



## City Council Staff Report

DATE: December 17, 2014

PUBLIC HEARING

SUBJECT: ALTA VERDE, LLC, REQUEST FOR A TENTATIVE TRACT MAP (TTM 36723), TO SUBDIVIDE APPROXIMATELY 7.21 ACRES OF VACANT LAND INTO 14 SINGLE-FAMILY RESIDENTIAL LOTS, A PLANNED DEVELOPMENT DISTRICT APPLICATION (PDD371); AND A MAJOR ARCHITECTURAL APPROVAL TO CONSTRUCT 14 SINGLE-FAMILY RESIDENTIAL HOMES WITHIN THE CANYON PARK SPECIFIC PLAN AREA LOCATED AT 1000 BOGERT TRAIL, ZONE R-1-B.

FROM: Planning Services Department

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### SUMMARY

The City Council to consider a proposed application consisting of a Tentative Tract Map (TTM36723), a Planned Development District (PDD371) application, and a Major Architectural approval for the construction of fourteen (14) detached single-family residences located at the Canyon Park Specific Plan area. The proposed housing types will consist of three different schemes, three-bedrooms each and will range between 4,540 to 4,746 square feet in size.

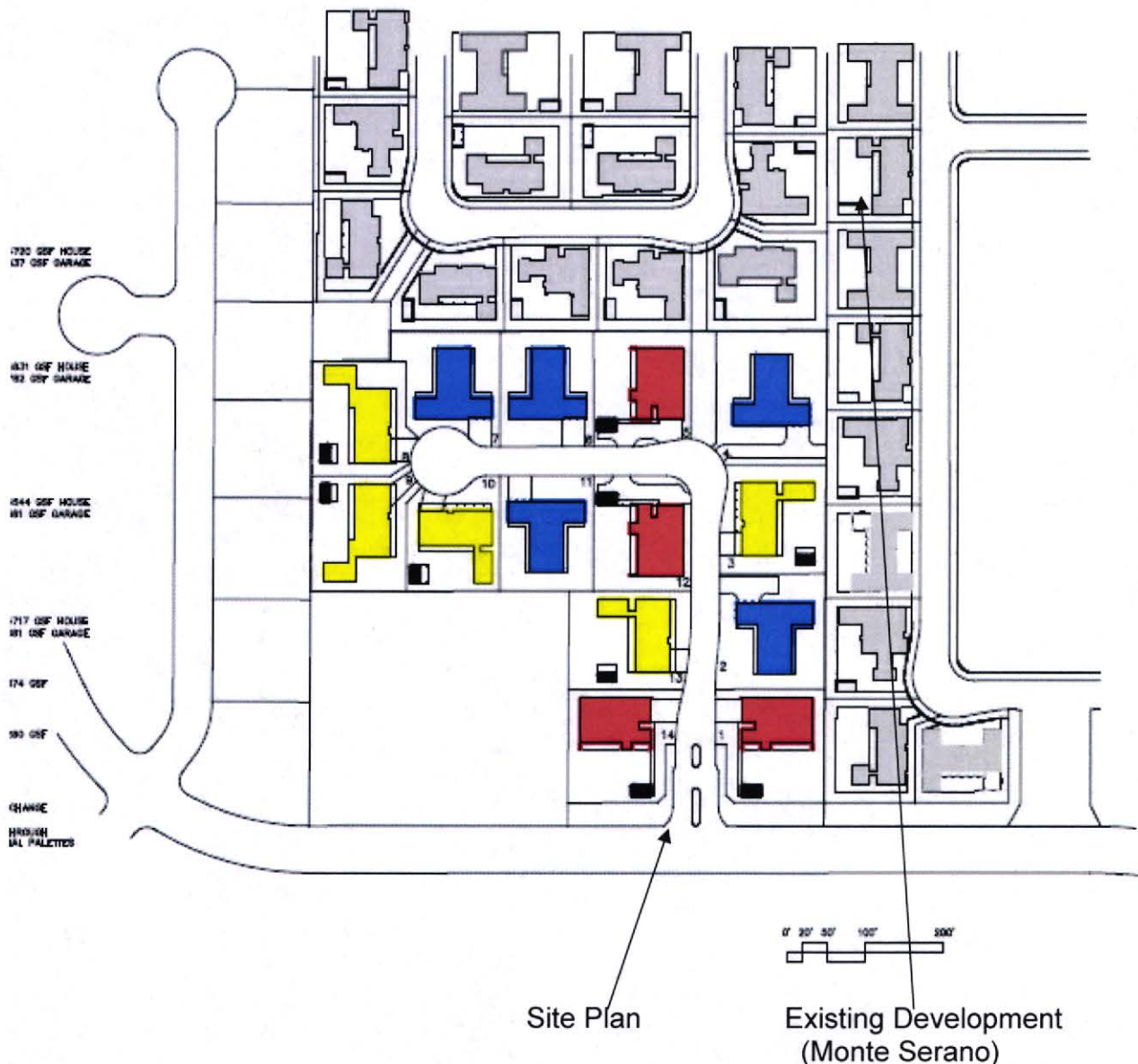
### RECOMMENDATION:

