



CITY OF PALM SPRINGS
DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: December 10, 2014
To: The Planning Commission
From: Ken Lyon, RA, Associate Planner *Ken Lyon*
Subject: Case 5.1340 PDD 374 / TTM 36725 / 3.3742 MAJ "Alvarado"

At its meeting of October 8, 2014, the Planning Commission reviewed the subject case and continued it with direction to the applicant to revise numerous aspects of the project. The applicant revised certain aspects of the project, incorporating some of the Planning Commission's comments and requested a November 19th, 2014 hearing on the case. Those items that the Planning Commission requested but the applicant did not incorporate were added as draft conditions of approval.

The applicant has agreed to providing photovoltaic panels on all units as well as to provide an electric outlet and a natural gas stub-out in the garage for buyers who may have electric or natural gas-powered vehicles.

There have been no further revisions to the project from what was presented at the November 19th meeting. A letter from the applicant dated December 3, 2014 is attached summarizing the process and requesting that the Commission hear the item today and take action, rather than to table it again.

Attachment: Hollis to Lyon / Fagg letter dated December 3, 2014.

West Coast Housing Partners, LLC

VIA EMAIL

December 3, 2014

Messer's Flinn Fagg and Ken Lyon
Department of Planning Services
City of Palm Springs Planning Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Subject: Alvarado in the Art Colony
December 10, 2014 Planning Commission Hearing
Case 5.1340, PDD 370, TTM 36725

Dear Messer's Fagg and Lyon:

West Coast Housing Partners, LLC sincerely appreciates your accommodating our request to place the Alvarado in the Art Colony project (the "Project") on the Planning Commissions (the "Commission") December 10, 2014 hearing.

As you know the Project conducted a community meeting on April 24th and received very strong and unified support. In addition, the Project received unanimous approval by the Architectural Advisory Committee on August 8th prior to being heard by the Commission. During the initial hearing on October 8th the Commission tabled the project and directed numerous aspects of the Project be revised. Thereafter we spent considerable effort reviewing the comments and tried to incorporate every practicable suggestion by the Staff and Commissioners in light of our understanding of the property's zoning, applicable rules and regulations, the current and projected new home market and our underlying project's economics.

The Project came back before the Commission on November 12th with thirteen modifications (detailed below) in a sincere attempt to accommodate the Commissioners' suggestions in light of the Project's underlying allowed zoning density of 78 units and the economic realities of the market in this portion of the City. We provided testimony that the suggested 28-foot wide streets and sidewalks along with 10-foot side yards would require over a twenty-five percent reduction of the Project's units and result in an uneconomical Project. We requested the Commission take action on the Project in light of the above outlined modifications. The Commission however decided to continue the Project.

Given that the Project is: 1) consistent with all the City's rules and regulations, 2) has received significant community support and the Architectural Advisory Committee's recommendation, 3) designed with refined and fitting architecture for its location while being sensitive and consistent with the City's design aesthetic, and 4) can not economically

accommodate the requests for wider streets and setbacks, we respectfully request the Project receive the Commission's recommendation to the City Council at its December 10th hearing.

The following revisions to the Project have been made while before the Commission:

1. Tentative Tract Map. Tentative Tract Map No. 36725, dated May 15, 2014 was revised to be a one parcel condominium map.
2. Woonerf Interior Street. The Woonerf concept was incorporated into the streets and asphalt surfaces were replaced with pavers. Different color pavers were offered to be incorporated to help differentiate between pathways for pedestrians and vehicles
3. Guest Parking. Three additional parking spaces were added throughout the project.
4. Service Only Restricted Parking. Three parking spaces where restricted to be only for service vehicles have been added.
5. Garage Door Re-Design. Some of the garage doors were re-designed by adding a combination of vertical or horizontal glazing. Additionally, the colors of the garage doors were matched to the color of the wall they sit in.
6. Drive way Trees. New trees were proposed for the driveways to further soften the streetscape.
7. Corner Plaza / Bike Oasis. The Corner Plaza was modified by adding 48" shade trees. Additional seating was included. The proposed Bike Oasis was detailed to consist of a stationary bike pump, repair station, and a water bottle refilling fountain, all of which will be cleaned and maintained by the project's home owners association. Lastly, a pedestrian gate and sidewalk were added to provide residents direct connectivity to the area.
8. Additional Active Gathering Amenities. A dog walking path was incorporated into the center of the southern portion of the property. And a bocce ball court was also located within the Project. Lastly, the entrance park was revised to provide a better facility for residents to gather.

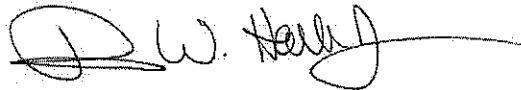
9. Direct Pedestrian Access from Alvarado and North Palm Canyon Drive. All units facing Alvarado and North Palm Canyon Drive will continue to have direct access to the street.
10. Noise reduction of Pool and HVAC Equipment. Central air conditioner equipment with 55db levels, or less, will be utilized. Noise absorbing split face block walls will enclose all this equipment.
11. Optional back yard shade structures will be offered.
12. The CC&R's will prohibit the rental of the casitas.
13. The common pedestrian gates fronting both Alvarado and De Anza would remain unlocked during daylight hours to encourage and promote community connectivity.

Two additional items that we can incorporate are the inclusion of a 220-volt outlet and a gas stub in each garage to facilitate the future refueling of electric and or natural gas powered vehicles. These additions would further enhance the Project's sustainability contributions.

We have, once again, reviewed Staff's and the Commission's comments of the previous hearings and respectfully have to restate that the Project will not be economic if the proposed density is reduced due to the wider streets and setbacks. In summary, the Project is consistent with all provisions of the City's codes and regulations and is well under the allowable density for this site. We sincerely believe it provides the best product and site plan for the: conditions of the property, the economic realities of the market, and the chance to revitalize the area and the entrance to the City along this portion of North Palm Canyon Drive.

Therefore, we respectfully request the Project receive the Commission's recommendation to the City Council at its December 10th hearing.

Very Truly Yours,
WEST COAST HOUSING PARTNERS, LLC



By:

R. W. (Whitt) Hollis, Jr.
Vice President of Land Acquisition

Alvarado in the Art Colony
December 10, 2014 Planning Commission Hearing
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cc: The Eric Brandenburg Separate Property Trust,
Attn: Eric Brandenburg, Trustee and William B. Baron
Krystal Navar, Modative
Rob Parker, Design Principal, RGA Landscape Architects, Inc.
Marvin D. Roos, Director of Design Development, MSA Consulting, Inc

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PLANNING SERVICES
DEPARTMENT

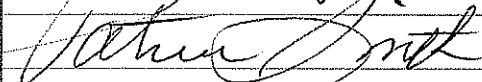
To: James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, Ca. 92262


Re: Planning Commission
Case: 5.1340 PDD 370/3.3742 MAP/JTM 36725 "Alvarado"

We reside near the main entrance of the above listed development and feel it would blend with our neighborhood best with no gates at all.

This would give us the opportunity to make friends with our new neighbors and become one friendly neighborhood.

Sincerely,


PATRICIA SMITH


RANDOLPH SMITH

480 ALVARADO RD.
PALM SPRINGS, CA. 92262



PLANNING COMMISSION STAFF REPORT

DATE: November 19, 2014

PUBLIC HEARING

SUBJECT: WEST COAST HOUSING PARTNERS ON BEHALF OF THE OWNER THE ERIC BRANDENBURG SEPARATE PROPERTY TRUST FOR APPROVAL OF A PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A MAJOR ARCHITECTURAL APPLICATION, AND A TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES FOR DEVELOPMENT OF 46 TWO-STORY, DETACHED RESIDENTIAL UNITS ON ROUGHLY 5.23 ACRES AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD (CASE 5.1340 PDD 370 CUP, 3.3742 MAJ, TTM 36725) (ZONE C-1/RGA-6 / RESORT COMBINING ZONE). (APN's 504-074-001, 002 & 008) (KL)

FROM: Department of Planning Services

SUMMARY

The Planning Commission reviewed the subject project at a public hearing on Wednesday October 8, 2014, at which time it voted 7-0 to table the project and directed the applicant to revise numerous aspects of the project. The applicant has revised some details of the project, but many aspects about which the Commission had concerns remain unresolved. Staff added the remaining unresolved items to the Conditions of Approval attached as Exhibit "A". The Commission may elect to retain or remove any of these proposed conditions in making its findings and in consideration of its action on the proposed project.

RECOMMENDATION:

1. Open the public hearing and take testimony.
2. Close the public hearing and adopt the Mitigated Negative Declaration as an adequate analysis of the project's environmental impacts under the guidelines of the California Environmental Quality Act (CEQA).
3. Adopt Resolution # _____, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION UNDER CEQA, APPROVING TENTATIVE TRACT MAP TTM 36725, CASE 5.1340 PDD 370 CUP, A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE AND CONDITIONAL

USE PERMIT FOR CONDOMINIUMS IN THE RESORT COMBINING ZONE, AND CASE 3.3742 MAJ, A MAJOR ARCHITECTURAL APPLICATION FOR A PROPOSED GATED COMMUNITY COMPRISED OF 46 DETACHED RESIDENTIAL UNITS, PRIVATE STREETS AND OPEN SPACE ON A ROUGHLY 5.23 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD; (APN's 504-074-001, 002 & 008) AND RECOMMENDING APPROVAL OF THE SAME BY THE PALM SPRINGS CITY COUNCIL, SUBJECT TO CONDITIONS OF APPROVAL".

ISSUES:

The Planning Commission communicated the following list of conditions and concerns to the applicant at the public hearing on the project on October 8, 2014. The applicant made certain revisions, and based upon these revisions requested the project be scheduled before the Planning Commission today. Following each listed item is a brief evaluation by staff on the applicant's conformance to the Commission's requests:

1. *Provide at least 10 feet between units for more usable open space and less density. (This was noted as both an open space issue and a density issue).*

Staff evaluation: Does not conform. The applicant has not increased the distance between units and has not reduced the project density. A condition of approval has been proposed requiring at least ten feet between units.

2. *Revise the site concept to provide better accommodation for pedestrian circulation within the project to provide sidewalks along one side of the streets or by other creative means, taking into consideration workmen and guests as well as residents. (Staff note: Reference PSZC 94.04 Architectural Review guideline D.1 which notes, "...Definition of pedestrian and vehicular areas; i.e. sidewalks as distinct from parking lot areas;" (e.g. vehicular travelways) and note additional PC comment #14 below on paving differentiation)*

Staff evaluation: Not resolved. The applicant has proposed changing the pavement of the private streets from asphalt to pre-cast brick pavers, however no accommodation for separation of pedestrian and vehicular circulation is proposed and no distinct pavement color or pattern is proposed to demarcate the pedestrian walkway from the vehicular travelway. A condition of approval has been proposed requiring either that separate sidewalks be provided, or the streets be revised to conform to the General Plan in terms of width with a provision that visual or physical delineation and separation of vehicular and pedestrian travelways be created within the project.

3. *If sidewalks are not provided along streets, then revise widths of private streets to conform to General Plan, ("especially in lieu of sidewalks, must have one or the other.")*



DETAIL OF SHOESTRING ACACIA LEAF

The landscape design is already conditioned to require final review by a subcommittee of the AAC with recommendation to staff prior to issuance of building permits.

6. *Reduce the monotony of the wall of garage doors by either turning the corner unit garage doors to the sides or revise the site plan in some other way to eliminate the repetitive monotonous nature of the row of garage doors along the interior streets.*

Staff Evaluation: Partially resolved. Orientation of garage doors was not changed from previous submittal and site plan has not been revised. Applicant proposes different color and window patterns in the garage doors which staff believes is limited in its success in reducing the visual monotony.

7. *Provide perimeter pedestrian gates at all units backing onto the public streets. (Note from earlier meeting with Planning Director to also provide doorbell systems to allow visitors to access units from these gates).*

Staff Evaluation: Resolved. All units facing Alvarado Road and North Palm Canyon Drive have been provided with gates and doorbells onto the public streets.

8. *Provide optional back yard shade structures for prospective buyers that complement the architecture of the homes.*

Staff Evaluation: Noted by applicant, but no exhibit has been proposed. Staff has proposed a condition of approval requiring these optional shade structures be submitted to the Director of Planning for approval prior to submittal for building permits.

9. *Utilize angling or other design solutions to relieve the long planar walls of garage doors along the interior streets.*

Staff Evaluation: Partially resolved. See staff evaluation for item 6 above.

10. *Create a better solution to reduce noise dramatically from the pool and HVAC units or move these mechanical units away from the back yards to eliminate noise impacts on those yards. (staff will confirm the minimum required open space clearance at side yards with Fire Department).*

Staff Evaluation: Resolved. Split faced concrete block equipment enclosures and motors with lower decibel ratings are proposed to reduce the noise impacts on the back patios. The Fire Department, which has no minimum open space for passage between units, refers to the California Building Code which requires fire-resistive assembly ratings for walls closer than three feet from a property line, otherwise no other minimum clearance was identified.

11. *Provide more guest parking within the project. (no specific quantity was stated). Also, regarding guest access, provide means at the main entry gates and along the perimeter public streets for open pedestrian access (i.e. vehicular gates may be retained, but allow open pedestrian access from the perimeter of the project for guest/neighborhood connectivity that does not require keys or controlled access intercom, etc).*

Staff Evaluation: Resolved regarding guest parking but not resolved regarding open pedestrian access. Three (3) additional guest parking spaces have been provided (total of twenty-five (25) guest parking spaces proposed), three of which are proposed to be posted for restricted service vehicle access during normal business hours. Residences along the northerly edge of the project would likely rely on on-street parking along Alvarado Road for guest parking adjacent to their homes.

Pedestrian access adjacent to the main vehicular entrances is still proposed to be gated but unlocked during daylight hours, and locked in the evenings. Staff believes the concept of "gated but unlocked" fails to achieve the open connectivity desired by the Planning Commission.

12. *Provide active gathering amenities in the common open space (example SOL development has central open space for gathering, community interaction etc).*

Staff Evaluation: Resolved. Applicant has proposed a bocce ball court along the easterly portion of the project site, dog-walking path within the retention basin along the southern portion of the site and a bench and synthetic turf in a small open area near the vehicular entry to the project.

