Impact.** No significant mineral resources have been identified in the project area. The Palm Springs General Plan EIR (Palm Springs, 1992) has not identified any mineral resources in the planning area. Therefore, no impact to mineral resources would occur.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A technical report was the basis for the following analysis and can be found in Appendix F.

a-d) **Less than Significant With Mitigation Incorporated.** The City of Palm Springs requires that the community noise equivalent level (CNEL) does not exceed 65 dB at the exterior living areas (rear yards) or 45 dB at the habitable interior living area. The following discussion is broken down into construction and post construction.

CONSTRUCTION

The transport of workers and equipment to the construction site would incrementally increase noise levels along the roadways leading to and from the site. The increase, although temporary in nature, could be audible to noise sensitive receptors located along the roadways utilized for construction as well as to residences south of the project site. Although there could be a relatively high single event noise exposure potential with passing trucks, the effect on long-term ambient noise levels would be less than 3 dBA when truck noise (87 dBA at 50 feet) is added to existing noise levels and average over a



24-hour period. Therefore, short-term construction worker and equipment travel noise increases would represent less than significant impacts on noise sensitive receptors along the site access routes.

During the construction phase, noise generated at the project site could become excessive. However these impacts would be temporary in nature. The loudest construction equipment used during construction hours would be earth-moving equipment including bulldozers, backhoes, tractors, trenchers, front loaders, jackhammers, and rotodrills. The Environmental Protection Agency has found that the noisiest equipment types operating at construction sites, typically range from 88 to 91 dBA at 50 feet. Mitigation measures identified below would reduce these temporary impacts to less than significant.

POST CONSTRUCTION

The residential development would be exposed to noise generated from surrounding arterial traffic. An Acoustical Analysis prepared by Mestre Greve Associates, dated May 14, 2002 found that the average noise level calculated for Dinah Shore Drive exceeded the City of Palm Springs CNEL of 65 dB. In addition, the homes would need to be designed to provide a noise reduction up to 20 dB in order to comply with the City's interior CNEL standards of 45 dB. Therefore impacts from noise on the overall ambient noise conditions at the project site are considered less than significant.

All of the residential lots proposed on-site are considered noise-sensitive. With a projected noise level of exceeding CNEL at the right-of-way line adjacent to Dinah Shore Drive, this impact would be considered significant and requires the application of the mitigation measures identified below. Implementation of the mitigation measures below would ensure that construction and operational noise impacts are mitigated to less than significant.

Mitigation Measures

- MM XI-1** The project applicant shall demonstrate that all on-site residential units shall be designed to meet the City of Palm Springs noise standards (65 CNEL in outside activity areas and 45 CNEL in interior living areas). The project applicant shall demonstrate compliance through the submittal of building and site improvement plans that provide details regarding sound barrier heights, additional insulation and building materials used to maintain interior noise levels, building and window orientation, and other measures to reduce noise exposure levels to City noise standards. A qualified noise consultant shall be retained to ensure that project and building designs will meet City noise exposure standards. Evidence of compliance with this mitigation measure shall be provided to the City prior to the issuance of any building permits.
- MM XI-2** The developer shall provide a disclosure to prospective future owners of condominiums that the project meets the minimum code standards, but that noise is likely to be audible.
- MM XI-3** All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.



- MM XI-4** All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.
- MM XI-5** Stockpiling and vehicle staging areas shall be located in the northern portion of the site.
- MM XI-6** Parking, refueling and servicing operations for all heavy equipment and on-site construction vehicles shall be located in the northern portion of the site.
- MM XI-7** Stationary construction equipment shall be placed such that emitted noise is directed away from noise-sensitive receptors.
- MM XI-8** Construction activities on-site shall take place only during the hours between 7:00 a.m. and 8:00 p.m., as specified by the Palm Springs Noise Ordinance (11.74.041), to reduce noise impacts during more sensitive time periods. The Construction Site Regulations (Chapter 8.04.220) also identify specific limits on hours of operation for construction equipment as not between 5 p.m. and 8 a.m. if the noise produced is of such intensity or quality that it disturbs the peace and quiet of any other person of normal sensitivity.
- MM XI-9** Noise barriers shall be constructed on the west side of Dinah Shore Drive per the Summary for Exterior Noise Mitigation in the Noise Analysis for Mountain Terraces at Indian Oasis prepared by Mestre Greve Associates, dated May 14, 2002, unless it can be demonstrated to the satisfaction of the Director of Planning Services by a qualified noise consultant that the measures have been made unnecessary.
- MM XI-10** Adequate ventilation in the form of mechanical ventilation systems shall be provided for homes per the Summary for Exterior Noise Mitigation in the Noise Analysis for Mountain Terraces at Indian Oasis prepared by Mestre Greve Associates, dated May 14, 2002, unless it can be demonstrated to the satisfaction of the Building Official by a qualified noise consultant that the measures have been made unnecessary.
- e-f) **No Impact.** The project site is located more than 1 mile from Palm Springs International airport and therefore, would be subject to noise from airplane overflights. However, the noise exposure is estimated at between 45 to 50 dBA CNEL and is therefore, not considered to be excessive. The project site is not located within the boundaries of the Riverside County Airport Land Use Compatibility Plan for Palm Springs International Airport. Since the project is not located within an airport land use plan or within the vicinity of a private airstrip its impact on the overall noise exposure at the project site is less than significant.



	Potential Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **Less than Significant Impact.** The project would include 42 condominiums in a private, gated development. This would be an increase in the current population. The project would accommodate approximately 84 people based on 2 persons per unit. However, this increase in development in the City would occur within an area anticipated to consist of urban uses. The environmental effects of amending the General Plan to accommodate the proposed project are evaluated in this document.

b-c) **No impact.** The proposed project site is a vacant parcel. Therefore, no existing population or housing would be displaced.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Less than Significant Impact.** The proposed project would not result in significant impacts to structures or any emergency response procedures. The Palm Springs Fire Department (PSFD) serves the current population of 44,260 persons, covering a geographical area of 96 square miles with five fire stations. Construction activities are not anticipated to result in an increase in demand for fire protection services. The proposed project would result in a 0.9% population increase to the City of Palm Springs. The PSFD has set a maximum acceptable fire response time within the urbanized at five minutes. The PSFD would be able to reach the project within the five-minute response time. The project would conform to the access requirements and conditions of approval for the PSFD prior to submission for a building permit. Therefore, impacts to fire services are considered less than significant.
- b) **Less than Significant Impact.** According to calculations for police coverage assessment, 1.5 sworn officers per 1,000 people are required. The 2004 California Department of Finance (DOF) population estimate for Palm Springs was 44,260 persons. At 2 persons per unit for 156 units, the City population would be increased by approximately 312 persons or by approximately 0.7%. Currently, the City of Palm Springs Police Department (PSPD) consists of 92 sworn officers and 56 general personal. The City's maximum police protection coverage is 138,000 people. The increase in population from the proposed project would not result in impacts to the City's Police protection service capacity. The project would comply with all rules, regulations and procedures of the PSPD. Therefore, impacts to police protection would be less than significant.
- c) **Less than Significant Impact.** The project would be required to comply with PSUD's developer fees for residential units at the time of the building permit. The developer fees are based on building area square footage at the rate of \$2.24/per sq ft for residential development and \$0.36 per square foot for commercial/industrial. According to Facilities Planning it is not expected that the proposed project would have impacts that would exceed available capacity of educational services. California Government Code Section 65995(h) specifically states "the payment or satisfaction of a fee, charge, or other requirement levied or imposed... [is] deemed to be full and complete mitigation of



the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities." Therefore, impacts to PSUD are considered less than significant.

- d) **Less than Significant Impact.** According to the City's General Plan there are approximately 130 acres of City-owned and developed park land within the City. The General Plan states that the City's aim is to provide 2.5 acres of community park land for every 1,000 residents. Utilizing the population estimate of 44,260, the current ratio of developed park land per 1,000 residents is 2.9 acres per 1,000 people. This ratio exceeds the goal of the City General Plan. The project provides amenities such as common area pools and private use rear yards for on-site recreation. In addition, the project would be required to pay park impact fees to the City associates with the development of the condominiums. Therefore, impacts to parks and recreation are considered less than significant.
- e) **Less than Significant Impact.** The proposed project is not expected to cause significant environmental impacts to the service levels of any other public service providers and would not propose relocating these facilities. Therefore, impacts to other public facilities are considered less than significant.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-b) **Less than Significant Impact.** The project would include 41 condominiums in a private, gated development. The project would include private rear yards.

There are recreational facilities located within an approximate four-mile radius of the project: Sunrise Park and the Dog Park. While, any new residents could cause increased demand for use of recreational facilities and public parks, the proposed project would result in an approximately 0.7% population increase to the total population of the City of Palm Springs. This is a negligible increase which would not substantially increase the demand for recreational facilities or require construction/expansion of existing facilities. Additionally, recreation facilities are included as part of the project and future projects that would offset the demands on the current recreational facilities. Therefore the impacts are considered less than significant.



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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a-b) **Less Than Significant Impact.** The Circulation Element of the Palm Springs General Plan, adopted March 3, 1993, includes as a policy, the provision and maintenance of level of service (LOS) D operation for the City's circulation network. There are no streets in the vicinity that are associated with levels of service approaching reduced operation, and the project is a 41-unit residential development with no significant impacts related to its projected 420 average daily trips.
- c) **No Impact.** The proposed project would not affect any air traffic patterns as it is a residential project. Therefore, there is no impact.
- d) **No Impact.** There are no curves, road hazards, or incompatible uses that have been identified in the vicinity, and the project utilizes a simple, on-site loop street system.
- e) **Less Than Significant Impact.** The proposed site plan shows a gated access to the project on 34th Avenue. The Fire Department and City Engineer will review the gated entry design including widths of ingress and egress lanes to ensure that there is adequate



emergency access. With the implementation of the project's conditions of approval, this impact is considered less than significant.

- f) **No Impact.** The project proposes to place homes along interior loop streets. Pursuant to Section 93.06.00 of the zoning ordinance, the project is required to provide 95 parking spaces based upon required spaces for the units and guest parking spaces. The project proposes to provide 114 parking spaces including attached two-car garages for residences. Therefore, the project has adequate parking capacity.
- g) **Less Than Significant Impact.** There is existing bus service in the vicinity. SunLine Transit Agency is currently undergoing a Comprehensive Operations Analysis (COA) that may result in the deletion of the bus stop. In the event that the COA is completed prior to the issuance of grading permits for the project and indicates that the bus stop is not needed, the developer is not required to construct any improvements. However, if the COA is not completed prior to the issuance of grading permits for the project, the developer shall be required to construct a new bus turn out at the existing bus stop location. Therefore, the project would not conflict with any adopted plans or policies supporting alternative transportation.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Less than Significant.** The proposed project would provide connections for 41 residential units to the existing water and wastewater infrastructure. The project would convey wastewater generated by the project to the Palm Springs WWTP.
- b) **Less than Significant.** Based on water demand for the proposed project as described in XVI.a. The DWA has sufficient water supply to generate water supply for the project as does the City WWTP as described in XVI.a. The project developer would be required to comply with all rules, regulations, and other requirements of the DWA in order to provide water service to the site. Water service requirements may include, but are not limited to, upgrades, modifications, replacement, and abandonment of existing DWA facilities. These improvements may require construction within and adjacent to public rights-of-way and existing and/or proposed easements. Therefore, the impact to require construction of new water or wastewater treatment facilities would be less than significant.