1. Open the public hearing and receive public testimony.
2. Adopt Resolution No. \_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CERTIFYING A FOCUSED ENVIRONMENTAL IMPACT REPORT (EIR) AND APPROVING TENTATIVE TRACT MAP 36723 (TTM 36738), FOR THE CREATION OF A 14-LOT SUBDIVISION ON APPROXIMATELY 7.2-ACRE LAND, PRELIMINARY PLANNED DEVELOPMENT DISTRICT 371 (PDD 371) AND A MAJOR ARCHITECTURAL APPROVAL FOR THE CONSTRUCTION OF 14 SINGLE-FAMILY RESIDENCES LOCATED AT 1000 BOGERT TRAIL, WITHIN THE CANYON PARK SPECIFIC PLAN AREA, ZONE R-1-B, SECTION 35".

### PRIOR ACTIONS

At its meeting of August 25, 2014, the Architectural Advisory Committee (AAC), reviewed the project; and with a unanimous vote, recommended approval of the proposed development to the Planning Commission. The AAC commented on the appearance and details of the buildings fascia, but staff informed the Committee that additional exhibits detailing the fascia will be provided at the Final Development phase.

On November 12, 2014, the Planning Commission reviewed the project at its public hearing meeting. The Commission approved the project with a unanimous vote and recommended approval of the tentative tract map to the City Council. With the approval, the commission added a condition limiting the perimeter wall to a maximum of six feet.



Analysis: Table 1

<b>Related Relevant City Actions by Planning, Fire, Building, etc...</b>	
1991	The City Council adopted the Canyon Park Specific Plan and associated Environmental Impact Report (EIR), which encompassed 721 acres.
7.16.03	The City Council certified an EIR Addendum and amended the Canyon Park Specific Plan; the amended Specific Plan is the current governing document for the subject site.
<b>Neighborhood Meeting</b>	
6.12.14	Neighborhood meeting was held at the initiative of the developer