Other specific requests/direction for design revision made a part of the Planning Commission motion:

13. *Orient roof slopes to make future installation of solar feasible (ie. Slope of roofs should face south); provide prewire for photovoltaic solar panels.*

Staff Evaluation: No change proposed; the applicant asserts the roofs as pitched will effectively accommodate future photo-voltaic panels with the north-facing roof slopes.

14. Enhanced pavement – no asphalt, integrate pavers at private streets to perhaps aid in demarcating separation of pedestrian way from vehicular travelway.

Staff Evaluation: Partially resolved. Pavers have been proposed but nothing is proposed to demarcate or separate vehicular from pedestrian travelway. Condition proposed as noted above.

15. Pedestrian open access if there is to be vehicular gates. Research new technology entry gate systems with second arms, camera systems, no-back up systems, etc. that allows controlled vehicular access but free pedestrian access.

Staff Evaluation: Not resolved. Applicant has proposed "gated but unlocked" pedestrian gates at the main vehicular entry. Staff does not believe this achieves the neighborhood connectivity sought by the Planning Commission. A condition of approval has been proposed requiring the applicant submit an alternative design to the AAC for recommendation to staff for re-design of the perimeter wall and pedestrian entry points, requiring variety in the wall design and creation of "free pedestrian access", prior to issuance of building permits.

16. Propose additional public benefits

Staff Evaluation: The applicant has not proposed any additional public benefits. Staff continues to believe the proposed public benefits offered are not proportionate to the degree of relief being sought in the development standards of the underlying zones via the PDD.

17. Provide at least the hand tire pump and water bottle filling as a minimum set of amenities at the corner oasis.

Staff Evaluation: (Conforms).

18. Wash down of the amenities at the corner plaza to be maintained by the HOA on an "as needed" basis.

Staff Evaluation: (Conforms).

BACKGROUND AND ANALYSIS.

A full background and setting description and analysis of the project was provided to the Planning Commission in the October 8, 2014 staff report. Today's re-submittal as a one-lot

tract map for condominium purposes instead of a subdivision of many small lots, requires re-evaluation against development standards as noted below.

TABLE 1: Recent past actions by the City

August 11, 2014	AAC reviewed the project and voted 5-0-1-1 (Song abstained, Secoy-Jenson absent) recommending approval of the project by the Planning Commission as proposed and appointed a subcommittee (Purnell/Fredricks/Cassidy) to review the final landscape submission at plan check.
October 8, 2014	Planning Commission reviewed the project and voted 7-0 to table with direction to the applicant to revise the project.

TABLE 2: Zoning

Permitted Uses: The project proposes 46 detached residential units structured in a condominium form of ownership. In the Resort Combining Zone Overlay, condominiums require approval of a Conditional Use Permit (CUP). The PDD has been submitted in lieu of a change of zone to seek City approval of detached residential units with development standards that differ from the City's R-1-C standards and to make the CUP findings for the condominium form of ownership.

Development Standards:

	C-1 / RGA-6 Requirements	Proposed Project	Conform
Lot Standards	Lot standards for RGA-6 are noted.		
Min. Area	C-1 20,000 SF RGA-6: 2 acres	The tract map was revised and the applicant now proposes a single lot for condominium purposes.	Minimum lot size thus conforms
Min. Width	RGA-6: 165ft	Varies	Conforms
Min. Depth	RGA-6: 165ft	Varies	Conforms
Building Height	RGA-6: 15ft, 24ft & 2 stories provided bldg. areas over 15ft in height NTE 50% of enclosed ground floor area	24ft and 2 stories	Requires approval of PDD to conform.
Density	RGA-6du/ac	9 du/ac	Requires approval of PDD to conform
Yard Setbacks			
Front	RGA-6: 25ft	As a 1 lot map, the front yard is that which fronts Palm Canyon Drive. Roughly 5ft PL to face of casitas.	Requires approval of the PDD to conform
Side	RGA-6: 10% of lot width, 20% on street side yards	Varies	Requires approval of

			PDD to conform
Rear	RGA-6:20ft	Varies	Requires approval of PDD to conform.
Distance between buildings	RGA-6: Where one (1) building is placed adjacent to and substantially parallel to another building, there shall be a minimum distance between the buildings of fifteen (15) feet for each ten (10) feet of building height. In no case shall one (1) building be closer than fifteen (15) feet to any other building.	6 feet	Requires approval of PDD to conform.
Lot Coverage	RGA-6: 50% usable landscaped open space	54%	Conforms
Trash Enclosure	Per PSZC 93.07.02	Per PSZC 93.07.02; 2 provided	Yes
Off-street Parking	Per PSZC 93.06: In PDDs; 3 bdrm units require 2.25 spaces or 104 spaces for the units, plus guest parking 1 space for every 4 units, or 12 spaces; total 116 spaces required	2 covered spaces are provided with each of the 46 units (92 spaces) + 25 guest parking spaces are proposed; total 117 spaces	Yes

Analysis of the project against Zoning Code Section 94.04 (Architectural Review):

The application includes a Major Architectural Application (Case 3.3742 MAJ) which articulates the architecture and landscape architecture for the proposed project. The AAC recommended the final landscape plan be reviewed by an AAC subcommittee for recommendation to staff prior to plan check / building permit for a more detailed review of plant types, quantities, and location, articulation of perimeter wall, etc.

PSZC 94.04.D. Planning Commission Architectural Advisory Committee Review Guidelines. The planning commission architectural advisory committee... ..examined the material submitted with the architectural approval application and specific aspects of design 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:

Item	Guideline:	Conforms ?	Staff Evaluation:
1	Does the proposed development provide a desirable environment for its occupants?	Partially	<p>The proposed project provides mostly three bedroom detached homes with individual private outdoor patios.</p> <p>The space between the homes is quite narrow compared to their height.</p> <p>Back yards are small and A/C condensing units and pool pumps will require split face block enclosures to reduce noise impacts onto private patios.</p> <p>Back yards facing Palm Canyon may also be quite noisy from road impacts.</p>
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Partially	<p>Existing development in the project vicinity is mostly larger residential detached units on larger lots. Architectural styles are eclectic.</p>
3	Is the proposed development of good composition, materials, textures, and colors?	Partially	<p>The 46 homes are all "shed-roofed" two story structures clad in stucco with blue, yellow and orange accent colors. The units are repetitive in their massing. The color variation helps reduce the monotonous appearance. Some units are staggered on the lots to attempt to break up the monotony of the wall of garage doors, but this is limited in its success.</p>
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	Partially	<p>The units are extremely close to one another creating "canyon like" space between at the front entries.</p> <p>Due to the site design, open space is limited at each home and there is virtually no front yard due to the placement of the 2-car garages.</p> <p>There is no separation of pedestrian and vehicular movement, since sidewalks have not been provided.</p> <p>Back yards are nicely oriented toward views, however back yards facing Palm Canyon will likely have road noise impacts.</p> <p>The sides of several end units are only a foot or two from the private roadways.</p> <p>The units along the east-west private street would be enhanced by providing guest parking in closer proximity to these units.</p>

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	No	The units in the proposed development are very repetitive, despite the introduction of various color combinations. Architecture in the surrounding neighborhood is mostly traditional ranch style homes with clay tile roofs. The architectural style of the units in the proposed development is modern.
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	No	The proposed homes do not conform and the PDD is proposing its own set of development standards in terms of lot size, setbacks, lot coverage, open space, and building height.
7	Building design, materials and colors to be sympathetic with desert surroundings	Conforms	The buildings are proposed in neutral colors complementary of the desert surroundings with lively accent colors.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Conforms	The proposed materials, colors and other components of the buildings are very basic in appearance, but lively accent colors help reduce the repetitiveness of the unit volumes.
9	Consistency of composition and treatment	Conforms	There is consistency in the composition and treatment of the buildings 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	Conforms	The proposed landscape plans are consistent with desert appropriate trees and plants.
11	Signs and graphics, as understood in architectural design including materials and colors;	N/A	Signs will be submitted under a separate application.

FINDINGS:

The project was evaluated against the findings for the Planned Development District in lieu of Change of Zone pursuant to PSZC 94.03 and 93.07 (Zone Change) and for the Tentative Tract Map pursuant to Municipal Code Section 9.62 (Maps), and the Resort Combining Zone pursuant to PSZC 92.25.00 and 94.02 (Conditional Use Permit) as well as the Architectural Review Guidelines of PSZC 94.04. Based on the applicant's conversion of the tract map to a one-lot map for condominium purposes, several of the findings for the project were slightly revised and are presented in full for the Planning Commissions consideration as follows:

Planned Development in lieu of Change of Zone Findings:

The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:

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

The proposed project is located in the Mixed-use / Multi-use land use designation of the General Plan. This designation allows residential uses to a maximum density of 30 du/ac with approval of a Planned Development District. The underlying zone is RGA-6. The density for the RGA-6 zone is 6du/ac. The project proposes roughly 9du/ac and thus conforms in terms of density even though the proposed density is 50% greater than the underlying RGA-6 zone (with approval of the PDD).

The General Plan notes that the Mixed-use / Multi-use designation

"...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."

The General Plan also notes for this specific Mixed Use area (called "Artist Colony"):

"Overall, the northern end of the City lacks distinct gathering places, with residents and businesses relying mainly upon Downtown to serve this need. The Artist Colony provides opportunity to introduce housing along Palm Canyon Drive and to provide much-needed neighborhood-serving commercial uses and gathering spaces."

Staff believes the proposed project is limited in its success at promoting civic activity, and in providing places for people to meet and socialize. Aside from the small accessory structures that face Palm Canyon that might be used as home-based businesses, the project does little to provide "*much needed neighborhood serving commercial uses*". The project is proposed as a gated community that separates itself from the existing surrounding neighborhood. The project turns back yards toward the public streets, provides no internal sidewalks and creates a "wall of garage doors" facing the internal private streets instead of porches, yards, or other architectural features that would promote more "eyes on the streets" and that might encourage community interaction. The small "oasis" for bicyclists at the corner of Palm Canyon Drive and Alvarado provides little in the way of amenities to encourage civic activity, or community

gathering and is separated with walls and gates from the rest of the proposed development. Aside from the perimeter walls and narrow strips of landscaping, places that would contribute to creating an appealing "character" for this neighborhood are lacking in this proposal, however many of staff's recommendations would address many of these issues and enable the project to be deemed consistent with this finding.

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

The proposed project is located in the C-1/RGA-6 Zones with the Resort Combining Zone Overlay. The PDD is proposed to change the split zoning to a single residential zone with its own unique development standards. The project considerably denser than the existing large lot, single family development in the vicinity of the project, however the detached residential uses proposed are suitable and similar to the single family detached residential uses in the vicinity. Although the project has frontage along Palm Canyon Drive, it is suitable and appropriate that vehicular access to the project is proposed from the adjacent collector street rather than Palm Canyon Drive. Thus the project conforms to this finding.

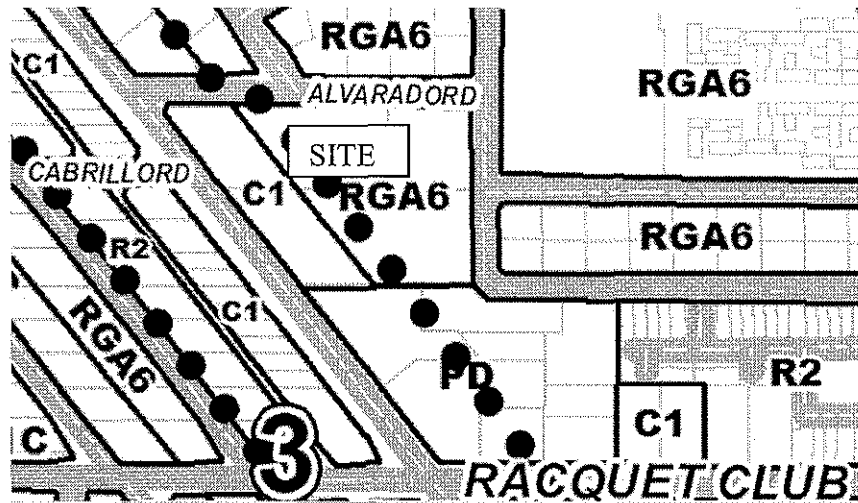
3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.

Proposing residential uses for the subject site is appropriate given that the general development pattern in the vicinity is also residential. The General Plan promotes the concept of "Mid-block residential" along major thoroughfares, which encourages clustering of commercial / retail uses at the major intersections within walking distance to residential areas, rather than as a long commercial strip that relies more heavily on vehicular movement. The project conforms to this finding.

Resort Combining Zone Findings (PSZC Section 92.25.00):

The "R" resort overlay zone is intended primarily to provide for accommodations and services for tourists and visitors while guarding against the intrusion of competing land uses.

The Resort Combining Zone runs along Palm Canyon Drive for nearly its entire length through the City and aligns on the subject site roughly along the boundary between the C-1 and RGA-6 zones. As noted, it is intended to protect the City's "main street" from uses that would detract from the tourist resort nature of the City. The detached residential (SFR) units in the proposed project are a prohibited use in the underlying C-1 zone, thus approval of the PDD in lieu of a Change of Zone is necessary to establish them as a permitted use.



PORTION OF ZONING MAP
THE RESORT COMBINING ZONE IS THE AREA BETWEEN THE ROWS OF DOTS
AND ALIGNS ROUGHLY WITH THE COMMERCIAL / MULTI-FAMILY ZONES
ALONG BOTH SIDES OF PALM CANYON DRIVE

The zoning code notes that:

Uses shall be as provided in the underlying zone with which the "R" zone is combined, except that: ...All multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging houses, and condominiums) shall be permitted only by conditional use permit (CUP).

The project proposes detached residential uses within a condominium form of home ownership with common areas and an HOA that would be established to maintain and manage the common areas of the development. As such the project is evaluated against the findings for a CUP herein¹ and the resort combining finding as follows:

Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone.

The proposed use, detached residential units, is generally compatible with the surroundings in the vicinity which are also mostly single family residential detached units in character. The near north side of the City has essentially only two commercial corridors to serve the residential population in this part of the City: North Palm Canyon Drive and North Indian Canyon Drive. The scattering of existing commercial uses along this segment of Palm Drive are mostly local-serving businesses and a few older small hotels. The underlying C-1 zone would allow commercial uses, but continuing a pattern of a long string of commercial uses along Palm Canyon is not consistent with the General Plan vision of concentrating commercial

¹ Pursuant to PSZC 94.02.00.A.4 (CUP); the CUP may be incorporated into the PDD without the need for a separate application. Thus the CUP findings of PSZC 94.02 and the Zone Change findings of PSZC 93.07 are both evaluated as integral parts of the PDD application.

uses at major thoroughfares to encourage community gathering and less reliance on vehicular trips. Staff believes the proposed project is consistent with this finding.