- c) **Less than Significant.** The master drainage plan provides for drainage of the 10-year storm runoff in the storm drain lines, and 100-year runoff in the street right of way. When fully implemented, there would be no need for a project to have on-site retention/detention facilities. Since the entire system is not constructed, on-site detention of increased runoff due to development is required. In addition, drainage acreage fees for implementation (construction) of the Master Drainage Plan are imposed on development so the City can eventually construct all of the regional storm drain lines.
- d) **Less than Significant with Mitigation Incorporated.** Based on water demand for the proposed project as described in XVI.a, sufficient water supplies are available to serve the proposed project. However the DWA recommends several water conservation mechanisms. Therefore, the impact to sufficient water supplies would be considered potentially significant unless mitigation is incorporated.

Mitigation Measures

- MM XVI-1** Use of low water landscaping which would include an irrigation system designed to provide water separately for each plant group should be encouraged. The application of irrigation technology such as tensiometers, drip or micro spray system and quality time clocks is also highly recommended. The California Health and a Safety code requires the all new buildings constructed in California use water closets and associated flushometers which use no more than 1.0 gallons/flush.
- e) **Less than Significant.** See XVI.b above. The impact to wastewater treatment capacity is considered less than significant.
- f) **Less than Significant.** The proposed project would be accommodated by Palm Springs Disposal Service (PSDS) and the existing landfill has sufficient capacity to accommodate solid waste beyond the next 20 years and no new landfills are currently planned for the area. Based on the assumption that residents generate 2 lbs. of waste per day. The proposed project would produce 624 lbs of waste per day. Therefore, the impact to be served by a land fill with sufficient permitted capacity is considered less than significant.
- g) **Less than Significant.** The proposed project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards, thereby ensuring that impacts associated with this issue are considered to be less than significant. Therefore, impacts to solid waste are considered less than significant.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wild-life population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Less Than Significant with Mitigation Incorporated.** The proposed project would not degrade the quality of the environment; result in an adverse impact on fish, wildlife, or plant species including special status species, or prehistoric or historic cultural resources because the proposed project contains no evidence of any critical habitat or endangered species. No officially listed plants or animal species were detected during the field surveys, therefore there would be a less than significant impact on biological resources, including fish or wildlife species, or rare or endangered plant or animals.

No historical resources exist within or adjacent to the project area. The project, as currently proposed, would not cause substantial adverse change to any known historical resources. No further cultural resources investigation is necessary for the proposed project unless development plans undergo such changes as to include areas not covered by the CRM Tech study. If buried cultural materials are discovered during any earth-moving operations associated with the project, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. During ground disturbing project activity the potential to inadvertently encounter paleontological or cultural resources during project construction is always possible. Therefore, the impact is considered **less than significant with mitigation measures identified in Section V.**



- b) **Less Than Significant with Mitigation Incorporated.** The project would be consistent with the City's General Plan and would not create any potentially significant impacts. The proposed project is for 42 residential condominiums within a private, gated community. There are no other new projects currently under construction in the immediately vicinity of the project. The proposed project is located on a parcel that is designated for residential land uses and was previously approved as the later phase of a existing condominium project to the east. The analysis provided in this document considers year 2025 conditions and implementation of the mitigation measures identified in this document and adherence to basic regulatory requirements would fully mitigate the project's contribution to cumulative impacts.
- c) **Less Than Significant Impact.** The preceding discussion has outlined the potential impacts and mitigation measures to reduce those impacts to less than significant. Therefore, the proposed project would not have any direct or indirect adverse impacts on humans.



REFERENCES

- 1) City of Palm Springs. City of Palm Springs Draft Environmental Impact Report. December 1992.
- 2) City of Palm Springs. City of Palm Springs General Plan. 1992.
- 3) City of Palm Springs. City of Palm Springs Zoning Code. 2004.
- 4) City of Palm Springs. Citywide Historic Resources Survey. June 2004.
- 5) Government Code Section 65962.5(f), "Hazardous Waste and Substances Statement".
- 6) South Coast Air Quality Management District. CEQA Air Quality Handbook. 1993.
- 7) Riverside County Airport Land Use Commission. Riverside County Airport Land Use Compatibility Plan. October 14, 2004.
- 8) Jones, Cahl and Associates. Hydrology and Hydraulic Study for Mountain Terraces at Indian Oasis. July 23, 2004.
- 9) Mestre Greve Associates. Noise Analysis: Mountain Terraces at Indian Oasis Project City of Palm Springs. May 14, 2002.
- 10) Professional Services Industries, Inc. Preliminary Geotechnical Investigation: Proposed 43 Single Family Residences Mountain Terraces and Indian Oasis Located at 34th Avenue, Lawrence Street, Madera Road, and Tierra Lane, Palm Springs, California. May 20, 2004.
- 11) Tierra Environmental Services, Inc. Cultural Resource Survey Report for the Mountain terraces at Indian Oasis Project Riverside County, California. April 2004.
- 12) Tierra Environmental Services, Inc. General Biological Assessment for 7.2 acres in the City of Palm Springs in Riverside County, California. May 5, 2004



0097

NOTICE OF DETERMINATION

To:

____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA. 95814

X County Clerk
P.O. Box 751
Riverside, CA 92502-0751

From:

City of Palm Springs
Department of Planning Services
P.O. Box 2743
Palm Springs, CA 92263-2743

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Applicant Name: Mountain Terrace, 02
Address: 479 Ocean Avenue, Suite C, Laguna Beach, CA 92651
Telephone Number: 949-376-1794

Project Title: 5.1112-MAJ & Tentative Tract Map 32736

_____	Edward Robertson	760-323-8245
State Clearinghouse No. (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/ Telephone

Project Location: North side of 34th Avenue at Lawrence Street and Marguerite Street, and west of the Dinah Shore Drive Bridge.

Project Description: Tentative Tract Map 32736 for the subdivision of approximately 7.6-acre parcel into a condominium map and the construction of 41-unit attached and detached condominium complex.

This is to advise that the City of Palm Springs has approved the above-described project with approval effective on April 5, 2006, and has made the following determinations regarding the above described project:

1. The project [___ will X will not] have a significant effect on the environment.
2. ___ An Environmental Impact Report was prepared for this project pursuant to provisions of CEQA.
X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X were ___ were not] made a condition of the approval of the project.
4. A Statement of Overriding Considerations [___ was X was not] adopted for this project.
5. Findings [X were ___ were not] made pursuant to the provisions of CEQA.

This is to certify that the [X Negative Declaration ___ Final EIR with comments and responses and record of project approval] is available to the General Public at:

City of Palm Springs, Department of Planning Services, 3200 E. Tahquitz Canyon Way, Palm Springs, California

_____	October 4, 2006	_____
Signature (Public Agency)	Date	Principal Planner Title

MEMORANDUM

Date: July 23, 2014

To: Rick Scott C.O.O.
Corman Leigh Companies
32823 Temecula Parkway
Temecula, CA 92592

From: Trae Daniel
2159 Marguerite Street
Palm Springs, CA 92264

Subject: 34th Avenue Development, Palm Springs, CA

It was a pleasure meeting you at the Palm Springs Architectural Advisory Committee meeting on Monday, July 21st. I am excited about your development and the benefits that will accrue to the neighborhood from its construction. With all due respect to you and your organization, may I take the liberty of offering suggestions which I believe will benefit your company and provide good to all concerned?

A. Development Name CROSSLEY PLACE

The area served by Lawrence and Marguerite Streets is legally known as The Crossley Tract. Once owned by Lawrence Crossley for whom Crossley Road in Palm Springs is named, this neighborhood is historically significant to Palm Springs as one of, if not the first, African American neighborhoods in Palm Springs with homes dating back to the 1950's.

Born in Mississippi in 1899, Lawrence Crossley arrived in Palm Springs in the mid-1920s as the chauffeur and handyman of retired Colorado rancher and Hollywood mogul Prescott Stevens. Prescott T. Stevens (1846-1932) came to The Desert Inn from Hollywood around 1914 for a healthier environment for his wife's respiratory problems. He bought large tracts of land on the north and eastern sides of town. He also bought shares in Palm Valley Water Co. and in 1927 created Whitewater Mutual Water Co. He put in underground piping to bring water to Palm Springs from Whitewater Canyon at Windy Point. It ensured a steady supply of water, despite wind or rain; many of the homes in northern Palm Springs still use this water system. Stevens then financed fellow pioneer Hicks' purchase of 20 acres of land in Las Palmas and Merita Vista. Stevens financed and Hicks built El Mirador Hotel, the first luxury hotel with an 18-hole golf course that catered to the Hollywood crowd. Unfortunately, it opened in 1929 during the Depression, and Stevens was forced to sell the property to his creditors in 1931. He died shortly thereafter and never saw the eventual successful fruition of his dream.

The ambitious Crossley, who sent for his wife Martha and their two daughters as soon as he arrived in Palm Springs, quickly became Stevens' *majordomo*, managing and profiting from his mentor's local investments. Said investments included the development of the El Mirador Hotel, whose golf course Crossley designed. Despite being handicapped at the outset by discriminatory housing restrictions in Palm Springs, Crossley parlayed his earnings into a significant portfolio, eventually encompassing a restaurant, a Laundromat, a tea and cosmetics company, and a housing development mainly marketed to African-Americans. He also became the manager of the Whitewater Mutual Water Company, hiring family members to supervise opening and closing of the floodgates in Whitewater Canyon north of town.

Though both Crossley and John Nobles, another early African American settler in the Coachella Valley, were successful in their chosen fields - those fields being literal in Nobles' case - their long-term impact on the Coachella Valley comes more from the way each man shaped the Valley's social structures and demographics.

In Palm Springs, Lawrence Crossley became a close confidant of the Agua Caliente Band of Cahuilla Indians, many of whose members found him a kindred spirit. He became a close friend of Chief Francisco Patencio, and was soon the only outsider invited to join meetings to discuss tribal issues. He and his wife Martha regularly took part in tribal rituals and aid programs.

Mr. Crossley began to build housing on his land known as The Crossley Tract in the 1950's to provide housing for African American workers at Palm Springs hotels thus creating one of the first African American neighborhoods in Palm Springs.

The City of Palm Springs through their Neighborhoods Organization actively encourages and works with neighborhood residents to organize themselves into a City designated neighborhood. In October my neighbors and I will begin the organization and designation process to become known within the City as CROSSLEY PLACE. I invite your company to join with us and become a part of the neighborhood and history of Palm Springs by designating your development as CROSSLEY PLACE. For your review I have attached a list and map of the Palm Springs Neighborhood Organizations.

CROSSLEY PLACE is a name which is memorable, denotes a specific location and has the upscale, quality image and feel which I believe your company wants to convey in the marketing of the residences.

From a public relations perspective, CROSSLEY PLACE would be well received by the residents and governmental bodies of Palm Springs given the historical significance of the area. It would offer Corman Leigh potential public relations benefits in the media as the name CROSSLEY PLACE has a story to tell and provides a focal point in location. The media wants substance as well as human interest points to write and talk about rather than just another new development project.