Table 2

<b>General Plan</b>			
<b>Land Use Designation</b>	<b>Density</b>	<b>Request</b>	<b>Compliance</b>
Estate Residential	2.0 DU/Acre	None	Conforms
<b>Specific Plan</b>			
Canyon Park Specific Plan (SP-1)	R-1-B	None	Conforms
<b>Zoning – Uses &amp; Lot Standards</b>			
	<b>Canyon Park Specific Plan</b>	<b>Proposed: PDD 371</b>	<b>Compliance</b>
<b>Uses permitted</b>	R-1-B (SFR)	Single-Family Residential	Conforms
<b>Density</b>	2 Dwell. Units/Acre	2 Dwelling Units Per Acre	Conforms
<b>Lot Standards</b>			
<b>Min. Lot Area</b>	15,000 Sq. Ft.	15,519 Sq. Ft. Min.	Conforms
<b>Min. Width</b>	Minimum: 120 Ft.	115 Ft. Min.	With PD Approval
<b>Min. Depth</b>	Minimum: 120 Ft.	120 Ft. Min.	Conforms
<b>Min. width: C-D-S</b>	N/A	30 Feet	With PD Approval
<b>Zoning – Building Development Standards</b>			
	<b>Canyon Park Specific Plan</b>	<b>Proposed: PD371</b>	<b>Compliance</b>
<b>Building Height</b>	Maximum 22 Feet with PD	19.6 Feet.	Conforms
<b>Yard Setbacks</b>			
<b>Front from garage</b>	10 Feet / 20 Feet	20 Ft. Min.	Conforms
<b>Front @ dwelling</b>	10 Feet	10 Feet	With PD Approval
<b>Min. Interior Side</b>	10ft. not to be < 5ft. (PSZC)	5 Feet	With PD Approval
<b>Min. Corner Side</b>	15 Feet	10 Feet	With PD Approval
<b>Mini. Rear Yard</b>	15 Feet	10 Feet	With PD Approval
<b>To adjacent prop.</b>	15 ft. if higher > 10 ft.(PSZC)	15 Feet	With PD Approval
<b>Casita detached</b>	10 Feet	5 Feet Internal	With PD Approval
<b>Casita detached</b>	10 Feet	10 Feet External	With PD Approval
<b>Walls: front / Side</b>	6 Feet	7 Feet Max. high	With PD Approval
<b>Building Envelope</b>	One Story	One Story	Conforms
<b>Lot Coverage</b>	35%	29% Average	Conforms
<b>Min. Dwelling Size</b>	1,500 Sq. Ft.	4,540 Sq. Ft. Min.	Conforms
<b>Off-street Parking</b>	Two-Car Garage	Three-Car Garage	Conforms
<b>Trash Enclosure</b>	N/A	N/A	Conforms

Note: The lot coverage shown may vary depending on model mix and size of casitas, however, in no case will total lot coverage (house and casita) exceed 35% as allowed in the Specific Plan. Casitas may be up to 454 sq. ft. provided they conform with the PD setbacks requirements.

Table 3: Surrounding land uses, General Plan, Zoning

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zone</b>
North	Single-Family Residence	Estate Residential	R-1-B
East	Single-Family Residence	Estate Residential	R-1-B
South	Single-Family Residence	Estate Residential	R-1-B
West	Single-Family Residence	Estate Residential	R-1-B

*Project Description*

The proposed project is by the Alta Verde Group's Linea and consists of a Preliminary Planned Development District (PDD 371) application, a Tentative Tract Map (TTM 36723) and a Major Architectural Approval application. The PDD application is consistent with the requirements of the Canyon South Park Specific Plan Area; the tentative tract map is for the subdivision of an approximately 7.2-acre site into 14 single-family residential lots and the Major Architectural Application is for the design and approval of fourteen luxury detached single-family residences situated north of Bogert Trail. The proposed homes will range between 4,540 to 4,746 square feet in size. The site which is currently vacant is surrounded by developed single family residences to the east, west, north and south.

*Planned Development District:*

The proposed site is within the Canyon South Specific Plan Area and consistent with the requirements of the Specific Plan, the applicant has submitted a Planned Development District application for the project. The Specific Plan in part states that *"the objective of the general residential component of the project is to allow development consistent with the current city standards under the Zoning Ordinance, but to also allow a creative departure from the normal standards where it can be shown that an improvement in the overall quality of development will occur."* The Specific Plan further states that...*"The development standards proposed by the Specific Plan allow for slightly more building height (22 feet vs. 18 feet allowed by right of zone), as well as more flexibility in setbacks. In order to take advantage of these standards, projects must receive approval of a Planned Development District as well as the otherwise required entitlement application(s)"* In this case, the PD will achieve two objectives, first to meet the Specific Plan's criteria and secondly to seek for deviations from setback requirements and proposed lot dimensions. All the proposed lot sizes are consistent with the minimum lot size requirement of 15,000 square feet within the R-1-B zone; three of the lots are 119 feet in depth, the minimum required is 120 feet. Proposed development standards are provided in details in Table 2 above.