Conditional Use Permit Findings:

In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for condominiums in the Resort Combining Zone as follows:

The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:

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

The proposed detached residential use is permitted in the RGA-6 zone subject to the R-1-C standards. The Zoning Code allows deviations in these standards via approval of a PDD. The project proposes a PDD in lieu of a change of zone, with unique development standards for residential uses within a condominium form of ownership. With approval of the PDD, the project is consistent with this finding.

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

Development of the subject site with detached residential uses structured in a condominium form of ownership is desirable as a means of bringing a variety of housing choices to the community. The project is consistent with the General Plan Mixed Use / Multi Use land use designation in terms of density and with policies of the General Plan that encourage mid-block residential along major thoroughfares. The residential uses are not detrimental to existing or future uses because the primary zoning and general plan land use designation for most areas in the vicinity of the project are also residential in nature. The project therefore conforms to this finding.

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

The roughly 5.23-acre site is proposed with 46 residential detached dwelling units structured in a condominium form of ownership. With the approval of the PDD in lieu of a change of zone, the City would be establishing the PDD as a separate zone with its own unique development standards and the project would be deemed in conformance with this finding.

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

The project proposes to take vehicular access off Alvarado Road which is a local street and emergency access from De Anza which is a collector. This arrangement is appropriate for carrying the type and quantity of traffic generated by the proposed use and thus the project conforms to this finding.

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

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A".

Tentative Tract Map Findings:

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

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

The TTM proposes a single lot subdivision for condominium purposes with open space, common area, forty-six (46) detached residential units and private streets. The proposed density is within the range specified by the Mixed-use / Multi-use General Plan land use designation. The project proposes private streets that are not consistent with the General Plan, however a condition of approval requiring street configuration consistent with the General Plan is included that if approved, the project would be consistent with this finding. No specific plans are associated with the subject property.

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

The proposed project design and improvements are generally not consistent with the C-1 / RGA-6 zone in which the property is located. The PDD in lieu of a zone change proposes residential uses structured in a condominium form of ownership. The PDD proposes residential detached uses with development standards that do not conform to the standards of the zone, and proposes a density that is greater than the maximum allowable for the RGA-6 zone. With the approval of the PDD in lieu of a change of zone, the project will be established as its own unique zone and can be deemed consistent with its own zoning development standards and density.

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

The project site will be graded to accommodate the proposed development. Site modifications include new private driveways to individual residential units from a network of proposed private streets. As currently configured the site is not adequate for the type of development proposed because the proposed private streets do not conform to the General Plan. With approval of the proposed condition requiring conformance with the General Plan on street width; the project can be found consistent with this finding. The residential units do not conform to the development standards for the zone; however with approval of the proposed PDD the site would be deemed physically suitable for this type of development.

Each unit is proposed as a detached two-story residential unit structured within a condominium form of ownership. A total of 46 residences are proposed on the 5.23-acre site. The site has adequate vehicular access with primary access taken from Alvarado Road, a local street, and emergency access onto De Anza Road which is a collector street. The General Plan EIR studied projected traffic and service levels on the surrounding network of public streets and the project density at roughly 9du/ac is less than the maximum allowed for the Mixed-Use / Multi-use designation and thus the site is physically suited for this type of development.

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

The General Plan Mixed-Use / Multi-Use Land Use designation in which the project is sited allows up to 30 du/ac with approval of a PDD. The underlying RGA-6 zone allows 6 du/ac. The PDD in lieu of a change of zone proposes roughly 9du/ac; a density greater than the underlying zone, but less than the maximum allowable by the General Plan. As noted above, although proposed street widths are not consistent with the General Plan, with incorporation of the condition requiring conformance with the General Plan street width, the project can be found consistent with this finding. With approval of the PDD as a change of zone, the project would be consistent with both the General Plan and Zoning in terms of suitability for the proposed density.

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

The Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration is proposed. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The project will therefore not damage or injure fish, wildlife or their habitats.

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

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each detached residential unit however street width and separation of vehicular and pedestrian movement as

proposed are not consistent. With incorporation of a condition requiring General Plan street dimensions and separation of vehicular and pedestrian movement, the project can be found consistent with this finding. No serious public health problems are anticipated.

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

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

ENVIRONMENTAL ANALYSIS:

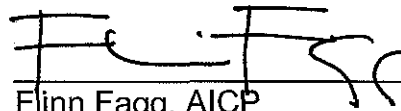
The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, traffic, land use compatibility and hydrology, and the analysis was available for public comment for a 20-day period from September 3, 2014 to September 23, 2014. Public comment letters were received which are attached to this staff report. Through the public comment period, no new information was found that would require recirculation or further analysis of the project's impacts under CEQA. A Mitigated Negative Declaration is proposed. The owner has agreed in writing to implement all of the required mitigation measured identified.

NOTIFICATION

A public hearing notice was mailed to all property owners and occupants within 500 feet of the site and published in the local paper. Correspondence received is attached to this staff report.



Ken Lyon, RA
Associate Planner



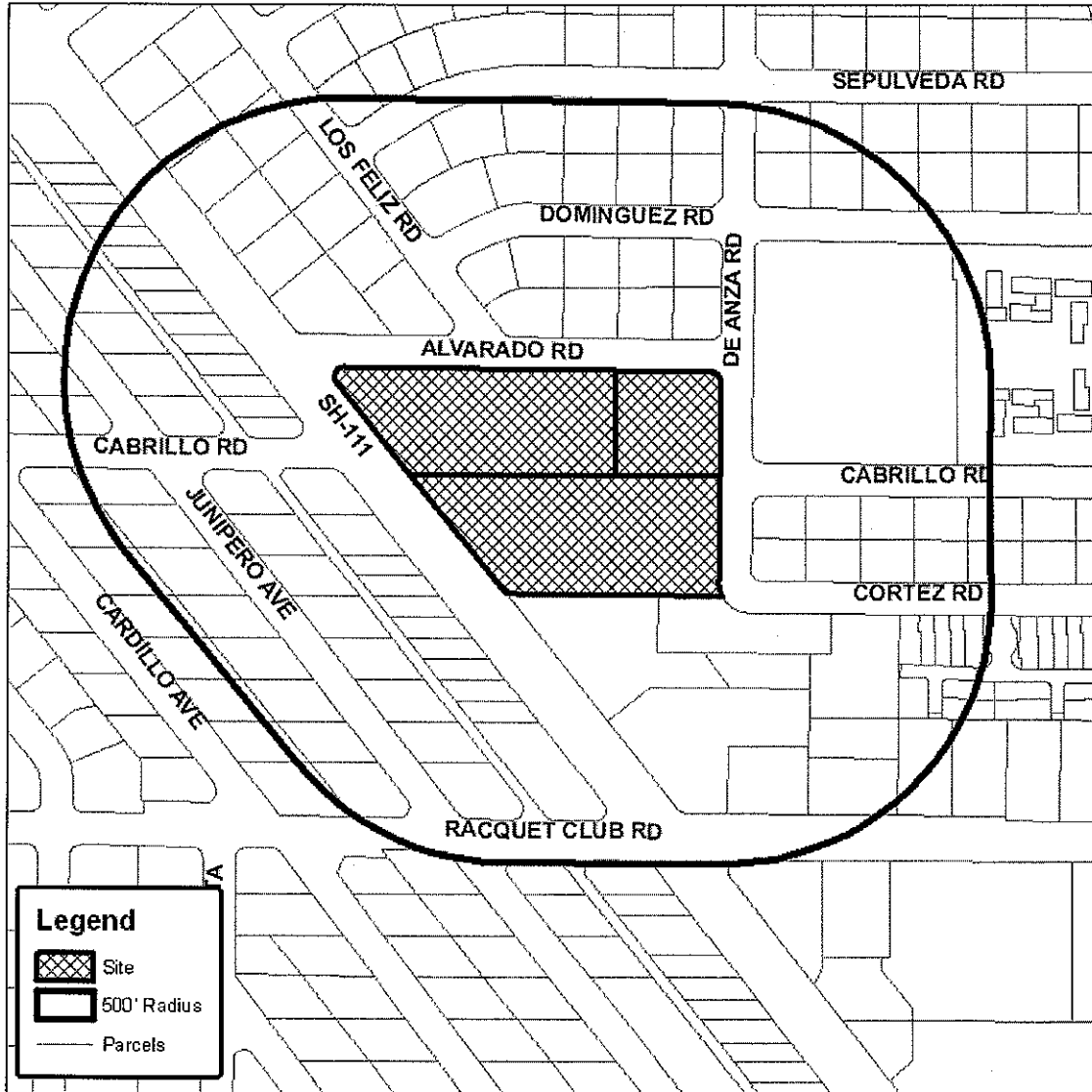
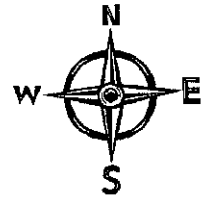
Flinn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolution
3. Draft Conditions of Approval
4. Applicant resubmittal letter dated October 29, 2014
5. Minutes of Planning Commission meeting of October 8, 2014
6. Minute Excerpts of the AAC meeting of August 11, 2014
7. Applicant Revised Justification Letter dated July 31, 2014
8. Exhibit Revisions: Site Plan, Landscape Plan, Perspective Images, and Tentative Tract Map date stamped 10-29-14



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO:

5.1340 PDD 370 CUP / TTM 36725 /
3.3742 MAJ

APPLICANT:

West Coast Housing Partners on
behalf of The Eric Brandenburg
Separate Property Trust

DESCRIPTION:

A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A CONDITIONAL USE PERMIT, A MAJOR ARCHITECTURAL APPLICATION, AND A TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES, PROPOSING A DEVELOPMENT OF 46 SINGLE FAMILY DETACHED UNITS, COMMON PRIVATE STREETS AND OPEN SPACE ON A ROUGHLY 5.23 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ((CASE 5.1340 PDD 370 CUP / 3.3742 MAJ / TTM 36725). (APN'S 504-074-001, 002 & 008)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION UNDER CEQA, AND APPROVING TENTATIVE TRACT MAP TTM 36725, CASE 5.1340 PDD 370, CUP; A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A CONDITIONAL USE PERMIT FOR CONDOMINIUMS IN THE RESORT COMBINING ZONE, AND CASE 3.3742 MAJ, A MAJOR ARCHITECTURAL APPLICATION FOR DEVELOPMENT OF A PROPOSED GATED COMMUNITY COMPRISED OF 46 DETACHED RESIDENTIAL UNITS, PRIVATE STREETS AND OPEN SPACE ON A ROUGHLY 5.23 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD; (APN's 504-074-001, 002 & 008) AND RECOMMENDING APPROVAL OF THE SAME BY THE PALM SPRINGS CITY COUNCIL, SUBJECT TO CONDITIONS OF APPROVAL

WHEREAS, West Coast Housing Partners, LLC on behalf of the Owner, The Eric Brandenburg Separate Property Trust submitted applications pursuant to Palm Springs Zoning Code Section 94.03 & 93.07 (Planned Development, Zone Change) Section 94.04 (Architectural Review), Section 93.02 & 92.25.00 (Conditional Use Permit / Resort Combining Zone) and Municipal Code Section 9.62 (Maps) seeking approval of a Planned Development District in lieu of a Change of Zone, a Tentative Tract Map, and a Major Architectural Application and a Conditional Use Permit via the PDD for development of a gated community comprised of 46 two-story residential detached units, private streets, common open space and landscaping on a roughly 5.23 acre site located at the southeast corner of North Palm Canyon Drive and Alvarado Road (Case 5.1340 PDD 370 CUP / 3.3742 MAJ, TTM 36725) (APN's 504-074-001, 002 & 008); and

WHEREAS, on August 11, 2014, the subject project was reviewed by the City's Architectural Advisory Committee (AAC), which voted 5-0-1-1 (Song abstained, Secoy-Jenson absent) to recommend approval of the project by the Planning Commission subject to the condition that the applicant submit the final landscape plan to a subcommittee of the AAC (members Purnell/Fredricks/Cassady) for review and recommendation of approval to the Planning Director prior to issuance of building permits; and

WHEREAS, notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider Case 5.1340 PDD 370, CUP / 3.3742 MAJ / TTM 36725 was given in accordance with applicable law; and

WHEREAS, on October 8, 2014 a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, at said hearing, the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the staff report, and all written and oral testimony presented and voted 7-0 to table the matter with direction to the applicant to modify the project, and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs, California to consider Case 5.1340 PDD 370, CUP / 3.3742 MAJ / TTM 36725 was given in accordance with applicable law; and

WHEREAS, on November 19, 2014 a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law, and

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

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: CEQA.

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis included all required CEQA issues, including but not limited to air quality, traffic, land use compatibility and hydrology. Mitigation Measures have been proposed to reduce the project's significant impacts to a less than significant level. The CEQA analysis including a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) was made available for public comment for a 20-day period from September 3, 2014 to September 23, 2014. Public comment letters were received which are attached to this staff report. Through the public comment period, no new information was found that would require recirculation or further analysis of the project's impacts under CEQA.

The Planning Commission independently reviewed and considered the information contained in the draft MND and NOI prior to its review of the proposed project, and the draft MND reflects the City's independent judgment and analysis. The Planning Commission finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required permits,

has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the Planning Commission hereby adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

Section 2: Findings for a Planned Development District in lieu of a Change of Zone.
Pursuant to Section 94.03.00 (E) “Planned Development Districts” of the Zoning Code, a Planned Development District in lieu of a Change of Zone (PDD) may be established in accordance with the procedures required by Section 94.07.00. The proposed project is evaluated against the findings as follows:

The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:

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

The proposed project is located in the Mixed-use / Multi-use land use designation of the General Plan. This designation allows residential uses to a maximum density of 30 du/ac with approval of a Planned Development District. The density for the RGA-6 zone is 6du/ac. The project proposes roughly 9du/ac and thus conforms in terms of density even though the proposed density is 50% greater than the underlying RGA-6 zone (with approval of the PDD).