In marketing, this name would allow you to align with Palm Springs historically and to become an instant part of the City. Because the name is location specific, you could say, "Take Crossley Road to 34th Avenue and turn left to CROSSLEY PLACE. An original Palm Springs

neighborhood.” or something to that effect. The development’s name is location specific. A resident of the development could easily explain where they live, and there would be no doubt that the development is in and a part of the City of Palm Springs. Crossley Road is considered by some to be among the top 10 streets named for famous people in the Palm Springs area. Please see the enclosure “Top 10 Streets Named for Famous People in Palm Spring” taken from the website www.visitgreaterpalmsprings.com.

I invite Corman Leigh to join with its future neighbors and become an integral and important part of the neighborhood by adopting the name CROSSLEY PLACDE for its new housing development. As you may be aware, when your development is finished the neighborhood will be complete as there is no land for more development. All egress and ingress to the neighborhood will only be on 34th Avenue.

B. Pricing

As I stated at the meeting, it is my opinion as a professional Realtor that the starting price point for the development should be no less than \$499,000 and possibly higher with a price ceiling in the \$600,000 range.

To support this statement please find attached a Market Analysis Report for single family homes sold in the past 6 months on Fee Simple land in South Palm Springs. The Palm Springs Board of Realtors designates all properties south of Ramon Road as “South Palm Springs.” Properties located in the area between Ramon Road and Vista Chino are designated as “Central Palm Springs,” and those north of Vista Chino as “North Palm Springs.”

I have used single family homes as a comparable because most of your units are free standing. Their size, ranging between 1,800 and 2,400 square feet, is more in keeping with a single family home. Condominiums tend to be less than 1,800 square feet and attached rather than free standing. Therefore, I believe your properties are comparable to single family homes.

You will note in the report that the average home sold in the past six months in South Palm Springs had a square footage of 2,161 and a purchase price of \$617,439.

Currently, the average size of a home for sale in South Palm Springs has 2,115 square feet and a listing price of \$694,058.

As this is a limited analysis, I would be happy to work with you to develop a more in depth market pricing analysis.

C. Additional Pool and Open Space

A question was asked at the Architectural Committee meeting about adding an extra pool and more open space. To do this it would appear that you would have to remove some of the planned units. If you can charge a significantly higher sales price than what has been projected, perhaps you could lower the housing density and add an extra pool and open space while still

achieving the same return on your investment or even higher given the desirability of an extra pool and open space.

D. Curbs & 34th Avenue Frontage

You mentioned that it is the intent of your company to follow a straight line from the existing curbs on 34th Avenue along your property rather than expanding out into 34th Avenue.

Having looked at the property to be developed along 34th Avenue, my concern is that if you follow the line of the existing curbs on 34th Avenue the result will be an extremely large, wide, bulky and unattractive street.

Perhaps this aspect of the development can be reexamined by your company and the Architectural Advisory Committee. As I don't know your intention for the look of the development along 34th Avenue, I don't have any suggestions. However, a very wide, bulky street does concern me.

E. Gate(s)

I continue to request that all gates be removed from the development. What purpose do they serve other than to divide the community and form a ghetto? What is the compelling reason to gate the community? When your development is completed the entire neighborhood, including your development and the existing homes, will be enclosed by walls. The North will be enclosed by the wall of your community, the East is enclosed by the walls of the existing homes which adjoin the Cathedral Canyon Country Club, the South has a wall which separates the existing homes from the adjacent mobile/manufactured home development, and the East has a wall of Tamarisk trees. The only entrance to the neighborhood is from 34th Avenue. Why is a gate needed for your development? No one is coming into the area except those who live in it. Why does your development require a gate when the other half of the neighborhood is not gated? Should the other half of the neighborhood be gated? Should the entire neighborhood be gated at 34th Avenue?

I ask you to consider these questions and reconsider gating the development. I will ask the Architectural Advisory Committee, the Palm Springs Planning Commission, and Palm Springs City Council members to consider these questions.

Palm Springs has a reputation for being and having a feeling of a village. Building a gated, walled community does not create a village.

"Only a refusal to hate or kill can put an end to the chain of violence in the world and lead us toward a community where men can live together without fear. Our goal is to create a beloved community and this will require a qualitative change in our souls as well as a quantitative change in our lives." Dr. Martin Luther King

Gates and walls do not lead us toward a community where men can live together without fear. What are Corman Leigh Companies community values and leadership intentions?

Thank you for your consideration and allowing me to present my thoughts regarding your company's 34th Avenue development in Palm Springs. I look forward to the future development of this neighborhood with good to all concerned.

Trae Daniel

4 Enclosures

Market Analysis Report

Last Run: 10/28/2014 at 4:47:49 PM **Status:** Sold **Sold Date:** 04/28/2014 to **Areas:** (334) Palm Springs South End
Living Area/Bldg SQ. FT.: 1,800 to 2,500

	Active	Backup	Hold	Pending	Sold LP	Sold SP **	Expired	Canceled	Withdrawn
# of Listings	--	--	--	--	56	56	--	--	--
Average DOM	--	--	--	--	115	115	--	--	--
Low Price \$	--	--	--	--	425,000	380,000	--	--	--
Median Price \$	--	--	--	--	617,000	590,250	--	--	--
High Price \$	--	--	--	--	949,000	925,000	--	--	--
Average Price Total \$	--	--	--	--	643,959	623,569	--	--	--
*Avg. Price w/ Sq.Ft. \$	--	--	--	--	643,959	623,569	--	--	--
*Average Sq. Ft.	--	--	--	--	2,215.61	2,215.61	--	--	--
*Avg. Price/Sq.Ft. \$	--	--	--	--	290.65	281.44	--	--	--
***Avg. Price w/ LSZ \$	--	--	--	--	643,959	623,569	--	--	--
***Average LSZ	--	--	--	--	9,969.59	9,969.59	--	--	--
***Average Price/LSZ \$	--	--	--	--	64.59	62.55	--	--	--
Average SP/Average LP	--	--	--	--	--	96.83%	--	--	--

* = Square footage calculations do not include those listings with a reported square footage of zero (0 such listings were found).

*** = Lot size calculations do not include those listings with a reported lot size of zero (0 such listings were found).

** = All calculations in the "Sold (Sold Price)" column do not include those Sold listings with either a reported square footage of zero or a reported Selling Price of zero (0 such listings were found) or a reported lot size of zero (0 such listings were found).

Broker/Agent does not guarantee the accuracy of the square footage, lot size or other information concerning the conditions or features of the property provided by the seller or obtained from Public Records or other sources. Buyer is advised to independently verify the accuracy of all information through personal inspection and with appropriate professionals. Copyright © 2014 by TheMLS.com. Information deemed reliable but not guaranteed. Presented by: Traci Daniel CalBRE# 01726492

RECEIVED

SEP 08 2014

Petition to Revise 34th Avenue Development Plan PLANNING SERVICES DEPARTMENT

We, the undersigned, are residents of Lawrence Street and Marguerite Street situated in the Crossley Tract, real estate originally owned and developed by Palm Springs pioneer Lawrence Crossley. Mr. Crossley, one of the first African Americans to settle in Palm Springs, was also one of the city's most powerful businessmen. He managed the Whitewater Mutual Water Company, built the first golf course at El Mirador Hotel, where he was also an investor; and was one of the developers of the Movie Colony and Las Palmas communities.

Originally conceived by Mr. Crossley as a residential neighborhood to provide affordable housing for African American families working in Palm Springs, today Lawrence and Marguerite Streets form an integrated neighborhood racially, culturally, nationally, economically, educationally and by age, marital status, and sexual orientation.

To maintain and enhance this integrated neighborhood, we respectfully request the Palm Springs Architectural Advisory Committee, the Palm Springs Planning Commission and the Palm Springs City Council set as a condition for final approval of the 34th Avenue Development Plan designed and presented by Corman Leigh Properties of Temecula, California, the following stipulations to integrate the project with the existing neighborhood and resident homeowners:

1. Remove the planned wall along 34th Avenue.
2. Remove the planned gate(s) on 34th Avenue at Lawrence Street and Marguerite Street.
3. Reconfigure all residences on 34th Avenue to have the front entry and garage entry of each residence accessed from 34th Avenue.
4. Develop 34th Avenue in such a way as to make 34th Avenue a "street" rather than a potential 4 lane "boulevard."
5. Landscape the south side of 34th Avenue between the sidewalk and the adjacent property to integrate the project and neighborhood, as well as to enhance the view for residences on 34th Avenue which face south.