*Tentative Tract Map:*

A Tentative Tract Map (TTM 36723) to subdivide the approximately 7.21-acre parcel was submitted as part of the project application. The currently vacant property is proposed to be subdivided into 14 individual single-family residential lots and three lettered lots. The lot sizes will range between 15,519 square feet to 24,129 square feet in size; the average lot size is 18,675 square feet. All the proposed lots meet the required lot sizes; with the exception of four lots (1, 6, 10 & 14) all the remaining lots meet the minimum lot depth and width of R-1-B zoning designation. As stated earlier the

applicant has submitted a PD application to seek for relief from lot required dimensions. The lettered lots are proposed for the development of open space areas, storm drain and water detention basin.

Site Plan and Project Design:

The project design has the mid-century modern architecture; the site plan has its main access from Bogert Trail leading into the new subdivision. All the new homes will front proposed streets "A" and "B". The new development will feature three main housing schemes; they are the "T" Scheme, "L, Scheme A", "L, Scheme B", and the "Gallery". There are five units of the "T" scheme, four units of the "Gallery scheme, three units of the "L scheme A" and two units of the "L scheme B" for a total of fourteen units. Except for the four "T" scheme units, accessory structures are being proposed for the nine units within the subdivision. The accessory structures will range between 260 and 374 square feet in size. The proposed development standards are mostly consistent with the requirements of the Canyon Specific Plan and the Palm Springs Zoning Code with the exception of setback requirements where the applicant is seeking for additional flexibility with the Planned Development District application as required by the Specific Plan.

Landscape Plan:

Conceptual landscape plans covering the entry into the site area were submitted as part of the preliminary review. Proposed landscape design will include a mix of desert appropriate plant selections consisting of a mix of decomposed granites, cobbles and white concrete bands flush to the ground. A different mix of plants is proposed along the project frontage and the entry area. The conceptual landscape plans also include front yard typicals for the residential units. Proposed plant selections for the front yards include different selections of trees, palm trees, shrubs and cobbles.

Public Benefit:

As a Planned Development District proposal, the project may be subject to the provision of a "public benefit", as recognized by the Palm Springs General Plan. In this case, the applicant has met the requirement of public by providing items 5(a) and 5(c) from the City Council Policy Statement of September 17, 2008.

The project as Public Benefit: The applicant has stated that consistent with item 5(a) of the City Council's Policy Statement, the development of the project is a public benefit to the City. According to the applicant, "the project achieves public benefit by introducing a high quality luxury design which takes the mid-century modern design aesthetic for which the City is famous, and brings that aesthetic into the new century, by updating it and infusing it with modern materials and sustainable features".

Sustainable Features: The applicant has also offered to achieve the objective of public benefit through item 5(c) of the City Council Policy Statement by proposing sustainable building development. As designed, each of the homes will feature dual tank-less hot water heaters and twin car charging stations. Proposed building design will include overhangs for passive solar protection, and all houses will be equipped with 6kw rooftop solar arrays.

## REQUIRED FINDINGS

Findings can be made in support of establishing the proposed Planned Development District as follows:

- a. *The proposed planned development is consistent and in conformity with the general plan pursuant to Sections 94.02.00 (A)(4) of the Palm Springs Zoning Code.*

The proposed planned development is consistent with the goals and objectives of the General Plan and the Canyon South Specific Plan Area. The project will bring revitalization to a parcel that has been vacant for decades. Additionally, the proposed development is compatible with the character of the neighborhood and surrounding development especially the quality of the residential component of the Canyon South Specific Plan Area

- b. *The subject property is suitable for the uses permitted in the proposed planned development district, in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations.*

The project site is relatively flat and can accommodate building pads, internal streets, and drainage. Adequate access is proposed onto main the main street; Bogert Trail. The size of the parcel is approximately 7.21 acres; relative to similar developments within the City, the location will accommodate the proposed planned residential development. The site layout will allow the maximizing of view corridors for the project and its surroundings. Also, the Linea project through the site layout relates appropriately with the existing adjacent residential development. Sidewalks are not provided; wedge curbs will be installed instead.

- c. *The proposed establishment of the planned development district is necessary and proper, and is not likely to be detrimental to adjacent property or residents.*

The proposed establishment of the planned development district is necessary to provide an updated design concept similar to the existing development within the surrounding. The proposed district will not be detrimental to adjacent properties or residents but will enhance the already established development to the east of the site. Furthermore, the planned development district will modify height and setback requirements in a manner that will not be detrimental to the existing land uses in the immediate vicinity and the Monte Sereno development to the east of the site.