The General Plan notes that the Mixed-use / Multi-use designation

“...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area’s overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses.”

The General Plan also notes for this specific Mixed Use area (called “Artist Colony”):

“Overall, the northern end of the City lacks distinct gathering places, with residents and businesses relying mainly upon Downtown to serve this need. The Artist Colony provides opportunity to introduce housing along Palm Canyon Drive and to provide much-needed neighborhood-serving commercial uses and gathering spaces.”

The proposed project is limited in its success at promoting civic activity, and in providing places for people to meet and socialize. Aside from the small accessory structures that face Palm Canyon that might be used as home-based businesses, the project does little to provide “*much needed neighborhood serving commercial uses*”. The project is proposed as a gated community that separates itself from the existing surrounding neighborhood. The project turns back yards toward the public streets, provides no internal sidewalks and creates a “wall of garage doors” facing the internal private streets instead of porches, yards, or other architectural features that would promote more “eyes on the streets” and that might encourage community interaction. The small “oasis” for bicyclists at the corner of Palm Canyon Drive and Alvarado provides little in the way of amenities to encourage civic activity, or community gathering and is separated with walls and gates from the rest of the proposed development. Aside from the perimeter walls and narrow strips of landscaping, places that would contribute to creating an appealing “character” for this neighborhood are lacking in this proposal, however conditions of approval have been imposed that address many of these issues and enable the project to be deemed consistent with this finding.

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

The proposed project is located in the C-1/RGA-6 Zones with the Resort Combining Zone Overlay. The PDD is proposed to change the split zoning to a single residential zone with its own unique development standards. The project considerably more dense than the existing large lot, single family development in the vicinity of the project, however the residential uses proposed are suitable and similar to the residential uses in the vicinity. Although the project has frontage along Palm Canyon Drive, it is suitable and appropriate that vehicular access to the project is proposed from the adjacent collector street rather than Palm Canyon Drive. Thus the project conforms to this finding.

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

Proposing residential uses for the subject site is appropriate given that the general development pattern in the vicinity is also residential. The General Plan promotes the concept of “Mid-block residential” along major thoroughfares, which encourages clustering of commercial / retail uses at the major intersections within walking distance to residential areas, rather than as a long commercial strip that relies more heavily on vehicular movement. The project conforms to this finding.

Section 3: Resort Combining Zone Finding.

In addition to the above, required findings outlined in Section 92.25.00 requires that the Planning Commission evaluate the project against the findings of the Resort Combining Zone. The zoning code notes that:

Uses shall be as provided in the underlying zone with which the "R" zone is combined, except that:...All multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging houses, and condominiums) shall be permitted only by conditional use permit (CUP).

The proposed development is proposed with 46 detached homes on individual lots within a gated development with a Homeowners Association (HOA) that will function much like a condominium association to maintain the common areas of the development including landscape, private roadways walls and gates. As such the project is evaluated against the resort combining finding and the findings for a Conditional Use Permit as follows:

The Resort Combining Zone Finding: Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone.

The proposed use, detached residential units, is generally compatible with the surroundings in the vicinity which are also mostly residential in character. The near north side of the City has essentially only two commercial corridors to serve the residential population in this part of the City: North Palm Canyon Drive and North Indian Canyon Drive. The scattering of existing commercial uses along this segment of Palm Drive are mostly local-serving businesses and a few older small hotels. The underlying C-1 zone would allow commercial uses, but continuing a pattern of a long string of commercial uses along Palm Canyon is not consistent with the General Plan vision of concentrating commercial uses at major thoroughfares to encourage community gathering and less reliance on vehicular trips. Therefore, the proposed project is consistent with this finding.

Section 4: Conditional Use Permit Findings:

The proposed detached homes have shared interest and ownership of the common areas of the project and thus are deemed a form of condominium ownership. Condominiums proposed in the Resort Combining Zone require a Conditional Use Permit. The CUP is submitted as an integral part of the PDD pursuant to PSZC Section 94.02.00.A.4. The project is evaluated against the findings of the CUP (PSZC 94.02.00) as follows:

The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:

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

The proposed detached residential use is permitted in the RGA-6 zone subject to the R-1-C standards. The Zoning Code allows deviations in these standards via approval of a PDD. The project proposes a PDD in lieu of a change of zone, with unique development standards for residential uses within a condominium form of ownership. With approval of the PDD, the project is consistent with this finding.

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

Development of the subject site with detached residential uses structured in a condominium form of ownership is desirable as a means of bringing a variety of housing choices to the community. The project is consistent with the General Plan Mixed Use / Multi Use land use designation in terms of density and with policies of the General Plan that encourage mid-block residential along major thoroughfares. The residential uses are not detrimental to existing or future uses because the primary zoning and general plan land use designation for most areas in the vicinity of the project are also residential in nature. The project therefore conforms to this finding.

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

The roughly 5.23-acre site is proposed with 46 detached dwelling units structured in a condominium form of ownership. With the approval of the PDD in lieu of a change of zone, the City would be establishing the PDD as a separate zone with its own unique development standards and the project would be deemed in conformance with this finding.

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

The project proposes to take vehicular access off Alvarado Road which is a local street and emergency access from De Anza which is a collector. This arrangement is appropriate for carrying the type and quantity of traffic generated by the proposed use and thus the project conforms to this finding.

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

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit “A”.

Section 5: Analysis of the project against Zoning Code Section 94.04 (Architectural Review):

The application includes a Major Architectural Application (Case 3.3742 MAJ) which is reviewed against the City Architectural Guidelines as follows:

The planning commission... ..examined the material submitted with the architectural approval application and specific aspects of design 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 was evaluated based on consideration of the following:

Item	Guideline:	Conforms ?	Staff Evaluation:
1	Does the proposed development provide a desirable environment for its occupants?	Partially	<ul style="list-style-type: none"> • The proposed project provides mostly three bedroom detached homes with individual private outdoor patios. • The space between the homes is quite narrow compared to their height. • Back yards are small and A/C condensing units and pool pumps will require split face block enclosures to reduce noise impacts onto private patios. • Back yards facing Palm Canyon may also be quite noisy from road impacts.
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Partially	Existing development in the project vicinity is mostly larger single family detached units on larger lots. Architectural styles are eclectic.

3	Is the proposed development of good composition, materials, textures, and colors?	Partially	The 46 homes are all “shed-roofed” two story structures clad in stucco with blue, yellow and orange accent colors. The units are repetitive in their massing. The color variation helps reduce the monotonous appearance. Some units are staggered on the lots to attempt to break up the monotony of the wall of garage doors, but this is limited in its success.
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	Partially	<p>The units are extremely close to one another creating “canyon like” space between at the front entries.</p> <p>Due to the site design, open space is limited at each home and there is virtually no front yard due to the placement of the 2-car garages.</p> <p>There is no separation of pedestrian and vehicular movement, since sidewalks have not been provided.</p> <p>Back yards are nicely oriented toward views, however back yards facing Palm Canyon will likely have road noise impacts.</p> <p>The sides of several end units are only a foot or two from the private roadways.</p> <p>The units along the east-west private street would be enhanced by providing guest parking in closer proximity to these units.</p>
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	No	The units in the proposed development are very repetitive, despite the introduction of various color combinations. Architecture in the surrounding neighborhood is mostly traditional ranch style homes with clay tile roofs. The architectural style of the units in the proposed development is modern.
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	No	Single family homes are a permitted use in the RGA-6 zone, subject to the standards of R-1-C. The proposed homes do not conform and the PDD is proposing its own set of development standards in terms of lot size, setbacks, lot coverage, open space, and building height.
7	Building design, materials and colors to be sympathetic with desert surroundings	Conforms	The buildings are proposed in neutral colors complementary of the desert surroundings with lively accent colors.

8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Conforms	The proposed materials, colors and other components of the buildings are very basic in appearance, but lively accent colors help reduce the repetitiveness of the unit volumes.
9	Consistency of composition and treatment	Conforms	There is consistency in the composition and treatment of the buildings 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	Conforms	The proposed landscape plans are consistent with desert appropriate trees and plants.
11	Signs and graphics, as understood in architectural design including materials and colors;	N/A	Signs will be submitted under a separate application.

Section 6: Findings for the Tentative Tract Map.

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

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

The TTM proposes a single lot subdivision for condominium purposes with open space, common area, forty-six (46) detached residential units and private streets. The proposed density is within the range specified by the Mixed-use / Multi-use General Plan land use designation. The project proposes private streets that are not consistent with the General Plan, however with the condition of approval requiring street configuration consistent with the General Plan the project is consistent with this finding. No specific plans are associated with the subject property.

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

The proposed project design and improvements are generally not consistent with the C-1 / RGA-6 zone in which the property is located. The PDD in lieu of a zone change proposes single family uses structured in a condominium form of ownership. The PDD proposes detached residential uses with development standards that do not conform to the R-1-C standards, and proposes a density that is greater than the maximum allowable for the RGA-6 zone. With the approval of the PDD in lieu of a change of zone, the project will be established as its own unique zone and can be deemed consistent with its own zoning development standards and density.

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

The project site will be graded to accommodate the proposed development. Site modifications include new private driveways to individual residential units from a network of proposed private streets. As currently configured the site is not adequate for the type of development proposed because the proposed private streets do not conform to the General Plan. A condition requiring conformance with the General Plan on street width is included and with this condition, the project is deemed consistent with this finding. With approval of the proposed PDD the site would be deemed physically suitable for this type of development.

Each unit is proposed as a detached two-story residential unit structured within a condominium form of ownership. A total of 46 residences are proposed on the 5.23-acre site. The site has adequate vehicular access with primary access taken from Alvarado Road, a local street, and emergency access onto De Anza Road which is a collector street. The General Plan EIR studied projected traffic and service levels on the surrounding network of public streets and the project density at roughly 9du/ac is less than the maximum allowed for the Mixed-Use / Multi-use designation and thus the site is physically suited for this type of development.

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

The General Plan Mixed-Use / Multi-Use Land Use designation in which the project is sited allows up to 30 du/ac with approval of a PDD. The underlying RGA-6 zone allows 6 du/ac. The PDD in lieu of a change of zone proposes roughly 9du/ac; a density greater than the underlying zone, but less than the maximum allowable by the General Plan. As noted above, although proposed street widths are not consistent with the General Plan, with incorporation of the condition requiring conformance with the General Plan street width, the project can be found consistent with this finding. With approval of the PDD as a change of zone, the project would be consistent with both the General Plan and Zoning in terms of suitability for the proposed density.

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

The Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration is proposed. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The project will therefore not damage or injure fish, wildlife or their habitats.

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

The design of the proposed subdivision includes connections to all public utilities

including water and sewer systems. The layout of internal private streets provides access to each detached residential unit however street width and separation of vehicular and pedestrian movement as proposed are not consistent. With incorporation of the condition requiring General Plan street dimensions and separation of vehicular and pedestrian movement, the project can be found consistent with this finding. No serious public health problems are anticipated.

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

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

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby adopts the Mitigated Negative Declaration under CEQA and approves Case 5.1340 PDD 370 CUP / 3.3742 MAJ / TTM 36725; a Planned Development District in lieu of a Change of Zone, a Conditional Use Permit for Condominiums in the Resort Combining Zone, a Major Architectural Application and a Tentative Tract Map for condominium purposes for development of a gated community of 46, two-story detached residential units with private streets, guest parking, common areas, landscaping and open space on a roughly 5.23-acre parcel located at the southeast corner of North Palm Canyon Drive and Alvarado Road, (APN's 504-074-001, 002 & 008) subject to the conditions set forth in Exhibit A, and recommends approval of the same by the City Council.

ADOPTED this nineteenth day of November, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO. _____

**EXHIBIT A
CONDITIONS OF APPROVAL**

Case 5.1340 PDD 370 CUP / 3.3742 MAJ / TTM 36725 - "Alvarado"
(Southeast corner of North Palm Canyon Drive and Alvarado Road)

(November 19, 2014)

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 (5.1340 PDD 370 CUP / 3.3742 MAJ / TTM 36725); 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 29, 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. Tentative Map. This approval is for Tentative Tract Map 36725 located at the southwest corner of North Palm Canyon Drive and Alvarado Road, date stamped October 29, 2014. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.

ADM 6. 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 5.1340 PDD 370 CUP / 3.3742 MAJ / TTM 36725. 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 7. 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 8. Time Limit on Approval. Approval of the (Planned Development District (PDD) Tentative Tract Map (TTM) and Major Architectural Applications (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.

Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.

Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the original approval (Tentative Tract Map)

- ADM 9. 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 10. 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 11. 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 12. Maintenance of Outdoor Seating and structures at the Corner "Oasis". Periodic cleaning of the "oasis" at the corner of North Palm Canyon Drive and Alvarado Road shall be the responsibility of the project's homeowners' association (HOA).
- ADM 13. 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

CC&R's.

ADM 14. 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 15. 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 16. 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 planned activities which may occur in the public right-of-way.

ADM 17. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

ADM 18. Community Facilities District. The project will bring additional residents, visitors and activities to the community that will potentially impact the needs for public safety services beyond the City's ability to provide such services; and because such services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic and other safety services, and recreation, library, cultural services are near capacity, the City has established a Community Facilities District to which this project shall be annexed, subject to conditions of approval; and

Prior to recordation of the final map or, at the City's option, prior to issuance of certificate of occupancy, the developer agree to support formation of or annexation into a Community Facilities District (CFD) to include the project

site. Developer further agrees to waive any right of protest or contest such formation or annexation, provided that the amount of any assessment for any single family dwelling unit (or the equivalency thereof when applied to multiple family, commercial or industrial) as established through appropriate study shall not exceed \$500 annually per dwelling unit or dwelling unit equivalency unit, subject to an annual consumer price index escalator. Prior to sale of any lots, or prior to the issuance of any certificate of occupancy, or prior to any approval of the Building Official that will allow the premises to be occupied, the CFD shall be formed, the annexation thereto shall occur, or at the option of the City Manager and Building Official, a covenant agreement may be recorded against any affected parcel(s) with the project, evidencing the Owner's binding consent, approval, and waiver of rights as provided in this condition of approval.

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. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the CEQA Evaluation and summarized here as follows:
- ENV 4. 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 5. 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.

a). A cultural resources inventory of the project area by a qualified archaeologist prior to any development activities in the area is required.

b) 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.

c). 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 and Chapter 11.06) of the Palm Springs Municipal Code and all other relevant 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 City's Water Efficient Landscape Ordinances.