1985 MARGUERITE STREET, JANEY GRANT

2003 MARGUERITE STREET, ADAM MC CLAIN

2039 MARGUERITE STREET, JOANNE HERDT *Joanne Herdt*
7/28/14

2071 MARGUERITE STREET, SCOTT CONNELLY *Scott Connelly* 7-25-14

2107 MARGUERITE STREET, GLENN GREEN *Glenn Green*
7-28-2014

2107 MARGUERITE STREET, MICHAEL GREEN *Michael Green*
7-28-2014

2135 MARGUERITE STREET, MICHAEL DIAZ *Michael Diaz* 28 Jul 2014

2159 MARGUERITE STREET, TRAE DANIEL *Trae Daniel* 7/28

2159 MARGUERITE STREET, RAY MORGOVAN *Ray Morgovan* 28 July 2014

2171 MARGUERITE STREET, RICK PURNELL *Rick Purnell* 08-02-14

2193 MARGUERITE STREET, PATRICIA CLIPPER

2207 MARGUERITE STREET, CRAIG JAHRIES

2207 MARGUERITE STREET, SALLY JAHRIES *Sally Jahries* Aug 3/14

2080 MARGUERITE STREET, DIANE WORGAN

Diane Worgan 7/28

2046 MARGUERITE STREET, WENDY RODGERS

~~*Wendy Rodgers*~~

8/2/14

Soane Willis

2024 MARGUERITE STREET, FRED MUNOZ

Fred Munoz 8/3/14

1998 MARGUERITE STREET, JOHN MAXWELL

1972 MARGUERITE STREET, GLENN WILHITE

1972 MARGUERITE STREET, JAMES JOHNSON

1950 MARGUERITE STREET, RONNIE HARPER

Ronnie Harper 8-4-14

1942 MARGUERITE STREET, RANDOPHL SCOTT

1936 MARGUERITE STREET, CLARA MEDIANO

Kenlea Harmon 8/3

1914 MARGUERITE STREET, LAWRENCE JAIME

1914 MARGUERITE STREET, DOROTHY JAIME

1842 LAWRENCE STREET, JESUS FUENTES

1860 LAWRENCE STREET, DONALD CHAISSON

1871 MARGUERITE STREET, NANCY CHARNEY

1809 MARGUERITE STREET, JAMES CAGER

James Cager 8/3

1809 MARGUERITE STREET, EVELYN CAGER

Evelyn Cager 8/3

1833 MARGUERITE STREET, KENNETH STEMMER

1889 MARGUERITE STREET, ELAINE GALLAGHER

1889 MARGUERITE STREET, KEVIN GALLAGHER

1905 MARGUERITE STREET, NABEEL IDRISI

1923 MARGUERITE STREET, DANA DUKELOW

Dana DukeLOW 8-5-14

1941 MARGUERITE STREET, CAHP HOLDINGS

1967 MARGUERITE STREET, JUDSON BAILEY

Judson Bailey Cynthia Bailey 8/4/14

1967 MARGUERITEE STREET, CYNTHIA BAILEY

1985 MARGUERITE STREET, IAN GRANT

2225 MARGUERITE STREET, HENRY CLIPPER

Henry Clipper 8/21/17

2225 MARGUERITE STREET, JOSEPHINE CLIPPER

Josephine Clipper 8-2-14

2230 MARGUERITE STREET, ARTHUR ROY

2230 MARGUERITE STREET, WESSIE MAE ROY

Wessie m. Roy

2210 MARGUERITE STREET, ROBERT BOTLEY

Robert Botley 8-8-14

2196 MARGUERITE STREET, JAMES GRITZMACHER

2196 MARGUERITE STREET, CONNIE RODGERS

2182 MARGUERITE STREET, *Suki Lien 8/28/14*

2168 MARGUERITE STREET, JAMES VOWEL

2168 MARGUERITE STREET, DONNA VOWEL

2144 MARGUERITE STREET, LOU WOLFIN

2102 MARGUERITE STREET,

2199 LAWRENCE STREET, CALLIE WILLIAMS

2175 LAWRENCE STREET, LEOBARDO MEJIA

2175 LAWRENCE STREET, RUFINA MEJIA

1811 LAWRENCE STREET, JOSEPHINE SIMON

1835 LAWRENCE STREET, MARIA JIMEZ

James Harrod 8-3-14

1853 LAWRENCE STREET, JAMES HARROD

Ann Aní 8-3-14

1875 LAWRENCE STREET, HELEODORO CARRASCO

1875 LAWRENCE STREET, ILDELISA CARRASCO

1891 LAWRENCE STREET, CARL BRENAGH

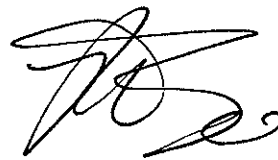
Lula BRFENAGH 8/3/14

1891 LAWRENCE STREET, LULA BRFENAGH

1901 LAWRENCE STREET, MICHAEL DORSEY

1901 LAWRENCE STREET, ANNIE DORSEY

2032 LAWRENCE STREET, ROGER BORLAND



8/3/14

2074 LAWRENCE STREET, MEHDI KAZEMI

2074 LAWRENCE STREET, ELHAM RADAN

2112 LAWRENCE STREET,

2146 LAWRENCE STREET, ADDIE WASH

2168 LAWRENCE STREET, *NEW Construction*

2180 LAWRENCE STREET. HECTOR FLORES

2194 LAWRENCE STREET, C. E. METCALF

Yvette Parker
8/3/14

2194 LAWRENCE STREET, JEAN METCALF

2200 LAWRENCE STREET, DOUGLAS FIELD

2220 LAWRENCE STREET, ANGELA TENNERIELLO

Bill J. Anderson

1824 LAWRENCE STREET, QUEEN AARON

1824 LAWRENCE STREET, LINDA COLEY

1878 LAWRENCE STREET,

1894 LAWRENCE STREET JOHN SIMONSEN

1906 LAWRENCE STREET,

1932 LAWRENCE STREET, C.E. METCALF

1892 LAWRENCE STREET, JEAN METCALF

1948 LAWRENCE STREET, CHARLES WILLIAMS

1948 LAWRENCE STREET, CALLIE WILLIAMS

1964 LAWRENCE STREET, CHARLES WASH

1964 LAWRENCE STREET, LILLIAN WASH

1986 LAWRENCE STREET, IVORY MURRELL



2020 LAWRENCE STREET, LYDIA BROWN

2020 LAWRENCE STREET, LEOBY SOTO

1929 LAWRENCE STREET, FIDEL DURAN

1929 LAWRENCE STREET, MARIA DURAN

1951 LAWRENCE STREET,

1973 LAWRENCE STREET, C. E. METCALF

1973 LAWRENCE STREET, JEAN METCALF

1995 LAWRENCE STREET, THEODORE KREHBIEL

Stephens 8-3-14

1995 LAWRENCE STREET, ROGER JOLES

2015 LAWRENCE STREET, ADRIANA AUSTIN

Adriana Austin
8/3/2014

2043 LAWRENCE STREET, MIKKO NISKANEN

2043 LAWRENCE STREET, MICHAEL NICHOLSON

2105 LAWRENCE STREET, VLADY CORNATEANU

2105 LAWRENCE STREET, ROBERT CORNATEANU

2139 LAWRENCE STREET, CHRISTOPHER WILLIAM

2157 LAWRENCE STREET, CHARLES WILLIAMS

1986 LAWRENCE STREET, C. E. METCALF

1986 LAWRENCE STREET, JEAN METCALF

THURSDAY, JULY 24, 2014

COACHELLA VALLEY IS THE HIGHEST INFORMATION

COACHELLA VALLEY

RECEIVED

INSIDE THIS SECTION

Business A9 • California A7 • Lotto A10 • Obituaries A10 • Opinion A11 • Weather A12

SEP 08 2014

'Unique building site' OK'ed

Palm Springs Planning Commission approves walled, gated neighborhood

By Skip Descant
The Desert Sun

The Palm Springs Planning Commission resisted its general reservations for walled and gated neighborhoods and gave approval for a new neighborhood in Palm Springs to build 186 new housing units.

"I'm not a big fan of walled communities. And I'm certainly not a big fan of gated communities," J.R. Roberts, a Palm Springs planning commissioner, said during the Wednesday discussion for a large new neighborhood planned by Family Development of Palm Desert, on a 24-acre tract of open

desert at the corner of Baristo Road and Farrell Drive, across the street from the nearly defunct Palm Springs Mall.

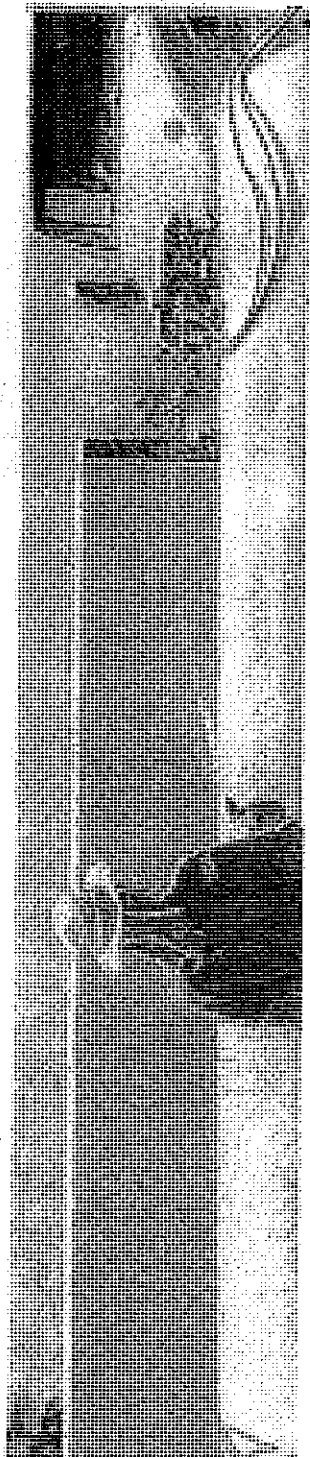
"One of the things that makes Palm Springs unique, is that we have so many neighborhoods that are not walled," Roberts added. "And it makes our community more inviting. It encourages interaction between neighbors and neighborhoods."

The plan is for 72 single-family homes and 114 multi-

family units. The project first came before the Palm Springs Architectural Advisory Committee in February for approval and was rejected in part for being a gated neighborhood and not consistent with the Palm Springs General Plan.

Though what seemed to sway the decision Thursday when the project — slightly modified — went before the planning commission, was the

Please see **PLANNING, A4**



PLANNING SERVICES DEPARTMENT

Blaze burns historic Racquet Club

By Reza Gostar
The Desert Sun

A massive fire has engulfed parts of the historic Palm Springs Racquet Club, where Hollywood stars such as Marilyn Monroe, Natalie Wood, and Elizabeth Taylor once lounged.

As of 11 p.m. Wednesday, the blaze was still burning and Palm Springs firefighters were continuing to fight the flames, along with the help of the Riverside County Fire Department. The Cathedral City Fire Department was acting as backup.

Numerous residences near the 10-acre property were evacuated as a precaution while fire-



1. Barbara Boxer, a Rancho Mirage resident, arrive at Palm Springs
EL SNYDER/THE DESERT SUN

"I just asked the sources I have, and I can't tell you who they are, whether we can expect to do any more of this, and they said, 'Maybe this fall, possibly October,'" Franz added.

While the White House has now officially denied the Obamas are buying the former home of author Joseph Wambaugh in Rancho Mirage's hunderbird Heights, it may

take a while to confirm this rumored visit one way or the other — like most of the president's schedule.

The Prince Albert II of Monaco Foundation is hosting an Oct.10-12 retreat at Rancho Mirage's Annenberg Retreat at Sunnylands on rising sea levels and ocean acidification. Obama's first two valley visits in June 2013 and February 2014 re-

involved around summits with world leaders that were held at Sunnylands.

But Cindy Clark of the Scripps Institute of Oceanography, which is co-hosting the gathering, said Obama has not been invited, according to Sunnylands President Geoffrey Cowan.

Obama was up in the San Francisco Bay Area on Wednesday as the featured attraction for Democratic fundraisers before heading to Los Angeles for more Democratic National Committee events through Thursday, as well as a trip to Los Angeles Trade-Technical College.

Planning

Continued from A3

neighborhood context and neighbors themselves who soundly endorsed the idea of a walled and gated neighborhood nearby.

"We want the community to be walled immediately," Arnold Kasso, a neighbor to the proposed project, told the planning commission.

"I don't understand what I'm hearing, that Palm Springs doesn't have walled and gated communities? That's all we have out here... And when people live in condos, they want to live in a gated community," said Karen Tabbah, who also lives in the area and is a local real estate agent.

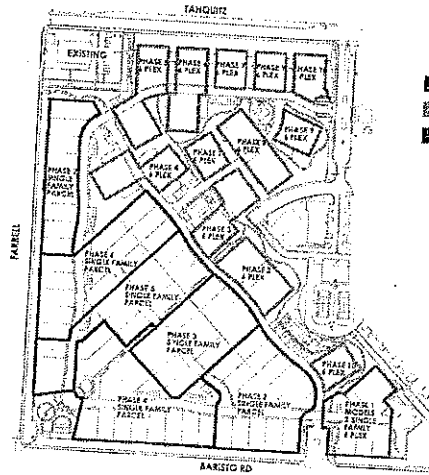
Another issue the planning commission had to consider that the architectural advisory committee did not, is the recent news that College of the Desert is eyeing the former shopping mall and would like to build a new satellite campus on the site.

"The prospect of a college campus across Farrell Drive is a major factor in the design of the Jul project," wrote Marvin D. Ross, director of design development at MSA Consulting Inc. in Rancho Mirage, in a letter to the Palm Springs Planning Services Department, making reference to "Jul," the project's name.

"I'm generally not comfortable with walls in Palm Springs," said Lisa Middleton, a planning commissioner.

"This is a very unique building site. And I don't think we're setting a precedent for the rest of Palm Springs."

"I have to admit, originally, I was very much against the gated and walled community," said Doug Hudson, chairman of the Palm Springs Planning Commission,



A site plan for Jul, a 186-unit housing development in Palm Springs near the Palm Springs Mall. RGA LANDSCAPE ARCHITECTS

who would go on to support the walls and gates because of the impact a college campus next door could have.

However, the public approval process is never without a series of give-and-takes or conditions. In this project, the perimeter walls were permitted, but they must include pedestrian gates to access each home behind them.