Additional findings are required for the proposed Tentative Map pursuant to Section 66474 of the Subdivision Map Act. These findings and discussions of the project as it relate to these findings follow:

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

The General Plan designation of the project site is Estate Residential and is within the Canyon Park Specific Plan Area. Single-family residential development in this

designation is permitted; as proposed, the gross density is consistent with the General Plan. The proposed project will comply with the General Plan, and the Canyon South Specific Plan covering the site.

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

The project site is suitable for the development of single-family homes. The proposed lot sizes and dimensions are consistent with the R-1-B zoning district. The site slopes gently to the south and can accommodate building pads, external and internal streets, drainage, and all utilities. Adequate access is proposed from Bogert Trail. The proposed project is in keeping with the original concept of the Canyon South Specific Plan and the Palm Springs Zoning Code. The site will provide a desirable environment for its occupants.

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

The site slopes gently to the south onto the main street; Bogert Trail. Single-family residential development exists in the immediate vicinity of the property; Monte Sereno development is to the east of the site. Therefore, the entire area is planned for residential development and this project fits within that scheme.

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

In 2011, the United States Fish and Wildlife Service (USFWS) designated the Casey's June Beetle as endangered species and established approximately 587 acres as the critical habitat for the Casey's June Beetle. The proposed project's location falls within the critical habitat and as such a Focused EIR (State Clearinghouse #2014091078) has been prepared as an update to the previously certified EIR (SCH #91012026) when the Specific Plan was adopted in 1994. The Focused EIR contains mitigation measures designed to eliminate or reduce all potential environmental impacts to a level less than significant.

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

Storm drainage, sanitary sewer, water, streets and all utilities are readily available to the site and all have capacity to accommodate the project. The subdivision has been designed so that each lot has necessary infrastructure to adequately serve the lots and all proposed houses on the lots will be required to meet City of Palm Springs standards, therefore the project will not cause public health problems to the area or the City as a whole.

- f. 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.*

Currently, there are perimeter easements in favor of the Desert Water Agency (DWA) and Verizon on the subject property. The applicant has been working with DWA and Verizon on the relocation of the easements. As of the writing of this report, staff has been informed of a tentative agreement to relocate the easements into a private street.

#### ENVIRONMENTAL DETERMINATION:

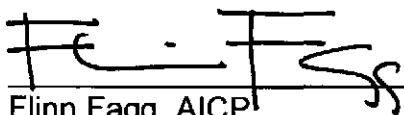
In 2011, the United States Fish and Wildlife Service (USFWS) designated the Casey's June Beetle as endangered species and established approximately 587 acres as the critical habitat for the Casey's June Beetle. The proposed project's location falls within the critical habitat and as such a Focused EIR (State Clearinghouse #2014091078) was prepared as an update to the previously certified EIR (SCH #91012026) when the Canyon Park Specific Plan was adopted in 1994. The Draft Focused EIR was distributed to all responsible agencies and interest groups; as of the writing of this report, no comments have been received. In addition to the focused EIR, a focused survey for Casey's June Beetle was conducted on the site in Spring 2014, and no evidence of the species was found. Furthermore, the Focused EIR contains mitigation measures designed to eliminate or reduce all potential environmental impacts to a level less than significant. Staff is recommending that the Council certify the Focused EIR and direct staff to file the associated Notice of Determination (NOD).

#### NOTIFICATION:

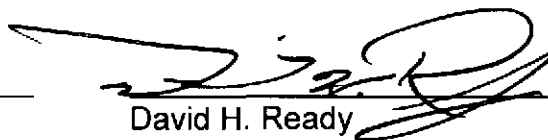
A notice of this hearing was mailed to all property owners within 500 feet radius of the project location and was published in the Desert Sun per City Ordinance. As of the writing of this report, staff has not received letters, phone calls or comments regarding this proposal.

#### FISCAL IMPACT:

None to the City; however, upon the completion of the housing units at the site, additional property taxes will be generated to the City's revenue.