- PLN 3. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:
- a. The project's final landscape plan shall be submitted for review by the AAC subcommittee (Purnell, Fredricks, Cassady) for recommendation for approval to the Director of Planning prior to issuance of building permits.
- PLN 4. Palm Tree Requirement. In accordance with Planning Commission Resolution No. 1503, dated November 18, 1970, the developer is required to plant Washingtonia Fillifera (California Fan) palm trees (14 feet from ground to fronds in height) 60 feet apart along the entire frontage of Palm Canyon Drive and/or Tahquitz Canyon Way median.
- PLN 5. 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 permit/program to the Department of Planning Services prior to the issuance of building permits.
- PLN 6. 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 7. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 8. 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 9. 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 10. 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 11. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.

- PLN 12. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 13. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 14. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by residents and commercial/retail patrons and owners. Location and design shall be approved by the Director of Planning.
- PLN 15. 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 16. Update of City's Zoning Map. Upon approval of the proposed Change of Zone, Tract Map and/or Planned Development District, the applicant shall be responsible for costs associated with update of the City's GIS based zoning maps.
- PLN 17. Open Space. Provide at least ten feet between the sides of units.
- PLN 18. Streets and sidewalks to conform to General Plan. Revise the widths of the private streets to conform to the General Plan and/or provide separate sidewalks distinct from the vehicular travelway on the private streets.
- PLN 19. Live/Work Units on lots backing onto Palm Canyon Drive. The accessory units developed as part of this approval may not be rented separately from the main dwelling units to which they are assigned. CC&R's shall reflect this restriction. Architectural Review Required of the accessory "live/work" units that back onto Palm Canyon Drive by the AAC with a recommendation to staff

on providing variety to the Palm Canyon facades of these units prior to submittal of building permits.

- PLN 20. Provide pedestrian gates at all rear yards facing a public street to interconnect the development with the surrounding community.
- PLN 21. Shade Structure Option for Buyers. Develop a design for shade structures in the back yards that integrates with the architecture of the complex that buyers could include as a purchase option; review design with Director of Planning for design approval.
- PLN 22. Provide 'smart controllers' for all irrigation systems.
- PLN 23. Pre-wire all units for photovoltaic rooftop units.
- PLN 24. 48 inch box shade trees. Provide at least 48 inch box shade trees for corner public open space. Select an alternative to the Shoestring Acacia species with greater shade canopy.
- PLN 25. Landscape Design Review by AAC. The landscape design and perimeter walls for the entire project are to be reviewed by the AAC subcommittee (Purnell, Fredricks, Cassady) for recommendation of approval to staff prior to issuance of building permits. Perimeter wall design should incorporate "open pedestrian access".
- PLN 26. (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.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Applicant shall obtain State permits and approval of plans for any work done on State Highway 111. A copy of an approved Caltrans encroachment permit shall be provided to the City Engineer prior to the issuance of any grading or building permits if there is any work being done in the public right-of-way on State Highway 111.
- ENG 3. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.

ALVARADO ROAD

- ENG 4. Construct a 6 inch curb and gutter, 18 feet south of centerline along the entire frontage, with a 35 feet radius curb return and spandrel at the southeast corner of the intersection of Alvarado Road and North Palm Canyon Drive in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 5. Construct a 42 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 6. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 7. Construct a Type A curb ramp meeting current California State Accessibility standards at the southeast corner of the intersection of Alvarado Road and North Palm Canyon Drive in accordance with City of Palm Springs Standard Drawing No.212.
- ENG 8. Construct pavement with a minimum pavement section of 2.5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to centerline along the entire Alvarado Road frontage in accordance with City of Palm Springs Standard Drawing No. 110. (Additional pavement removal and replacement may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel

lane.) 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.

- ENG 9. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

DE ANZA ROAD

- ENG 10. Construct a 6 inch curb and gutter, 20 feet west of centerline along the entire frontage, with a 25 feet radius curb return and spandrel at the southwest corner of the intersection of Alvarado Road and De Anza Road in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 11. Construct a 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.

- ENG 12. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

- ENG 13. Construct a Type A curb ramp meeting current California State Accessibility standards at the southwest corner of the intersection of Alvarado Road and De Anza Road in accordance with City of Palm Springs Standard Drawing No.212.

- ENG 14. Construct pavement with a minimum pavement section of 2.5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to centerline along the entire De Anza Road frontage in accordance with City of Palm Springs Standard Drawing No. 110. (Additional pavement removal and replacement may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel lane.) 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.

- ENG 15. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

NORTH PALM CANYON DRIVE (HIGHWAY 111)

ENG 16. Contact the Director of Parks and Recreation to determine if the existing palm trees, irrigation, and street lights along the North Palm Canyon Drive frontage will have to be replaced in conjunction with this project.

ENG 17. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ON-SITE

ENG 18. The on-site layout of streets (or drive aisles) 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.

ENG 19. The minimum pavement section for all on-site pavement (specify drive aisles, parking spaces, etc.) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. 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.

ENG 20. All on-site private streets (or drive aisles) shall be two-way with a minimum 28 feet wide travelway (as measured from face of curb) where no on-street parking is proposed.

ENG 21. On-site drive aisles (or parking lot) shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

SANITARY SEWER

ENG 22. All sanitary facilities shall be connected to the public (or private) sewer system (via the proposed on-site private sewer system). New laterals shall not be connected at manholes.

ENG 23. If an on-site private sewer system is proposed to collect sewage from the development and connect to the existing public sewer system, 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. Sewer manhole covers shall be identified as "Private Sewer". A profile view of the on-site private sewer mains is not necessary if 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.

ENG 24. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.

ENG 25. Upon completion of the construction of public sewer lines, an as-built drawing in digital format shall be provided to the City as required by the City Engineer, if the sewer was not constructed in accordance with the original approved sewer plans.

GRADING

ENG 26. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading 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 <http://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 Grading plan.

- b. The first submittal of the Grading 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 Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.
- ENG 27. Prior to approval of a Grading Plan (or issuance of a Grading Permit), 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.
- ENG 28. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 29. (Temporary dust control) 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.
- ENG 30. 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.
- ENG 31. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. 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 or building permit.

- ENG 32. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 33. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 34. A Geotechnical/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 Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 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 Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 36. This project shall 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 contaminated stormwater and non-stormwater runoff, shall 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 contaminated stormwater and non-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. 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 (if any).

- ENG 37. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- a. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.
 - b. Prior to issuance of certificate of occupancy or final City approvals (OR "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

- c. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall:
- d. Demonstrate that all structural BMPs have been constructed and installed in conformance with approved plans and specifications;
- e. Demonstrate that applicant is prepared to implement all non-structural BMPs included in the approved Final Project-Specific Water Quality Management Plan (WQMP), conditions of approval, or grading/building permit conditions; and
- f. Demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

- ENG 38. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention
- ENG 39. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to North Palm Canyon Drive, Alvarado Road or De Anza Road. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.

- ENG 40. This project shall 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 contaminated stormwater and non-stormwater runoff, shall 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 contaminated stormwater and non-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. 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.
- ENG 41. The project is subject to flood control and drainage implementation fees pursuant to Resolution 14082. The acreage drainage fee at the present time is \$ 6511.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.
- ENG 42. 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.

GENERAL

- ENG 43. 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, Mission Springs Water District, 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.

- ENG 44. 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.
- ENG 45. All proposed utility lines shall be installed underground.
- ENG 46. All proposed utility lines shall be installed underground. The applicant shall coordinate with Southern California Edison to install underground conduit for future underground service from the street, for use at such time as the existing overhead utilities in the neighborhood are converted to an underground system.
- ENG 47. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 48. Upon approval of any improvement plan (if required) 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 by the City Engineer.
- ENG 49. 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.

ENG 50. 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.

MAP

ENG 51. 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 (Parcel/Final) Map to the Engineering Division as part of the review of the Map. The (Parcel/Final) Map shall be approved by the City Council prior to issuance of building permits.

ENG 52. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of the Final (Parcel) Map by the City Council, or in the absence of a Final (Parcel) Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 53. 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, 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

- ENG 54. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 55. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 56. Submit traffic striping and signage plans for Alvarado Road and De Anza Road prepared by a California registered civil engineer, for review and approval by the City Engineer. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 57. 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 (MUTCD), dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 58. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

- FID1 These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan received and dated November 4, 2014. Additional requirements may be required at that time based on revisions to site plans.
- FID2 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 (4) 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.

FID3 PLANS AND PERMITS

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer’s technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer’s technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

FID4

Street Widths (CFC Appendix L; PSMC § 8.04.500; Palm Springs 2007 General Plan): Private streets in any residential or mixed use land use designation may be reduced to a minimum of 28 feet (curb face to curb face) provided that (1) additional off street parking is provided as determined by the City Engineer, the Fire Chief and Director of Planning, (2) rolled or wedge curb is provided such that vehicles may park partially out of the traveled way, and (3) pedestrian pathways or sidewalks, if located along the street, separated from the curb by a minimum five-foot parkway are provided.

Any street not designated by the fire department as a “fire lane” shall comply with the above requirements.

FID5

Fire Apparatus Access Roads (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 Apparatus Access Road (CFC 202 Definitions) – A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

Dimensions (CFC 503.2.1): Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (*for designated fire lanes*) except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

FID6

Fire Lanes (CFC 202 Definitions): A road or other passageway developed to allow the passage of fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus. A “fire lane” is a component of a “fire apparatus access road”.

Designation of Fire Lanes (CVC 22500.1): Only the fire department with jurisdiction over the area in which the place is located can designate a fire lane.

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 Lane Marking (CFC 503.3): Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

FID7

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 9/4/2002.

FID8

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.

FID9 Traffic Calming Devices (CFC 503.4.1): Traffic calming devices shall be prohibited unless approved by the fire code official.

FID10 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. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. 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.

FID11 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)

FID12 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

FID1 **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 13D, 2013 Edition, as modified by local ordinance.

FID 14 **PROJECT NOTES:**
Designated Fire Access Road depicted at the east side of the complex shall meet fire apparatus access road requirements above. Bocce Ball Court shall not interfere with the road level.

END OF CONDITIONS

West Coast Housing Partners, LLC

RECEIVED

HAND - DELIVERD

OCT 29 2014

PLANNING SERVICES
DEPARTMENT

October 29, 2014

Messrs. Flinn Fagg and Ken Lyon
Department of Planning Services
City of Palm Springs Planning Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Subject: Alvarado in the Art Colony
Re-Submittal
Case 5.1340, PDD 370, TTM 36725

Dear Messrs. Fagg and Lyon:

On behalf of the Alvarado in the Art Colony project team, West Coast Housing Partners, LLC, resubmits the following documents in response to the comments received during the October 8, 2014 Planning Commission hearing.

- Tentative Tract Map No 26725
- Site Plan
- Conceptual Landscape Plan
- Various Renderings

These revisions are a result of considerable time and effort reviewing the comments received during the October 8, 2014 Planning Commission hearing in light of current market and economic realities. A brief summary of these revisions are:

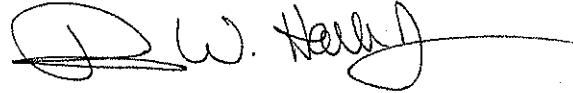
1. Tentative Tract Map. Tentative Tract Map No. 36725, dated May 15, 2014 will be replaced with a one parcel condominium map.
2. Interior Street. The asphalt surfaces of the interior streets will be replaced with interlocking pavers.
3. Guest Parking. Three additional parking spaces have been added throughout the project.
4. Service-Only Restricted Parking. Three parking spaces will be restricted to be only for service vehicles from Monday through Friday during work hours.
5. Garage Door Re-Design. The garage doors have been re-designed by adding a combination of vertical or horizontal glazing to some. In

addition, the colors of the garage doors have been matched to the color of the wall they sit in.

6. Driveway Trees. New trees have been proposed.
7. Corner Plaza / Bike Oasis. The Corner Plaza has been modified by adding 48" trees to provide more shade. Seating has been located. The Bike Oasis will consist of a stationary bike pump, repair station, water bottle refilling fountain, all of which will be cleaned and maintained by the project's home owners association.
8. A gate and sidewalk have been added to allow the project residents to have direct access to the bike oasis.
9. Pedestrian gates. The pedestrian gates will be equipped with automatic locks that will be open during daylight hours and locked evenings.
10. Additional Active Gathering Amenities. A dog walking path has been incorporated into the center of the southern portion of the property. A bocce ball court has also been located with the project. Lastly, the entrance park has been revised to provide a better facility for residents to gather.
11. Direct Pedestrian Access from Alvarado Road and North Palm Canyon Drive.
All units facing Alvarado Road and North Palm Canyon Drive will continue to have direct access to the street.
12. Additional Project Components: The project will incorporate various other items such as:
 - a. Noise reduction of Pool and HVAC Equipment: Central air conditioner equipment with 55db levels or less will be utilized. Noise-absorbing split face masonry block walls will enclose all this equipment.
 - b. Optional back yard shade structures will be offered.
 - c. The CC&R's will prohibit the rental of the casitas.

We respectfully believe the above-mentioned modifications have enhanced the project to be consistent with all provisions of the City's codes and regulations, while providing the best site plan and product for the conditions of the property and the economic realities of the market. Therefore, we request the project be noticed and be heard during the Planning Commission's November 12th meeting.

Very Truly Yours,
WEST COAST HOUSING PARTNERS, LLC



By:

R. W. (Whitt) Hollis, Jr.
Vice President of Land Acquisition

cc: David Ready, City of Palm Springs City Manager
The Eric Brandenburg Separate Property Trust,
Attn: Eric Brandenburg, Trustee and William B. Baron
Krystal Návar, Modative
Rob Parker, Design Principal, RGA Landscape Architects, Inc.
Marvin D. Roos, Director of Design Development, MSA Consulting, Inc
Steve Hester, West Coast Housing Partners, LLC

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: SEPTEMBER 24, 2014

ACTION: Approved, as submitted (Vice-Chair Klatchko abstained).