"We definitely want to see a warmer, more inviting wall," said Roberts.

And the multifamily housing will be required to install roof-top solar panels. Single-family homes will be required to be wired for easy installation of solar panels. Also, all front lawns must be landscaped with desert plants and include no lawns, among other conditions.

"We are going to work with them," Vincent Barbato, principal for Family Development, said of the various conditions for approval.

MEMORANDUM

RECEIVED

October 28, 2014

OCT 28 2014

To: Glenn Mlaker

PLANNING SERVICES
DEPARTMENT

From: Trae Daniel

Re: 34th Avenue Development and Street

Comments regarding the Vibrante Development on 34th Avenue and the development of the street which I am forwarding to you for inclusion with discussions at the Palm Springs Planning Department meetings and with the Palm Springs Planning Commission are as follows:

The developer states that since this project was approved in 2007 with gates and walls, the development should be allowed to proceed with gates and walls.

I ask whether the developer, Corman Leigh Companies of Temecula, performed their due diligence before purchasing this project and to determine if the philosophy of the City and the Planning Commission had changed regarding gates and walls since 2007. Communities, philosophies and thinking changes. In 2007 an African American had never been elected President and same sex marriage was not legal in California. The City and the Planning Commission have expressed a philosophy through the General Plan of wanting the City to be inclusive rather than exclusive which would do away with gated and walled communities.

Regarding the development of 34th Avenue, I have included a series of pictures to the street so that everyone may better understand the questions and suggestions.

Picture 1 shows 34th Avenue as it comes east from Crossley Road/Club Drive. The street is a two lane city street. However, 3rd Avenue suddenly expands into the Tahquitz Creek Golf Course and becomes a 4 lane street. Please see pictures 2 through 8. The question is why does happen? Is it suppose to? Why is it necessary to have 4 lane street? Who, in fact, owns or is responsible for the land given that 34th Avenue is initially a 2 lane street. Can 34th Avenue be made a 2 lane street for its entire length? A 4 lane street is not necessary because 34th Avenue becomes a dead end.

Pictures 9 through 12 show the vast expanse of the street. Why does it have to be so wide? What can be done to narrow it to make it neighborhood friendly? How is the north side of the street going to be developed? Can the north side of the street (on the left in the pictures) be extended into the street to narrow it? What possibilities are there to make this street neighborhood friendly?

Pictures 13 through 16 are of 34th Avenue at the end of the street and the Marguerite Street end of 34th Avenue. You will note that 34th Avenue has narrowed back into a 2 lane city street. You can see where the curb is located that the curb is much closer to the opposite curb which greatly narrows the street. Why is the street significantly narrower at the Marguerite Street end when it is so wide at the Tahquitz Creek Golf Course?

Pictures 17 through 24 are the south side of the 34th Avenue between the Tahquitz Creek Golf Course and the end of the street. You will note that there is strip of land between the side walk and the walls to the adjacent properties. Who owns this land? I have been told it belongs to the City of Palm Springs and or the Desert Water Agency and the Waster Waste Management Company. The suggestion is that the neighborhood, the developer Corman Leigh Companies and the City work together to create a beautifully landscaped corridor along the side walk and the street. Landscaping would address the developer's issue of the homes facing onto 34th Avenue that would face "the unattractive neighbors and neighborhood." That comment was made by the developer at an AA committee meeting. It is on the record.

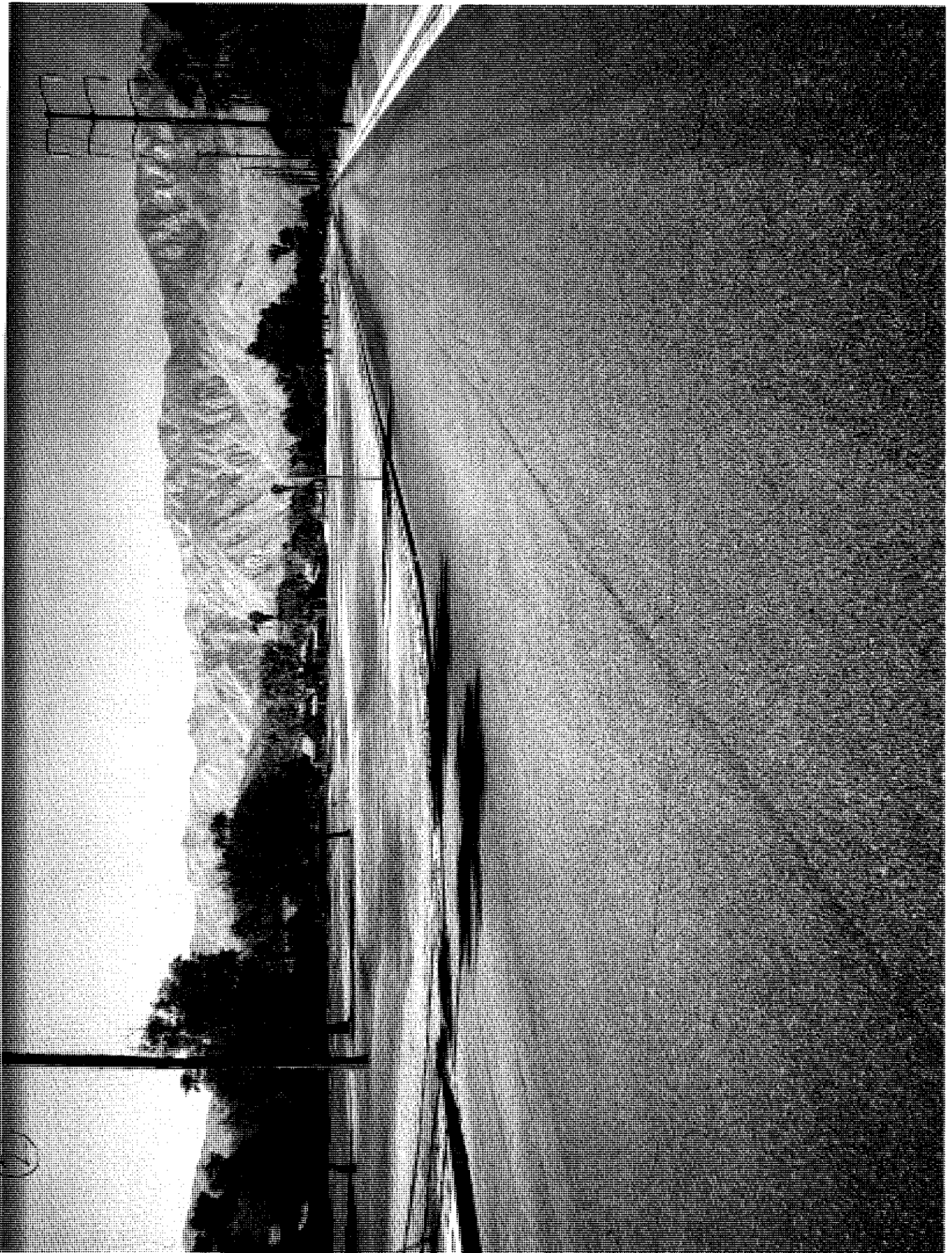
Pictures 24 through 27 are of the end of 34th Avenue at Marguerite Street. As there is access of some kind beyond the curb, how is this going to be treated? Who owns this land? Who has a right of way?

Thank you for your assistance. I trust that the Palm Springs Planning Department and the Palm Springs Planning Commission will join with the neighbors of The Crossly Tract to plan together with Corman Leigh Companies a first class Palm Springs neighborhood.