Flinn Fagg, AICP  
Director of Planning Services



David H. Ready  
City Manager

#### Attachments:

1. Vicinity Map
2. CC Draft Resolution
3. Conditions of Approval
4. Planning Commission Minutes from the meeting of November 12, 2014
5. Tentative Tract Map 36723
6. 11"x17" Booklets of Site Plans, Floor Plans, Elevations and Landscape Plans
7. Copy of the Draft Focused EIR





RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CERTIFYING A FOCUSED ENVIRONMENTAL IMPACT REPORT (EIR) AND APPROVING TENTATIVE TRACT MAP 36723 (TTM 36738), FOR THE CREATION OF A 14-LOT SUBDIVISION ON APPROXIMATELY 7.2-ACRE LAND, PRELIMINARY PLANNED DEVELOPMENT DISTRICT 371 (PDD 371) AND A MAJOR ARCHITECTURAL APPROVAL FOR THE CONSTRUCTION OF 14 SINGLE-FAMILY RESIDENCES LOCATED AT 1000 BOGERT TRAIL, WITHIN THE CANYON PARK SPECIFIC PLAN AREA, ZONE R-1-B, SECTION 35.

WHEREAS, Alta Verde Homes, LLC (the "Applicant") has filed an application with the City pursuant to Section 94.03.00 (E) of the Palm Springs Zoning Code, for the establishment and development of Planned Development District 371; and

WHEREAS, Alta Verde Homes, LLC (the "Applicant") has filed an application with the City pursuant to Section 9.62.010 of the Palm Springs Municipal Code, for Tentative Tract Map 36723; and

WHEREAS, notice of public hearing of the City Council of the City of Palm Springs to consider Case Number 5.1342, consisting of Planned Development District 371, Tentative Tract Map 36723, and project architectural approval was given in accordance with applicable law; and

WHEREAS, on November 12, 2014, a public hearing on the application for the project was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and a Focused Environmental Impact Report has been prepared for this project and has been distributed for public review and comment in accordance with CEQA; and

WHEREAS, pursuant to Section 66412.3 of the Subdivision Map Act, the City Council has considered the effect of the proposed project on the housing needs of the region, and has balanced these needs against the public service needs of residents and available fiscal and environmental resources; and

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

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

Section 1: A Draft Focused EIR (DFEIR) (State Clearinghouse #2014091078) has been completed in compliance with CEQA, the State CEQA Guidelines, and the City's CEQA Guidelines. The City Council finds that with the incorporation of proposed mitigation measures, potentially significant environmental impacts resulting from this project will be reduced to a level of insignificance and therefore the City Council certifies the Focused EIR for the project. The City Council has independently reviewed and considered the information contained in the FEIR prior to its review of this Project and the FEIR reflects the City Council's independent judgment and analysis.

Section 2: Pursuant to Section 94.03.00 (E) of the Palm Springs Zoning Code, the City Council makes the following findings:

- a. *The proposed planned development is consistent and in conformity with the general plan pursuant to Sections 94.02.00 (A)(4) of the Palm Springs Zoning Code.*

The proposed planned development is consistent with the goals and objectives of the General Plan and the Canyon South Specific Plan Area. The project will bring revitalization to a parcel that has been vacant for decades. Additionally, the proposed development is compatible with the character of the neighborhood and surrounding development especially the quality of the residential component of the Canyon South Specific Plan Area

- b. *The subject property is suitable for the uses permitted in the proposed planned development district, in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations.*

The project site is relatively flat and can accommodate building pads, internal streets, and drainage. Adequate access is proposed onto main the main street; Bogert Trail. The size of the parcel is approximately 7.21 acres; relative to similar developments within the City, the location will accommodate the proposed planned residential development. The site layout will allow the maximizing of view corridors for the project and its surroundings. Also, the Linea project through the site layout relates appropriately with the existing adjacent residential development. Sidewalks are not provided; wedge curbs will be installed instead.