Motion: Commissioner Roberts, seconded by Commissioner Calerdine and carried 6-0-1 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Chair Hudson

ABSTAIN: Vice-Chair Klatchko

2. PUBLIC HEARING:

2A. WEST COAST HOUSING PARTNERS ON BEHALF OF THE PROPERTY OWNER, THE ERIC BRANDENBERG SEPARATE PROPERTY TRUST, FOR APPROVAL OF A PRELIMINARY AND FINAL PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A MAJOR ARCHITECTURAL APPLICATION, AND A TENTATIVE TRACT MAP PROPOSING A DEVELOPMENT OF 46 SINGLE FAMILY DETACHED UNITS ON INDIVIDUAL LOTS, COMMON PRIVATE STREETS AND OPEN SPACE ON A ROUGHLY 5.23 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO (CASE 5.1340 PDD 370, 3.3742 MAJ, TTM36725). (KL)

Associate Planner Lyon presented the proposed project as outlined in the staff report. Mr. Lyon pointed out that the applicant is seeking approval of both the preliminary and final PDD with this submittal. He noted that the applicant has reviewed this project with the neighborhood association.

Vice-Chair Klatchko asked staff to clarify the applicant's responses/comments to the staff report. Associate Planner Lyon provided a summary of staff's responses.

Commissioner Middleton asked where the existing and future planned bike lanes are in this area. Assistant Director of Public Works Khamphou responded that bike lanes are planned for Racquet Club and North Palm Canyon (Tramway Road connecting to downtown) will tie-in to the Coachella Valley Link. He described the Class 2 and 3 bike routes.

Chair Hudson opened the public hearing:

WHITT HOLLIS, West Coast Housing Partners, LLC, commented that staff's response to their comments was submitted at this meeting and they have not had time to review

it. Mr. Hollis spoke about their work on the analysis of the market, design team and communication with staff.

KRYSTAL NAVAR, Modative (project architect), spoke about history of architecture in the city and they have applied the principles of mid-century architecture to the project. She commented that they considered the many physical factors of the site including solar orientation, access to views, noise, privacy concerns, vehicular and pedestrian access, building separation, side-yards, wall articulation, driveways and desert landscaping.

ROB PARKER, RGA Landscape Architects, provided details on the proposed bike oasis, available space for dog park, open space and the Palm Canyon Drive frontage.

MARVIN ROOS, MSA Consulting, Inc., commented that did not agree with the staff report and stated that a PDD is necessary to conform to the General Plan. He noted that this site is an intense Palm Canyon frontage and provided further explanation to their responses/comments to the staff report.

GARY LEE SMITH, resides at 43 @ Racquet Club, spoke in favor of the project; noting that it will eliminate the blight in this area. He does not find the building separation as problematic (project similar to 43 @ Racquet Club) and prefers a gated community.

RANDY SMITH, spoke in opposition of the 2-story building height and driveway entrance directly in front of his house.

MARVIN ROOS, applicant response, stated that both zones and the multi-use allow for 2 story buildings and addressed the driveway entrance.

There being no further appearances the public hearing was closed.

Vice-Chair Klatchko made the following comments:

- Likes many aspects of the project - such as the angular placement of the buildings and the entrance on Alvarado.
- Concern with the lack of sidewalks - although the wide paseos allow pedestrian friendly pathways.
- Lack of guest parking.
- No concern with zero lot line development.

Commissioner Middleton concurred with Vice-Chair Klatchko and appreciated the neighborhood outreach. She made the following comments:

- Concern with the density of the project.
- Units are too close together.

- Likes the colors.
- A few more windows are needed; particularly above the garage area.
- Additional space may be needed for bike lanes on Palm Canyon.
- Lack of guest parking.
- Additional shade trees.

Commissioner Weremiuk made the following comments:

- Lack of guest parking.
- Project is too dense.
- Building separation is not sufficient and should be a minimum of 10 feet for side-yards.
- Applicant's opposition to install smart water controllers.

Commissioner Roberts made the following comments:

- Project has good qualities - the accessory structures on the Palm Canyon elevation work aesthetically.
- Project is requesting too much deviation with minimum public benefit.
- Project too dense.
- Lack of guest parking spaces.
- Insufficient building separation - minimum of 10 ft. side-yard setbacks.
- Insufficient parking for service trucks etc.
- Gated development should be more open and accessible.

Commissioner Calderine commented that he is not opposed to the density of this project. He said that there are several developments that are similar to this project and would like to see a comparison. He noted that this is not the typical multi-family development and the variety on Palm Canyon is acceptable. Commissioner Calderine suggested adding public pedestrian access to the interior streets. And a pedestrian access from the site to the plaza.

Commissioner Roberts commented that the repetition of the garage doors feels like a back alley and the 2nd floor is repetitive. Staff has an on-going list of public benefits for the community and encouraged the applicant to take a look at this.

Chair Hudson made the following comments:

- The site has two different zones.
- Concern with the row of 14 houses along North Palm Canyon; and the two-car garage doors house on the interior street with 6 ft. separations - a larger space is needed between houses.
- Flexibility for the one-story accessory units along North Palm Canyon.

- Landscape design is the better aspect of the project.
- As a community amenity the plaza becomes more developed.
- Prefers shade trees instead of a shade structure.
- Encourage the applicant to provide a few more boulders for seating.
- Building separation is too close.
- Concern with gated communities.
- A controlled vehicular access makes sense.
- More use of speed bumps and articulation of the interior streets to slow down traffic.
- Increase permeable surfacing for paving.
- Increase more shared parking.
- The architecture does not respond to the site. (Roofs not oriented for solar collectors).


ACTION: Table with specific direction to the applicant to revise the project and re-submit.

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

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

The Commission provided the following direction for the applicant make revisions to the project:

- Item 1: Provide at least 10 feet between units for more usable open space and less density. (This was noted as both an open space issue and a density issue).
- Item 2: Revise the site concept to provide better accommodation for pedestrian circulation within the project to provide sidewalks along 1 side of the streets or by other creative means, taking into consideration workmen and guests as well as residents. [Staff Note: Reference PSZC 94.04 Architectural Review guideline D.1 which notes, "...Definition of pedestrian and vehicular areas; i.e. sidewalks as distinct from parking lot areas;" (e.g. vehicular travel ways) and note additional PC comment #14 below on paving differentiation].
- Item 3. If sidewalks are not provided along streets, then revise widths of private streets to conform to General Plan, (especially in lieu of sidewalks, must have one or the other).
- Item 4. Provide live/work as proposed by the applicant on the site plan, allow for variety in the architectural composition of these units, without kitchens (do not allow them to become rental units).

- 
- Item 5. Provide 48 inch minimum box size for shade trees as shown on the landscape plan at the corner oasis. Select species suitable for the windy conditions at the site in lieu of structures for shade at that corner and provide more individual seating.
 - Item 6. Reduce the monotony of the wall of garage doors by either turning the corner unit garage doors to the sides or revise the site plan in some other way to eliminate the repetitive monotonous nature of the row of garage doors along the interior streets.
 - Item 7. Provide perimeter pedestrian gates at all units backing onto the public streets and also provide doorbell systems to allow visitors to access units from these gates.
 - Item 8. Provide optional back yard shade structures for prospective buyers that complement the architecture of the homes.
 - Item 9. Utilize angling or other design solutions to relieve the long planar walls of the garage doors along the interior streets.
 - Item 10. Create a better solution to reduce noise dramatically from the pool and HVAC units or move these mechanical units away from the back yards to eliminate noise impacts on those yards.
 - Item 11. Provide more guest parking within the project (no specific quantity was stated). Also, regarding guest access, provide means at the main entry gates and along the perimeter public streets for open pedestrian access (i.e. vehicular gates may be retained, but allow open pedestrian access from the perimeter of the project for guest/neighborhood connectivity that does not require keys or controlled access intercom, etc.).
 - Item 12. Provide active gathering amenities in the common open space (i.e. development has central open space for gathering, community interaction etc.).

Other specific requests/direction for design revision made as a part of the Planning Commission motion includes:

- A.) Orient roof slopes to make future installation of solar feasible (i.e. roof slopes should face south);
- B.) Provide prewire for photovoltaic solar panels.
- C.) Enhanced interior pavement – no asphalt, integrate pavers at private streets to perhaps aid in demarcating separation of pedestrian way from vehicular travel way.
- D.) Pedestrian open access if there is to be vehicular gates. Research new technology entry gate systems with second arms, camera systems, no -back up systems, etc. that allows controlled vehicular access but free pedestrian access.
- E.) Propose additional public benefits (review suggestions from staff or other; see comment below).

- F.) Provide at least the hand tire pump and water bottle filling as a minimum set of amenities at the corner oasis.
- G.) Wash down of the amenities at the corner is not required.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

Commissioner Roberts wanted to make sure that the City Council is clear on their recommendations beyond the action minutes on the Lawrence Rael project which is on appeal and other large projects.

Director Fagg responded that the City Attorney attorney's response was that the action by the Planning Commission is the record on the item. Mr. Fagg indicated that the summary and findings provided to the City Council give a basis for the way the Planning Commission voted on the item.

Commissioner Roberts requested a study session for the aforementioned item and also to discuss with staff how to better provide information to the applicants when seeking relief from the Zoning Code and General Plan such as Variances and PDD's.

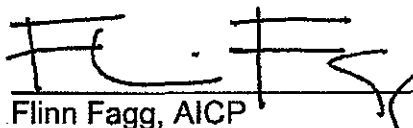
Commissioner Weremiuk noted that a subcommittee (Calderine, Roberts and Weremiuk) previously worked on establishing small lot subdivision guidelines. Director Fagg recommend that this subcommittee could start up again to continue their work. The subcommittee members agreed.

PLANNING DIRECTOR'S REPORT:

Director Fagg commented that a study session will be held next month to discuss the items requested by the Commission.

ADJOURNMENT:

The Planning Commission adjourned at 3:24 pm to Wednesday, October 22, 2014, at 1:30 pm, City Hall Council Chamber, 3200 East Tahquitz Canyon Way.


Flinn Fagg, AICP
Director of Planning Services

BOARD MEMBER FAUBER asked for clarification on whether calculation of area was based on the merged lot. (yes)

BOARD MEMBER FREDRICKS inquired about plant type and sizes. (noted on the drawings)

BOARD MEMBER SONG inquired about window frame color, material and detailing (same as rest of Luminaire).

APPLICANT'S ARCHITECT clarified the windows are only slightly recessed because of limit of wall thickness.

M/S/C (Hirschbein/Cassady, 6-0-1 absent/Secoy-Jensen) Recommend approval to the Planning Commission as submitted.

- 4. THE ERIC BRANDENBERG SEPARATE PROPERTY TRUST FOR APPROVAL OF A PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A MAJOR ARCHITECTURAL APPLICATION, AND A TENTATIVE TRACT MAP PROPOSING A GATED COMMUNITY OF 46 TWO-STORY, SINGLE FAMILY DETACHED UNITS ON INDIVIDUAL LOTS, COMMON PRIVATE STREETS AND OPEN SPACE ON A ROUGHLY 5.23 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD (CASE 5.1340 PDD 370, 3.3742 MAJ, TTM 36725). (KL)**

BOARD MEMBER SONG recused herself and left the room.

ASSOCIATE PLANNER LYON summarized the staff report.

BOARD MEMBER HIRSCHBEIN inquired about discrepancy between General Plan and Zoning densities and standards. (differing zones may exist in a single General Plan land use designation; PD used to increase density over underlying zone.)

BOARD MEMBER HIRSCHBEIN asked about casitas for commercial uses, parking, and signage. (same as underlying C-1 and home occupancy; parking available along Palm Canyon, signs pursuant to the zoning ordinance and home occupancy ordinance).

BOARD MEMBER HIRSCHBEIN inquired about noise mitigation. (casitas function to mask some road noise from Palm Canyon).

BOARD MEMBER FREDRICKS asked about removing gates (applicant/market desire gates on the development).

BOARD MEMBER CASSADY asked about whether all Palm Canyon backing units

could have casitas. (yes)

CHAIR FAUBER asked whether casitas could be constructed on other sites. (yes, 2 to 3 more could be located within)

CHAIR FAUBER asked about deleting gates, but also prefers if walls are to be provided, that the pedestrian gates are important. He also asked about triangular open space within the development (open common area for residents).

CHAIR FAUBER asked about amount of green shown on drawings. (desert scape is proposed)

BOARD MEMBER HIRSCHBEIN asked about open space along south side of project. (retention and not connected to public way to avoid homeless problems.)

CHAIR FAUBER opened the item for public comment.

BOARD MEMBER CASSADY expressed positive opinion about the project and that as a gated community it was acceptable to him.

BOARD MEMBER PURNELL expressed positive opinion about the project including architecture and mixed use/live work along Palm Canyon and the general landscape concept.

CHAIR FAUBER asked about areas within the complex for dog walking (retention basin).

VICE-CHAIR FREDRICKS expressed positive opinion including it being proposed as gated.

M/S/C (Fredricks/Cassady, 5-0-1-1 abstained/Song, absent/Secoy-Jensen)
Recommend approval by the Planning Commission as proposed and appoint landscape subcommittee (Purnell/Fredricks/Cassady) to review final landscape plan check submission.

BOARD MEMBER Song returned to the meeting.

- ~~5. THE PALM SPRINGS ART MUSEUM REQUESTING APPROVAL OF A SIGN VARIANCE FOR THE MUSEUM'S ARCHITECTURE + DESIGN CENTER (AKA THE SANTA FE FEDERAL SAVINGS & LOAN BUILDING), A CLASS 1 HISTORIC SITE LOCATED AT 300 SOUTH PALM CANYON DRIVE (ZONE CBD) (HSPB 54 / CASE 8.259 VAR (KL)~~

ASSOCIATE PLANNER LYON summarized the staff report.

West Coast Housing Partners, LLC

VIA EMAIL

July 31, 2014

Mr. Ken Lyon
Associate Planner
City of Palm Springs Planning Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Subject: Revised Justification Letter for “Alvarado in the Art Colony”
Applications, **Planned Development District, Tentative Tract Map
& Major Architectural Approval**

Dear Mr. Lyon:

Reference is made to MSA Consulting Inc’s May 15, 2014 Justification Letter (Roos). As a result of subsequent discussions with the City, West Coast Housing Partners, LLC would like to provide this Revised **Letter of Justification**.

Detailed Project Description

Applications: The Project proposal involves a **Planned Development District in lieu of a Change of Zone**, a **Tentative Tract Map** and a **Major Architectural Approval**.

Location: The Alvarado in the Art Colony project is located on 5.23 net acres of land on the east side of North Palm Canyon Drive, south of Alvarado Road, West of De Anza Road, and north of the Northgate 111 shopping center. The property is in Section 3, T.4S R.4E.