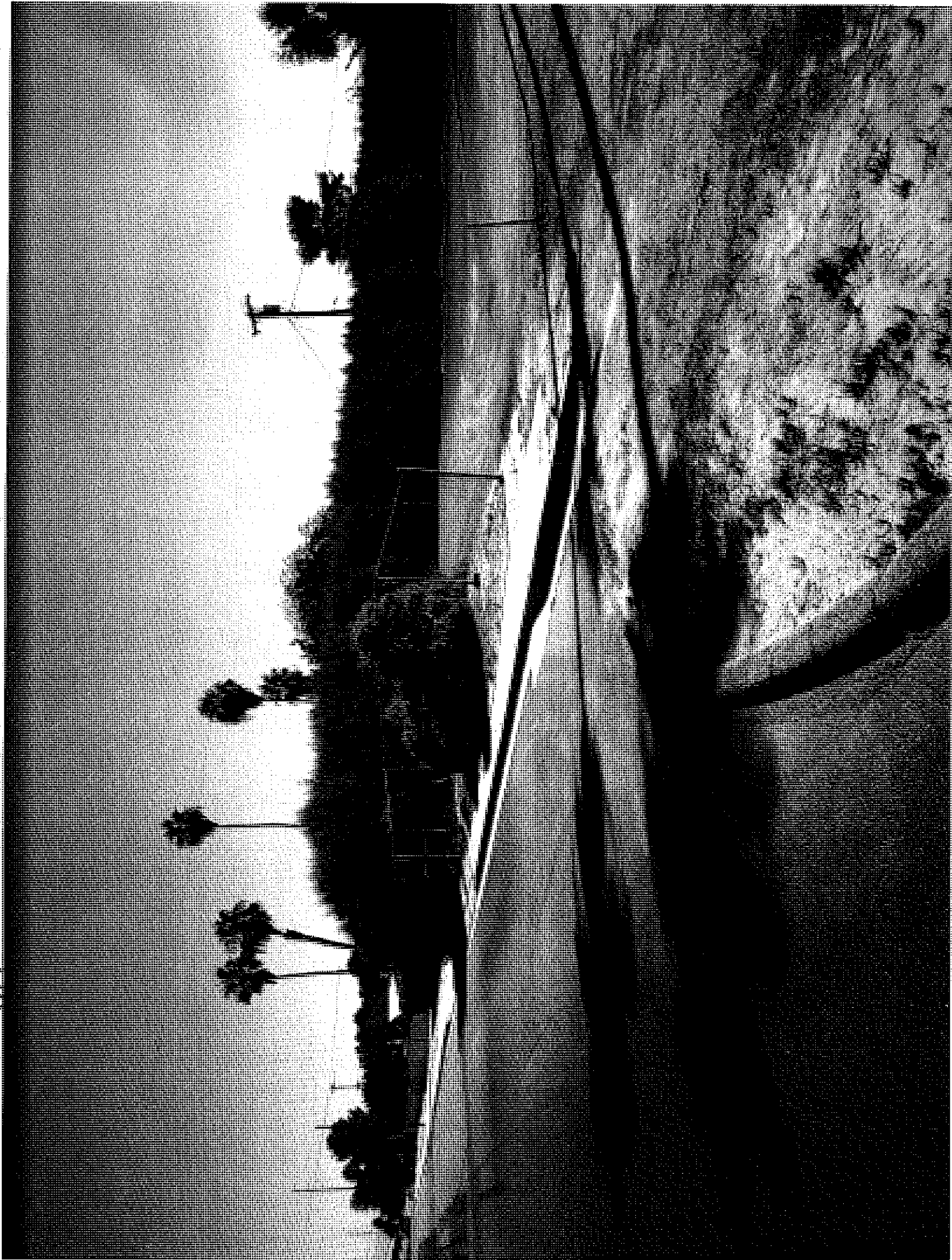


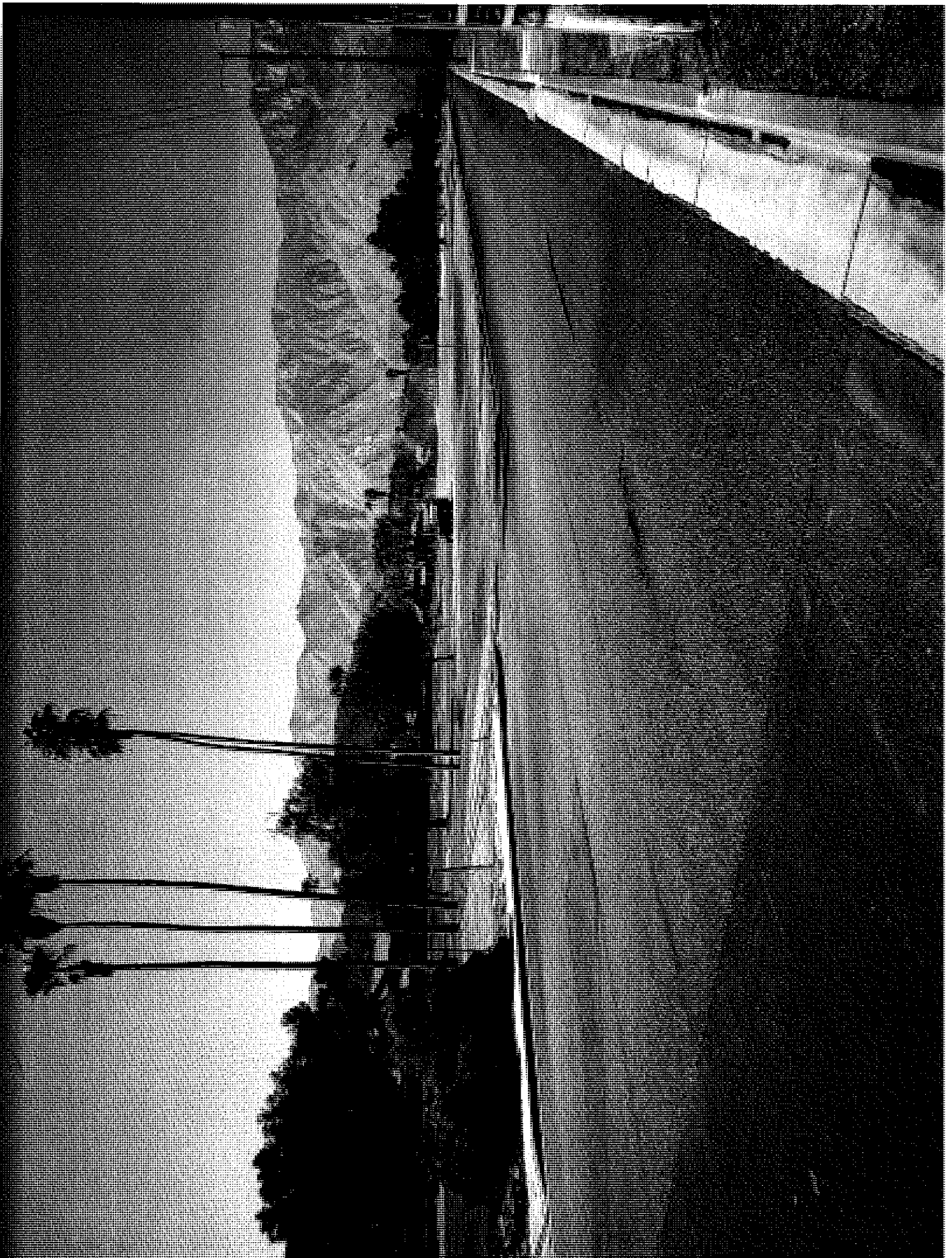
Trae Daniel
2159 Marguerite Street
Palm Springs, CA 92264







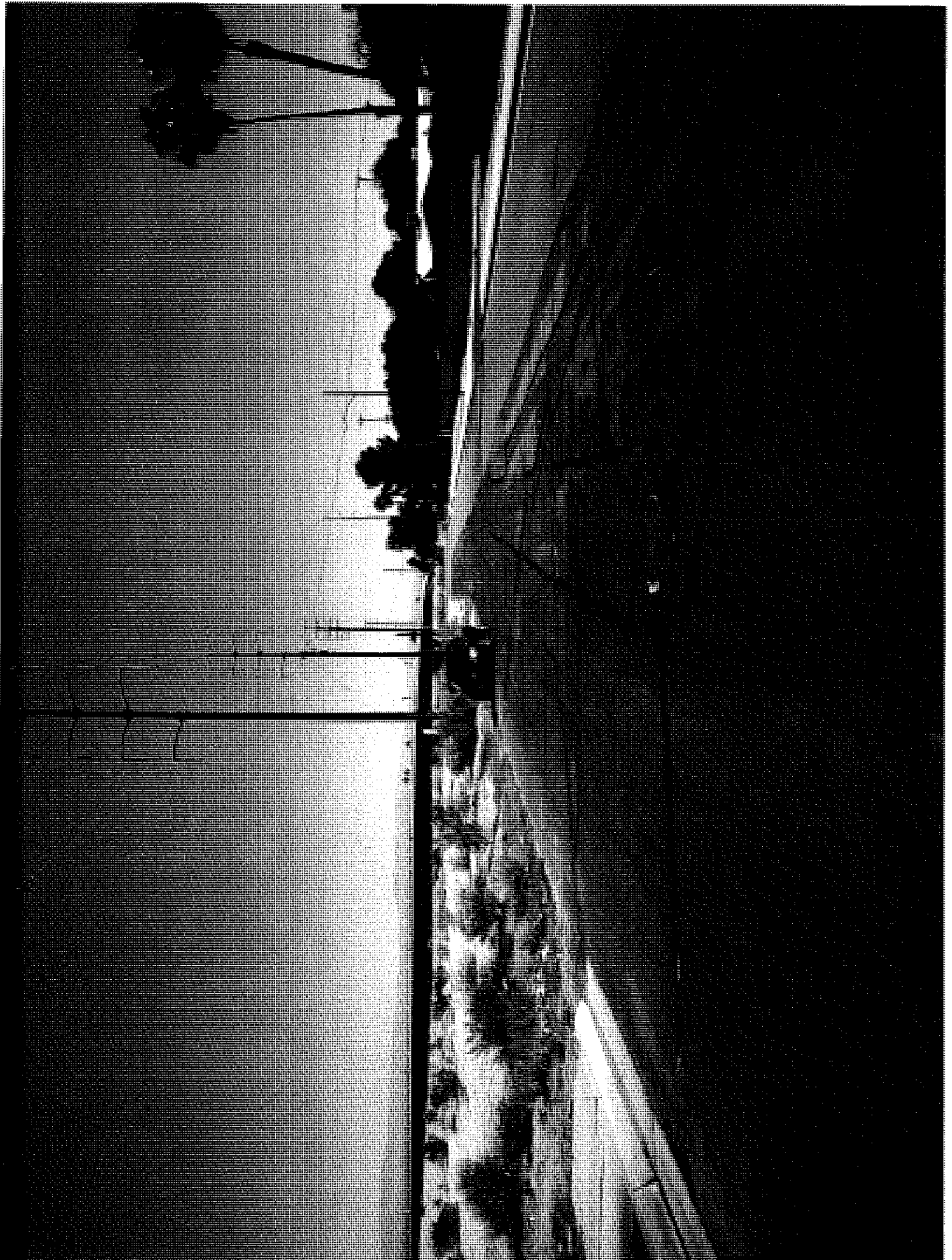










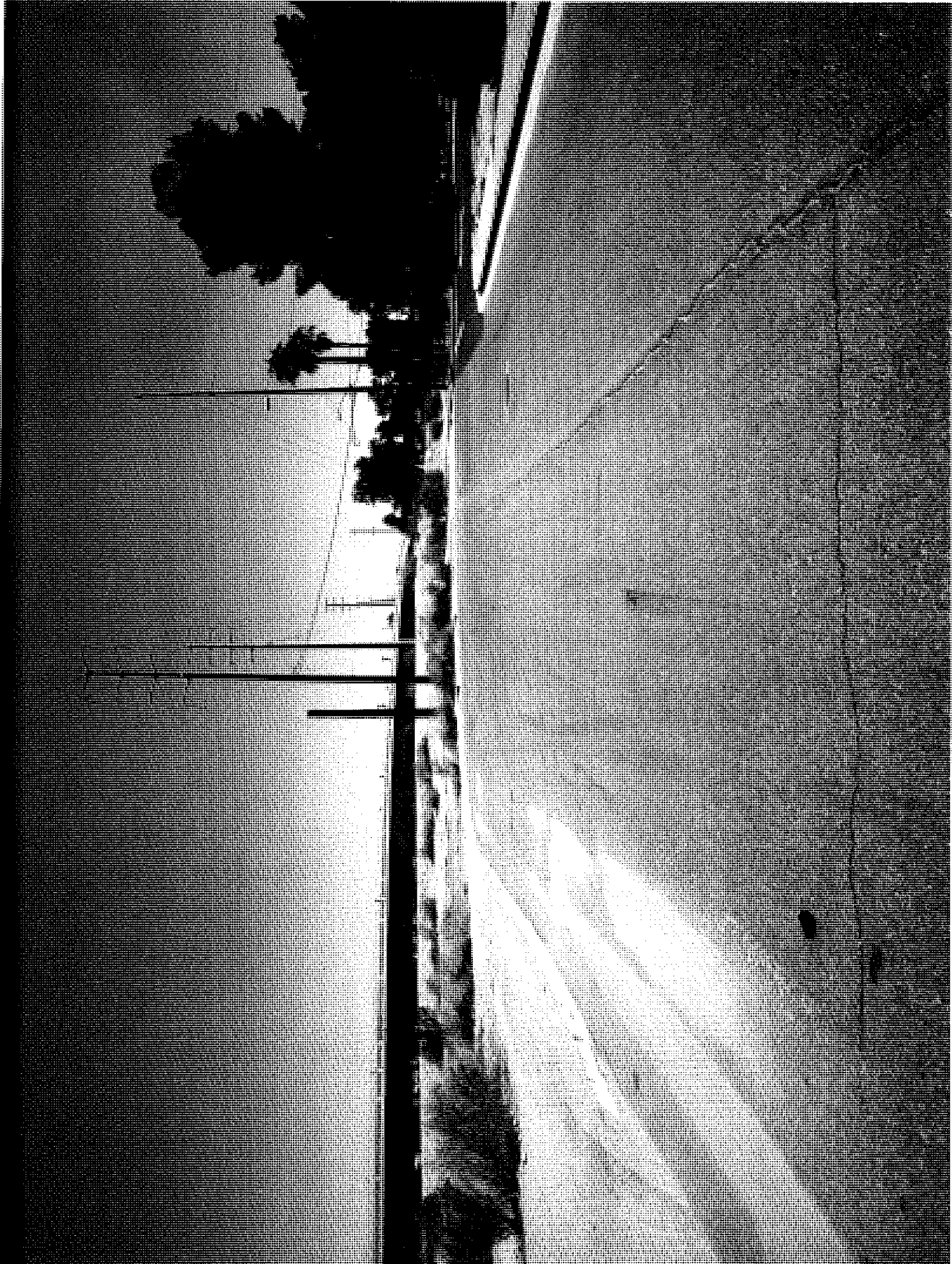


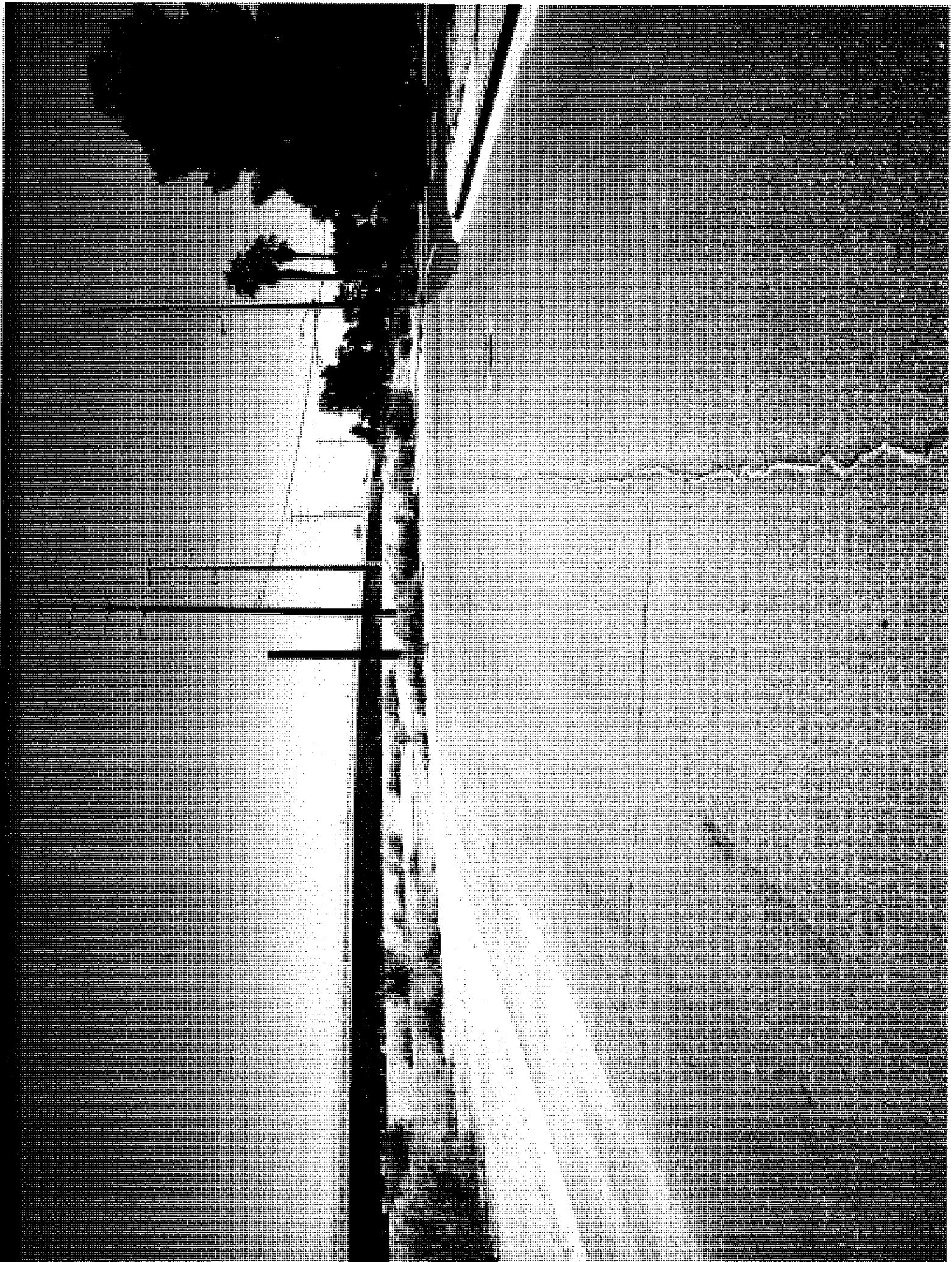


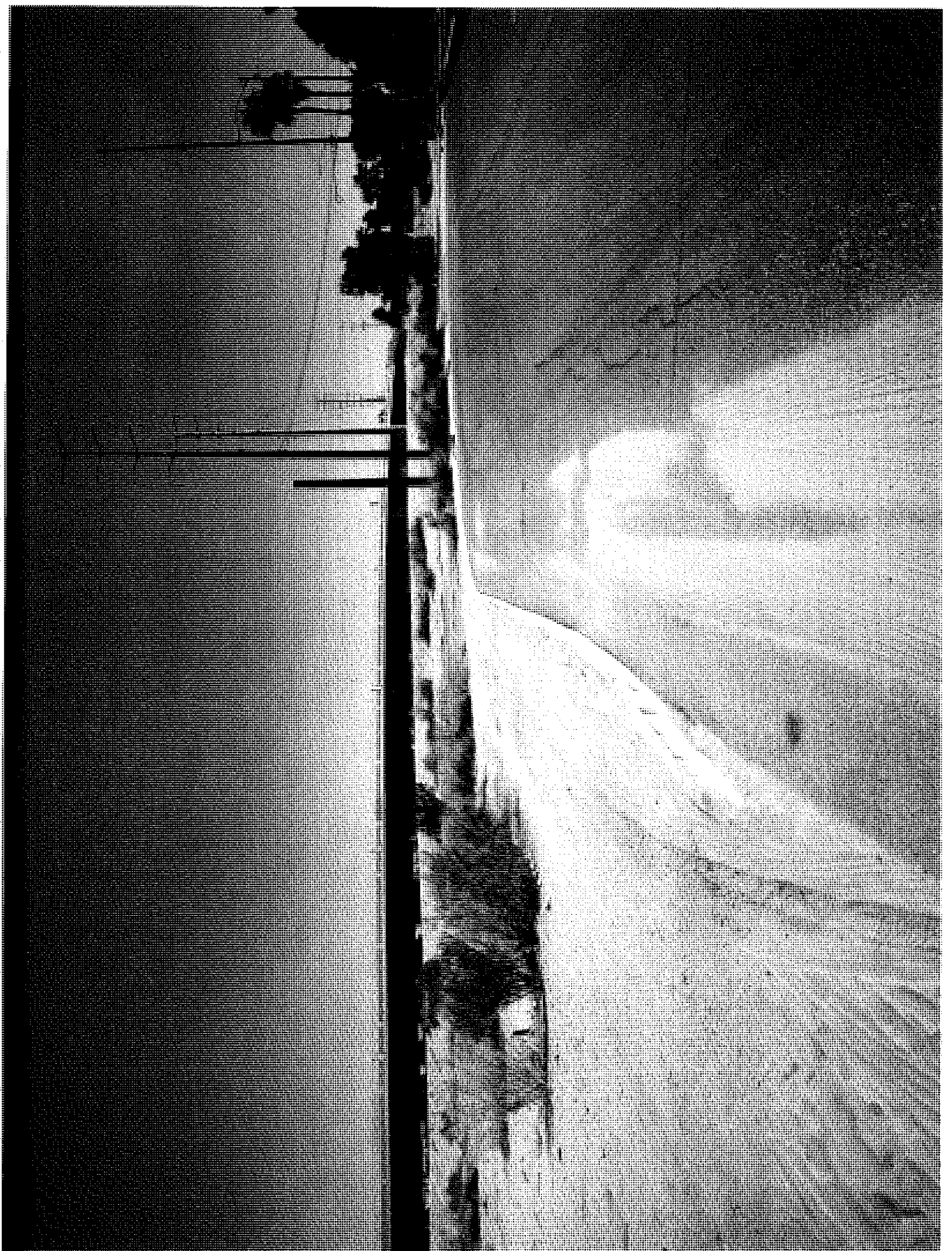




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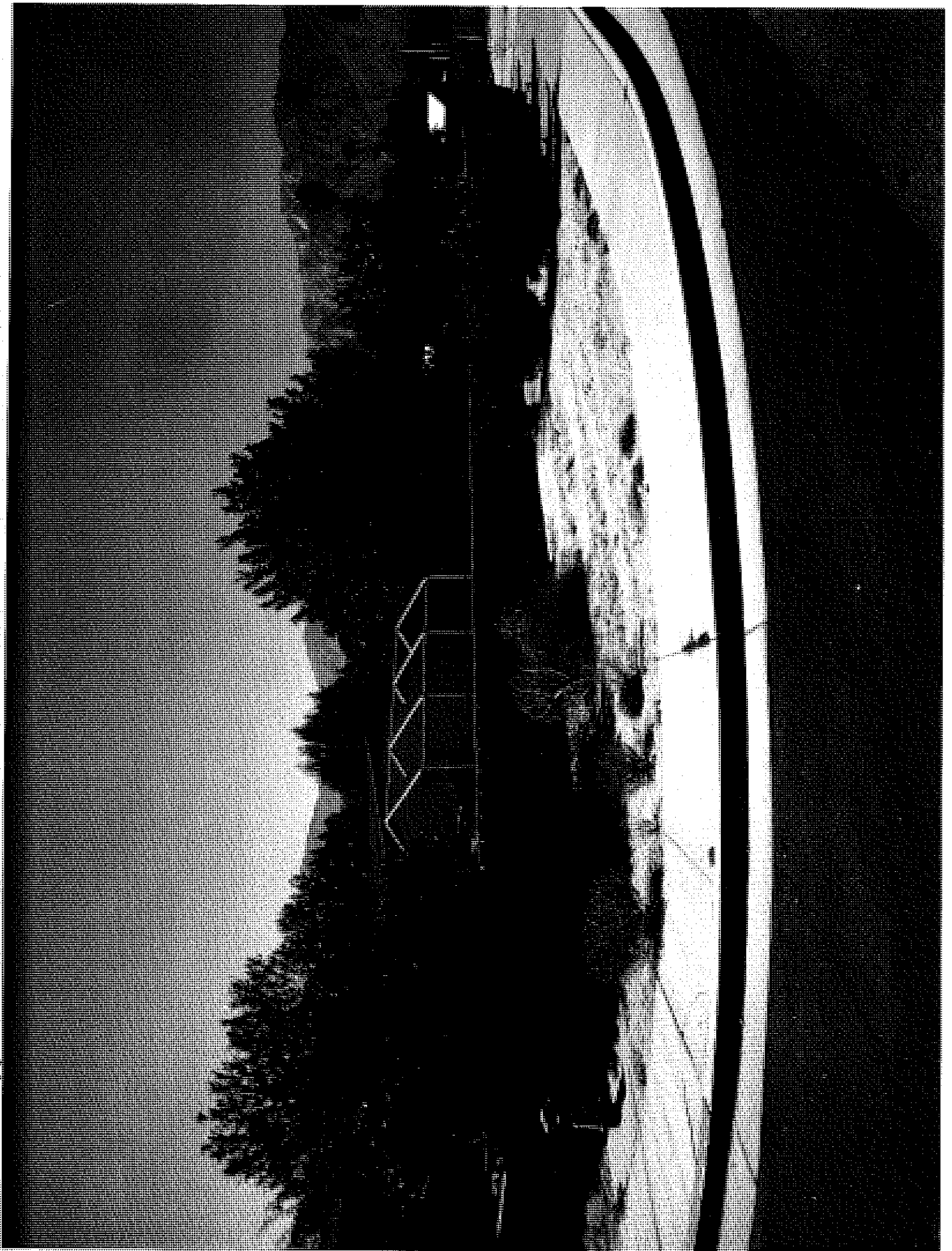