Property Configuration and General Plan/Zoning: The 5.23 acre site fronts three streets including North Palm Canyon Drive and is located one-third of a mile SW of the Palm Springs Visitor Center at Tram Way. The property has a single General Plan land use of Mixed Use/Multi Use and split zoning with the frontage zoned C-1 (General Commercial) to a depth of 200 feet parallel to NPCD and the remainder zoned R-G-A-(6) (Residential Garden Apartments—6 d.u./acres). In addition, the property has the Resort Overlay Zone that covers only the C-1 portion of the site.

Site History: The site appears from older aerial photos to have had a small structure at the NW corner of what would have been Cabrillo Road (extended) at North Palm Canyon Drive. Both Cabrillo Road and Cortez Road were anticipated at one time to be extended westerly to intersect with North Palm Canyon Drive but both streets were vacated through the subject property by past city actions. Whatever structure may have been there has been long removed. No previous entitlements are known for the site.

Surrounding Uses: Property to the south of the site is a developed commercial center (PDD); property to the north is vacant between Palm Canyon Drive and Los Felices and has the same 200 foot deep C-1 zoning with the remainder zoned R-G-A (6). From Los Felices easterly the property north of the subject property is developed single family with the same R-G-A (6) zoning and easterly of the project, properties on the east side of De Anza are fully developed with a combination of garden condominiums and single family homes, all with R-G-A (6) zoning and all single-story. Across Palm Canyon Drive there are two single-story commercial buildings and several vacant parcels.

Development Proposal: The Project is a 46-lot detached single-family residential development on approximately 5.23 acres of vacant land. The project will be gated with the main entrance being located just east of the intersection of Alvarado Road and Los Felices Road. A second access, located just southerly of the intersection of Cabrillo, is proposed for resident's egress only while also providing access for emergency vehicles. Each of the parcels contains a single, two-story unit with an attached 2 car garage and a private swimming pool. Eight units facing North Palm Canyon Drive and two additional interior units have the option of building a small structure adjacent to the street that could be a pool cabana, a casita or a home office.

Each unit facing Palm Canyon Drive and Alvarado Road will have a private, gated personal entrance providing direct access to the street. At the intersection of Alvarado Road and North Palm Canyon Drive there will be a publicly accessible "Corner Plaza" that will be a strong visual entry welcome for vehicular traffic entering Palm Springs. The major open space component of the project will be located along the southerly boundary and will serve dual use as passive open space/recreation and retention of storm water. North Palm Canyon Drive will include a dynamic streetscape afforded by the twenty-eight foot wide parkway found in this stretch of North Palm Canyon Drive. The landscape scheme will incorporate the existing Washingtonia Robusta palm trees but replace the existing old sidewalk with an inviting new public walk along with landscape elements and entries to the new homes along Palm Canyon. Along De Anza Road, the new homes will be setback 130 feet or more from existing single family residences and views to the San Jacinto Mountains will be substantially maintained.

Construction schedule: The proposed construction schedule is as follows:

- | | |
|-------------------------|------------------------------|
| ▪ Rough Grading | Late 4 th Q, 2014 |
| ▪ Infrastructure | 1 st Q, 2015 |
| ▪ Building Construction | 1 st Q, 2015 |
| ▪ Start of Home Sales | 4 th Q, 2015 |
| ▪ Buildout | 1 st Q, 2017 |

Potential Public Benefits: The proposed Alvarado in the Art Colony project will have the following public benefits:

- The development of the project will be a major addition to the North Palm Canyon Drive entry sequence and consistent with the new General Plan (2007) mixed use/multi use category. The Palm Canyon Drive/Alvarado Road corner of the site is proposed as a publically accessible "Corner Plaza" with a generous landscape including native Washingtonia Filifera palms, shade trees and drought tolerant landscape and possibly a public art installation.
- The "Corner Plaza" proposed for the Southeast corner of Alvarado and North Palm Canyon Drive shall have a "Bike Oasis", consisting of a bicycle repair stand, hand operated air pump, water bottle filler, bike racks and shaded seating. The "Corner Plaza" will encourage the connection of Alvarado in the Art Colony with the surrounding neighbors, the future CV Link, and the Downtown.
- The neighborhood to the east of the subject property will be better buffered from noise emanating from traffic on Palm Canyon Drive and also from prevailing winds which will lift over the new development.
- There will be an increase in the number of new residents which will support the commercial uses in the vicinity as well as the city overall and add to the "eyes on the street" and improve overall public safety in the area.
- Planned communities reduce the amount of landscaped and irrigated open space vs. low density residential development and cut the amount of potable water needed on a per unit basis. In this instance, the average open space per unit is approximately 2,400 s.f./unit whereas the old standard 10,000 s.f. R-1-C lot had up to 6,500 s.f. per home.
- There should be an increase in real estate values in the area with a solution to the problems caused by vacant land.
- The proposed Planned Development District (in lieu of a Change of Zone) will allow the surrounding neighbors to know more precisely what can be constructed on the now vacant property.
- The new development will produce a higher revenue stream to all agencies. These include a substantial boost in property taxes, payment of CVMSHCP fees, school impact fees, Acreage Drainage fees, Quimby fees, and TUMF fees among others.

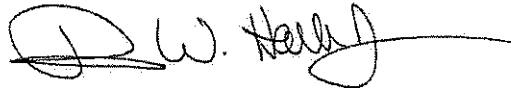
- The development of the property will provide quality employment for the construction industry through the estimated two or so years of development.

Findings: The following Findings are presented in support of the multiple applications needed for the Alvarado in the Art Colony project:

- The proposed development of the property including a Planned Development District (in lieu of a Change of Zone), a Tentative Tract Map, and a Major Architectural Approval represent a specific development solution to a 5.23 acre infill site where the new General Plan (2007) category of Mixed Use/Multi Use needs a PDD to develop specific standards for consistency.
- The current zoning designations on the property (200' deep C-1 zoning parallel with North Palm Canyon Drive and the remainder being R-G-A (6) while potentially consistent with the new General Plan would also act to extend the strip commercial nature of Highway 111 thus the project, providing an integrated plan for the entire property, will better implement the General Plan.
- The size and shape of the property, which both abuts and surrounds existing single family, condominium, and commercial uses, and is well suited for use as an infill residential community that is similar to and compatible with those existing nearby uses.

We look forward to working with the City as the project moves forward.

Very Truly Yours,
WEST COAST HOUSING PARTNERS, LLC



By:

R. W. (Whitt) Hollis, Jr.
Vice President of Land Acquisition

Cc: Steve Hester, West Coast Housing Partners, LLC
Krystal Navar, Modative
Marvin D. Roos, MSA Consulting, Inc.
Ester Wang, RGA Landscape Architects, Inc.



PROJECT NO 14001



ALVARADO IN THE ART COLONY
 2700 N Palm Canyon Dr
 Palm Springs, CA 92262

KEY PLAN



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DE ANZA PERSPECTIVE 1
 1:1.33

SCALE AS SHOWN DATE 10/28/14

RENDERING

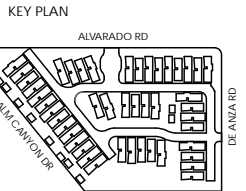




PROJECT NO 14001



ALVARADO IN THE ART COLONY
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Palm Springs, CA 92262



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SITE PLAN LEGEND

HOMES
LOW ROOF POINT = 21.00'
ROOF RIDGE = 24.00'

OPTIONAL CABANA/CASITA/HOME OFFICE
LOW ROOF POINT = 10.00'
ROOF RIDGE = 13.00'

ADDITIONAL CABANA/CASITA/HOME OFFICE SITES
LOW ROOF POINT = 10.00'
ROOF RIDGE = 13.00'

PROPOSED PROJECT INFO

- SETBACKS
WEST (PALM CANYON) - 0'-0"
NORTH (ALVARADO) - 25'-0"
EAST (DE ANZA) - 20'-0"
SOUTH - 0'-0"
- BUILDING SEPARATION
MINIMUM 6'-0" SEPARATION
- HEIGHT
2 STORES, MAXIMUM 24'-0"
- PARKING
DWELLING UNIT - 92 TOTAL
(2) 10' x 20' PARKING STALLS PER UNIT, IN PRIVATE GARAGES = 92

GUEST PARKING - 12 TOTAL
(8) 8' x 18' PARKING STALLS
(4) 9' x 17' PARKING STALLS

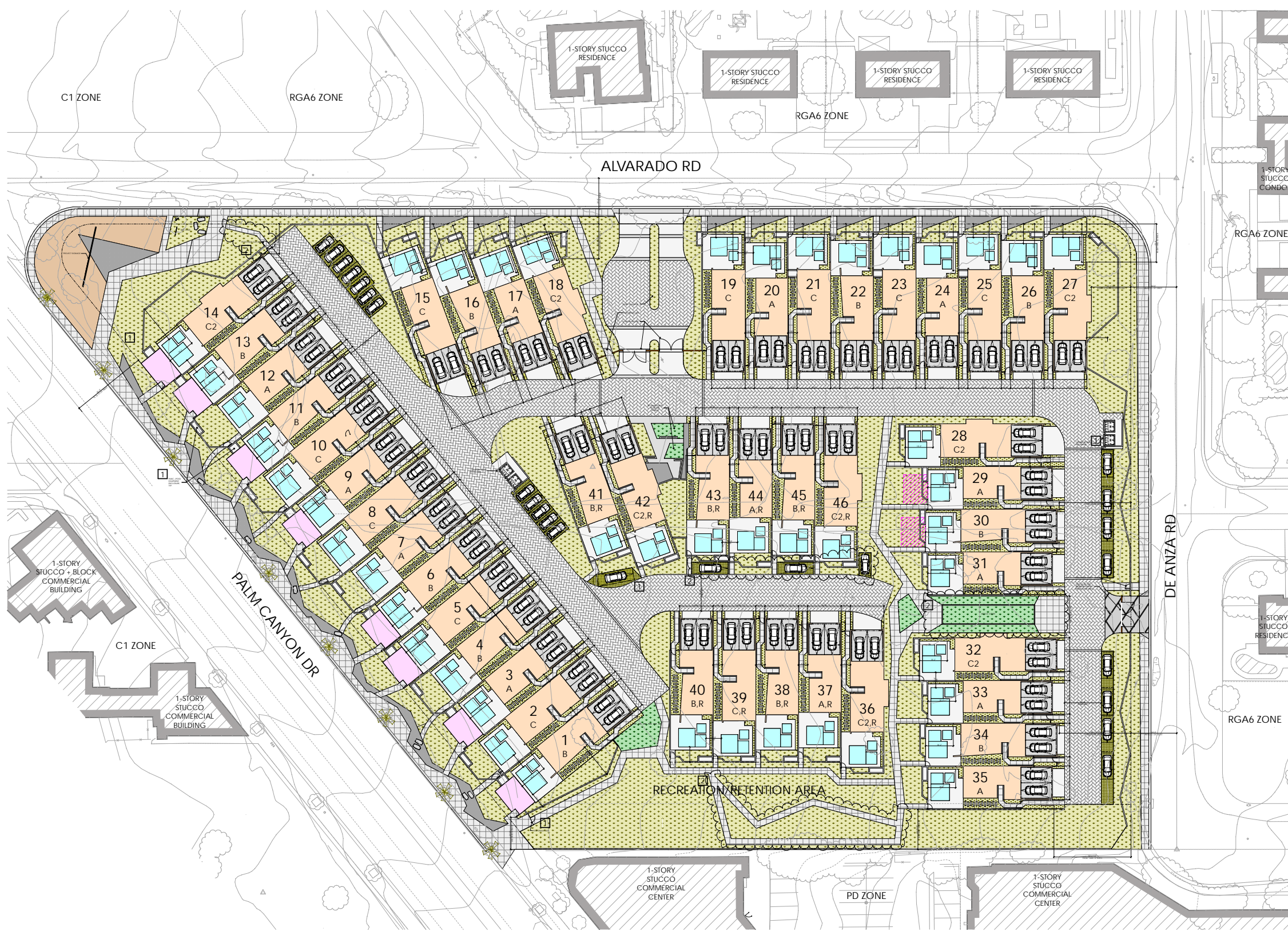
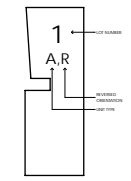
OPEN PARKING - 12 TOTAL
(3) 8' x 24' PARKING STALLS
(9) 8' x 15' PARKING STALLS
* (3) STALLS DESIGNATED AND TO BE MARKED WITH SIGNAGE AS SERVICE VEHICLE-ONLY PARKING BETWEEN 9AM-5PM, M-F (YELLOW ON SITE PLAN)
- BUILDING AREA
UNIT TYPE A (13 HOMES)
FIRST LEVEL AREA: 767 SQ. FT.
SECOND LEVEL AREA: 825 SQ. FT.
TOTAL LIVING AREA: 1,592 SQ. FT. (NOT INCLUDING GARAGE)

UNIT TYPE B (15 HOMES)
FIRST LEVEL AREA: 854 SQ. FT.
SECOND LEVEL AREA: 947 SQ. FT.
TOTAL LIVING AREA: 1,801 SQ. FT. (NOT INCLUDING GARAGE)

UNIT TYPE C (10 HOMES)
FIRST LEVEL AREA: 976 SQ. FT.
SECOND LEVEL AREA: 1,027 SQ. FT.
TOTAL LIVING AREA: 2,003 SQ. FT. (NOT INCLUDING GARAGE)

UNIT TYPE C2 (8 HOMES)
FIRST LEVEL AREA: 1,029 SQ. FT.
SECOND LEVEL AREA: 1,037 SQ. FT.
TOTAL LIVING AREA: 2,066 SQ. FT. (NOT INCLUDING GARAGE)

OPTIONAL CASITA/CABANA/HOME OFFICE (10 STRUCTURES)
TOTAL LIVING AREA: 288 SQ. FT.
- LAND AREA TABULATION
SITE AREA: 227,514 SF
BUILDING COVERAGE: 66,276 SF (29.13%)
PARKING + DRIVES: 37,669 SF (16.56%)
OPEN SPACE: 123,569 SF (54.31%)
- LEGAL DESCRIPTION
A PORTION OF THE NORTH 1/2 OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SAN BERNARDINO BASE AND MERIDIAN.