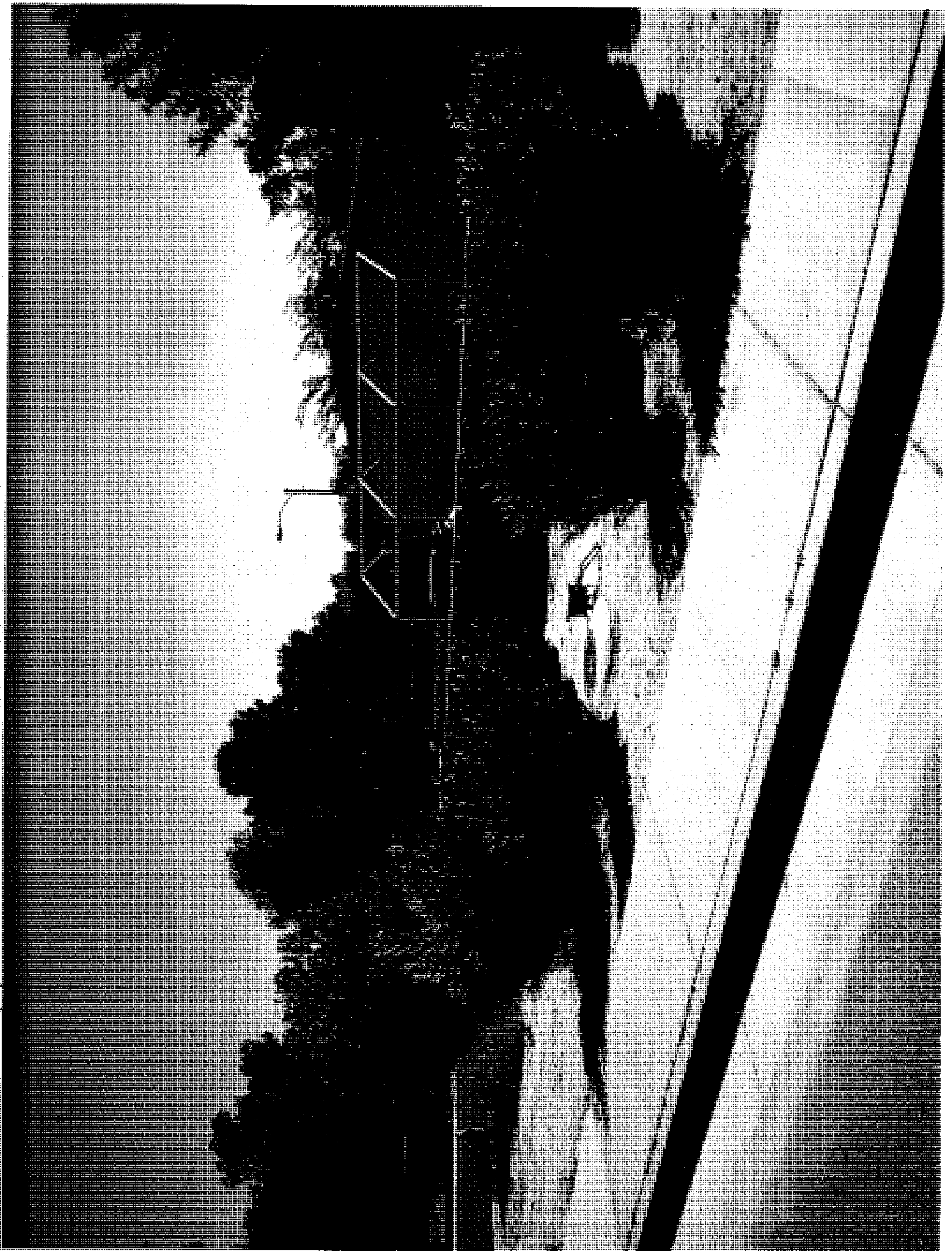




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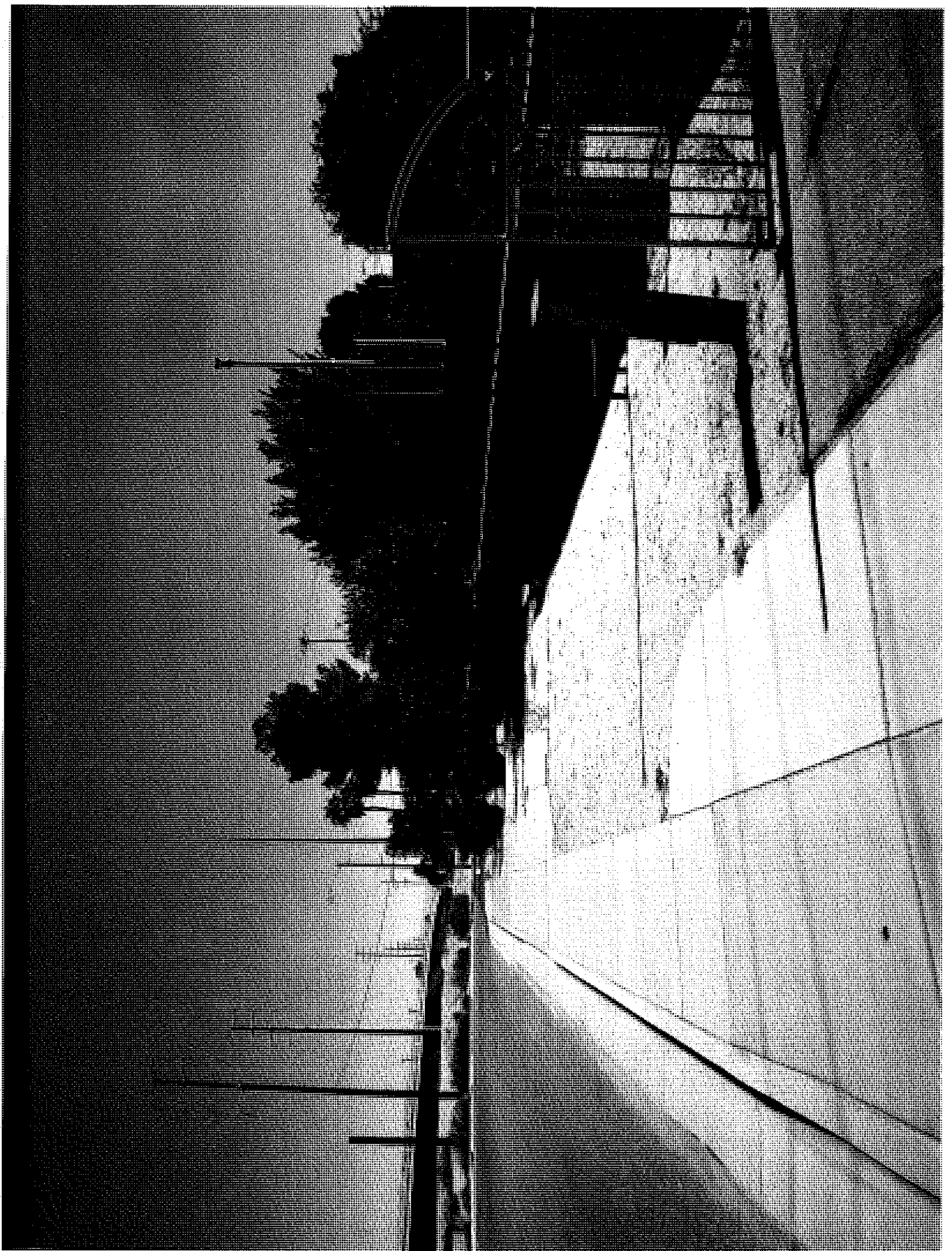


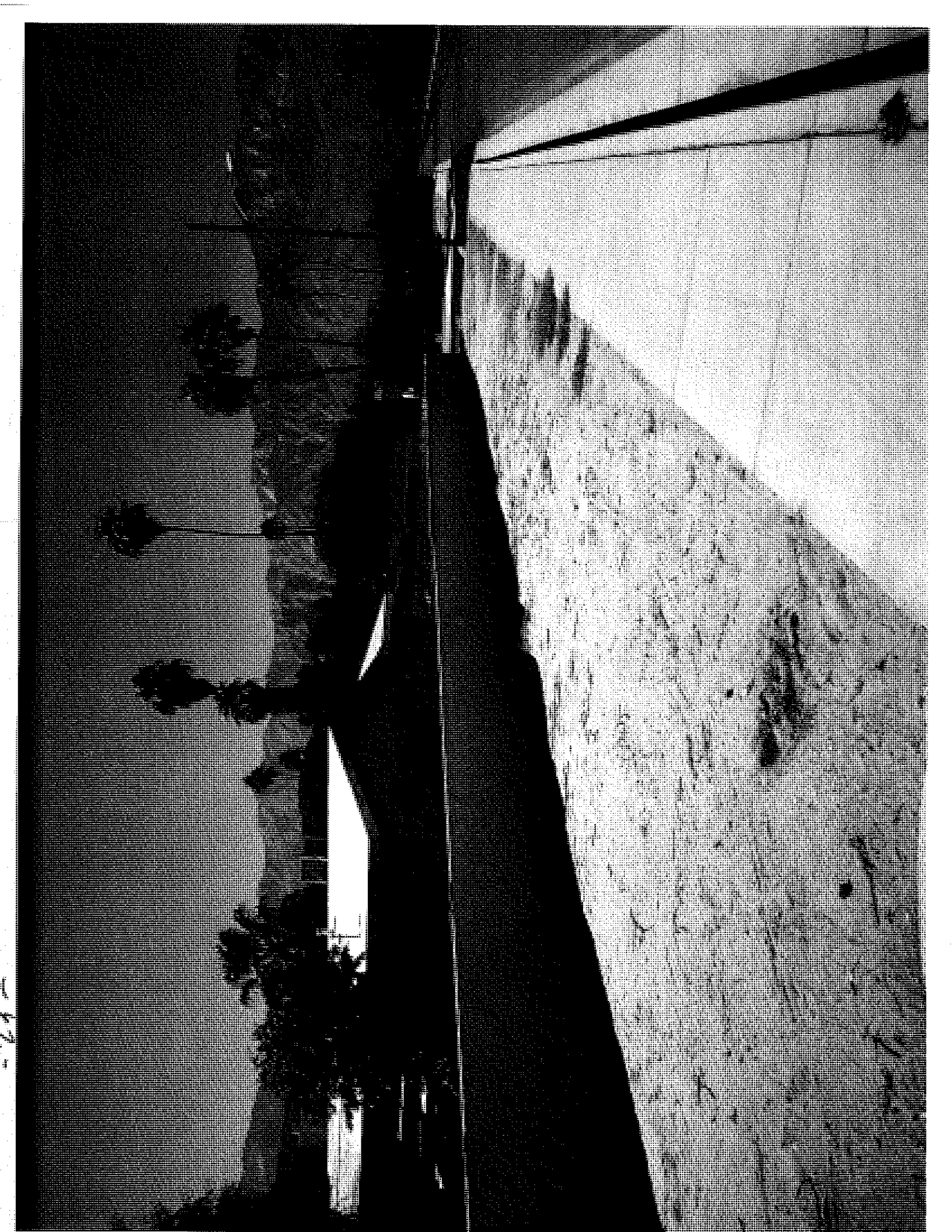


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