SITE PLAN 1
1/32" = 1'-0"

11.12.14 PC Hearing
08.11.14 AAC Meeting

SCALE AS SHOWN DATE 10/29/14

SITE PLAN



PROJECT NO 14001



ALVARADO IN THE ART COLONY
2700 N Palm Canyon Dr
Palm Springs, CA 92262

KEY PLAN



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RENDERING



PROJECT ENTRANCE PERSPECTIVE 1

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 E: info@modative.com
 W: www.modative.com



PROJECT NO 14001



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INTERNAL DRIVEWAY PERSPECTIVE 1

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PROJECT NO 14001



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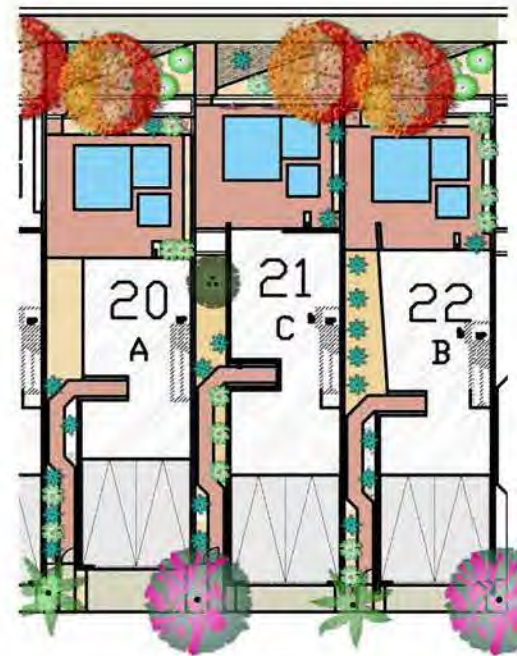
RENDERING



BIKE OASIS PERSPECTIVE 1

CONCEPT PLANT SCHEDULE

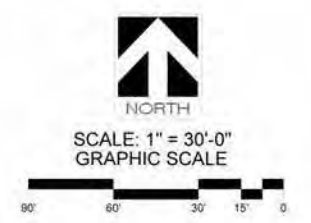
-  LARGE AND MEDIUM TREES (36-48" DBH)
PALM VERDE SPECIES
PITHECOLLOBIUM FLEXI PITHECOLLOBIUM PUBICAILLE / TEXAS CROWN
TIPUANA TIPU / TIPU TREE
-  SMALL TREES (24" DBH)
ACACIA ANEURA / MULGA TREE
CASSALPINA CACALACID "SMOOTHIE" / THORNLESS CASUALITE
CORDIA BOISSIERI / TEXAS OLIVE
-  UPRIGHT TREES (24" DBH)
ACACIA SALICINA / WILLOW ACACIA
ACACIA STENOPHYLLA / SHORSTING ACACIA
-  CALIFORNIA FAN PALMS
WASHINGTONIA FILIFERA / CALIFORNIA FAN PALM
-  MEXICAN FAN PALM
WASHINGTONIA ROBUSTA / MEXICAN FAN PALM 28" HTS
-  ACCENT PALMS (15 GAL-24" DBH)
CHALAMEROPS HUMILIS / MEDITERRANEAN FAN PALM
PACHYPHILLUM LANERII / MADAGASCAR PALM
-  ACCENTS (15 GAL-24" DBH)
AGAVE SPECIES
DORYLION SPECIES
ECHINOCACTUS SPECIES
OPUNTIA SPECIES
YUCCA SPECIES
-  LARGE AND MEDIUM SHRUBS (3 GAL-15 GAL)
ASCLEPIAS ALBICANS / FORTIFIDEM MILKWEED
CASSALPINA SPECIES / BIRD OF PARADISE
ENCLEA FARMOSA / BRITTLE BUSH
FODUQUERA MACRODUGALE / BOTTLE
JUSTITIA SPICIGERA / MEXICAN HONEYBUCKLE
LEUCOPHYLLUM FRUTICOSUM / TEXAS RANGER
MULLENBERGIA SPECIES
SIRIMONDISIA CHINENSIS / JUDUBA
VITEX TRIFLORA PURPUREA / ARABIAN LIAC
BUSH BOUGAINVILLEA / BOUGAINVILLEA
-  SMALL SHRUBS AND GROUNDCOVERS (1 GAL-3 GAL)
BAILEYA MULTIFLORA / DESERT MARIGOLD
CARISSA GRANDIFLORA / NATAL PLUM
BAILEA CAPITATA "SIERRA GOLD" TM / SIERRA GOLD BAILEA
BAILEA GREGGII / TRAILING INDIGO BUSH
HESPERALOE PARVIFLORA / RED YUCCA
LANTANA SPECIES
PHELODENDRON AFRA / ELEPHANT BUSH
-  VINE 15 GAL
BOUGAINVILLEA X SPECIES / BOUGAINVILLEA
MACPADIENA LINGUIS-CATI / CAT'S CLAW
TECOMARIA CANADENSIS / CAPE HONEYBUCKLE
TRACHELOSPERMUM JASMINOIDES / STAR JASMINE TRELLIS
-  BOULDER & RUBBLE
ARIZONA SUN 6 TO 8 IN.
-  LAWN
-  DECORATIVE GRANITE
BIG DECORATIVE GRANITE/TRI-STATE MATERIALS / CALIFORNIA GOLD
-  COBBLE
SALT AND PEPPER 1-1/2 TO 3 IN. / TRI-STATE MATERIALS
-  BOULDER TO BE SELECTED







TYPICAL UNIT



ALVARADO | CONCEPTUAL PLANTING PLAN



LEGEND

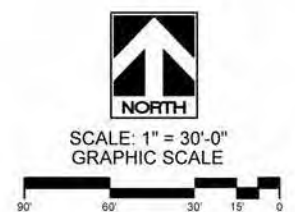
- 
1. WALL WITH SHADOW BLOCK(100%) IN STACK BOND PATTERN, SHADE BLOCK ON EXTERIOR SIDE.
- 
- 
2. WALL WITH SHADOW BLOCK(5%) AND PRECISION BLOCK(95%) IN RUNNING BOND PATTERN, SHADE BLOCK ON EACH SIDE.
- 



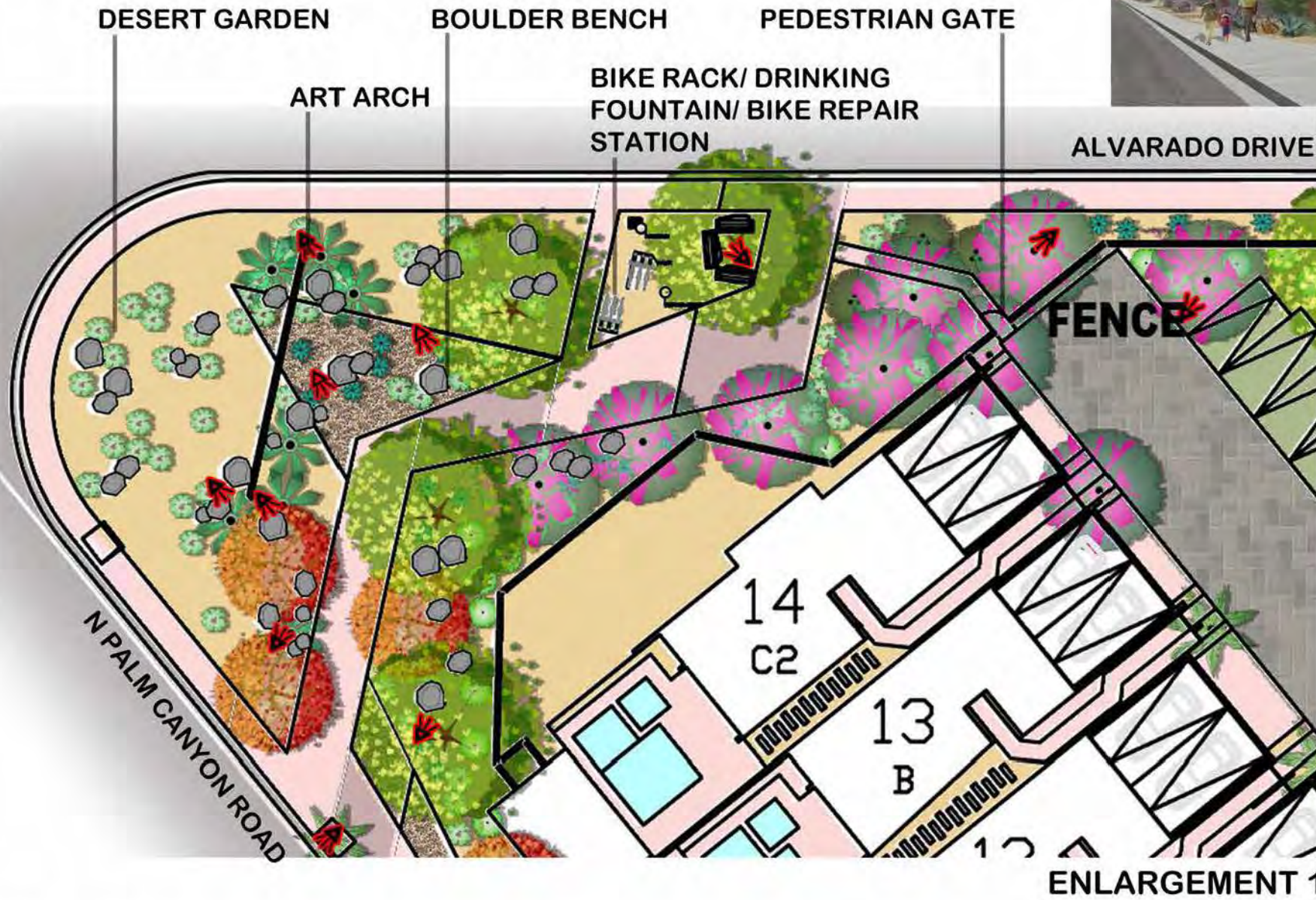
TYPICAL UNIT

LIGHTING SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
	TREE/PALM UPLIGHT
	PATH LIGHT
	ACCENT LIGHT



ALVARADO | CONCEPTUAL WALL AND LIGHTING PLAN



BIKE OASIS

ENLARGEMENT 1



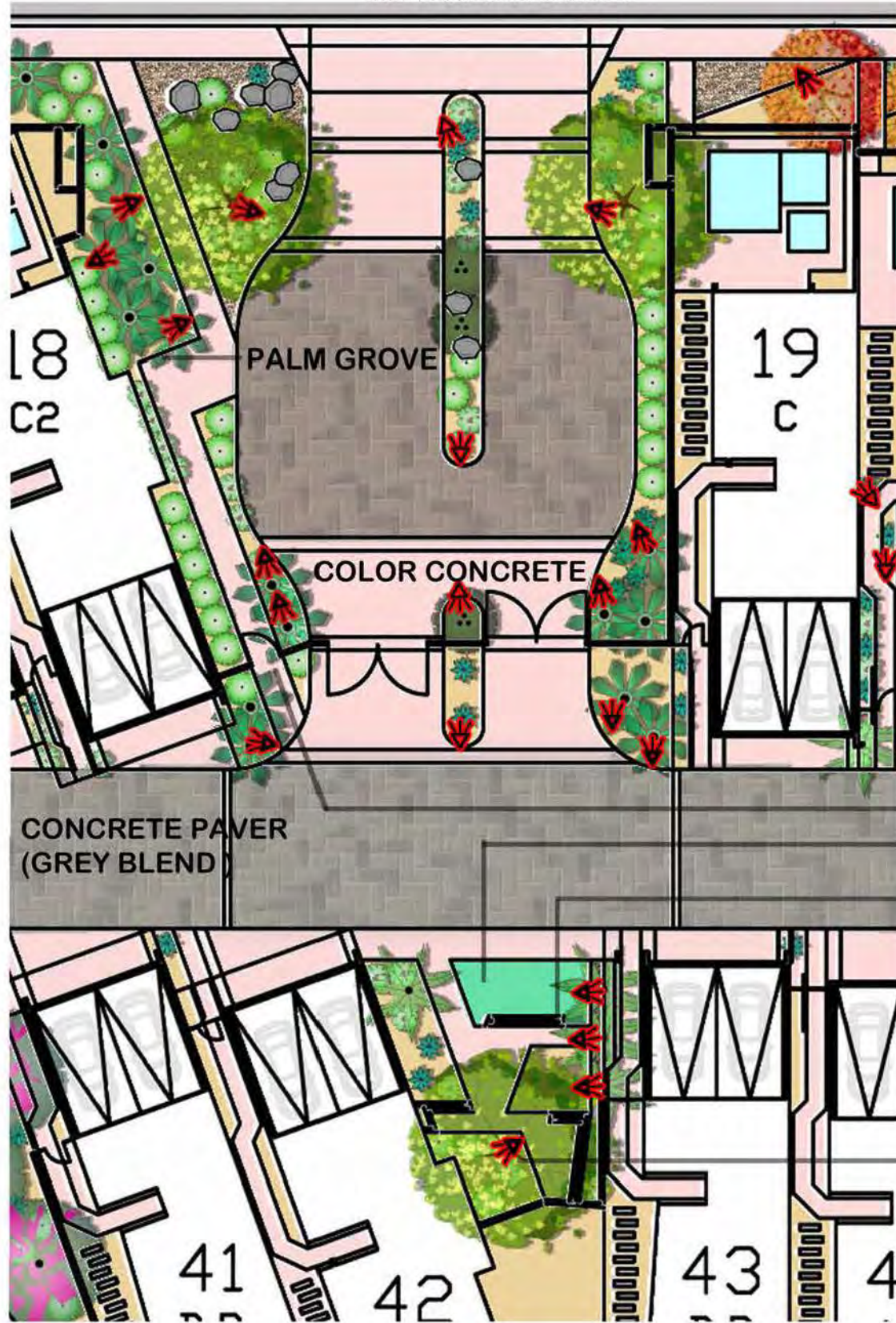
KEY MAP



LANDSCAPE ARCHITECTS, INC.

ALVARADO | ENLARGEMENTS

ALVARADO DRIVE



ENTRY PARK

- PEDESTRIAN GATE
- RECREATION TURF
- SEAT WALL

ENLARGEMENT 2



KEY MAP

ENLARGEMENT 2



LANDSCAPE ARCHITECTS, INC.

ALVARADO | ENLARGEMENTS