- c. *The proposed establishment of the planned development district is necessary and proper, and is not likely to be detrimental to adjacent property or residents.*

The proposed establishment of the planned development district is necessary to provide an updated design concept similar to the existing development within the surrounding. The proposed district will not be detrimental to adjacent properties or residents but will enhance the already established development to the east of the site. Furthermore, the planned development district will modify height and setback requirements in a manner that will not be detrimental to the existing land uses in the immediate vicinity and the Monte Sereno development to the east of the site.

Section 3: Pursuant to Section 66474 of the Subdivision Map Act, the City Council makes the following findings:

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

The General Plan designation of the project site is Estate Residential and is within the Canyon Park Specific Plan Area. Single-family residential development in this designation is permitted; as proposed, the gross density is consistent with the General Plan. The proposed project will comply with the General Plan, and the Canyon South Specific Plan covering the site.

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

The project site is suitable for the development of single-family homes. The proposed lot sizes and dimensions are consistent with the R-1-B zoning district. The site slopes gently to the south and can accommodate building pads, external and internal streets, drainage, and all utilities. Adequate access is proposed from Bogert Trail. The proposed project is in keeping with the original concept of the Canyon South Specific Plan and the Palm Springs Zoning Code. The site will provide a desirable environment for its occupants.

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

The site slopes gently to the south onto the main street; Bogert Trail. Single-family residential development exists in the immediate vicinity of the property; Monte Sereno development is to the east of the site. Therefore, the entire area is planned for residential development and this project fits within that scheme.

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

In 2011, the United States Fish and Wildlife Service (USFWS) designated the Casey's June Beetle as endangered species and established approximately 587 acres as the critical habitat for the Casey's June Beetle. The proposed project's location falls within the critical habitat and as such a Focused EIR (State Clearinghouse #2014091078) has been prepared as an update to the previously certified EIR (SCH #91012026) when the

Specific Plan was adopted in 1994. A focused survey for Casey's June Beetle was conducted on the site in Spring 2014, and no evidence of the species was found. The Focused EIR contains mitigation measures designed to eliminate or reduce all potential environmental impacts to a level less than significant.

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

Storm drainage, sanitary sewer, water, streets and all utilities are readily available to the site and all have capacity to accommodate the project. The subdivision has been designed so that each lot has necessary infrastructure to adequately serve the lots and all proposed houses on the lots will be required to meet City of Palm Springs standards, therefore the project will not cause public health problems to the area or the City as a whole.

- f. *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.*

Currently, there are perimeter easements in favor of the Desert Water Agency (DWA) and Verizon on the subject property. The applicant has been working with DWA and Verizon on the relocation of the easements. As of the writing of this report, staff has been informed of a tentative agreement to relocate the easements into a private street.

Section 4:

The City Council hereby certifies a Focused Environmental Impact Report (FEIR) and directs staff to file the associated Notice of Determination (NOD)

Section 5:

The City Council hereby approves Tentative Tract Map 36723 (TTM 36723), Planned Development District 371 (PDD371) and Major Architectural Approval (3.3748-MAJ), subject to the conditions of approval attached as Exhibit A.

ADOPTED this 17<sup>th</sup> day of December, 2014.

\_\_\_\_\_  
David H. Ready, City Manager

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

\_\_\_\_\_  
James Thompson, City Clerk

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

**EXHIBIT A**

CASE: 5.1342 PDD 371 / 3.3748-MAJ & TTM 36723 – ALTA VERDE HOMES, LLC

December 17, 2014

**CONDITIONS OF APPROVAL**

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case 5.1342-PD 371/3.3748-MAJ & TTM 36723; 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 August 19, 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 36723 located at 1000 Bogert Trail, date stamped August 11, 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 5.1342-PD 371/3.3748-MAJ & TTM 36723. 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 371 Tentative Tract Map 36723 and Major Architectural Applications 3.3748-MAJ shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 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. Tribal Fees Required. As the property is located within Agua Caliente Indian Reservation, the applicant shall pay the Valley Floor Planning Area Mitigation Fee prior to issuance of Building Permits. This fee shall be paid to the Tribe for the development of this property, as required by the Tribal Habitat Conservation Plan.
- ADM 13. 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 14. 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 15. CFD. The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Facilities



District (CFD) under the authority of Government Code Section 53311 et seq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually per dwelling unit or dwelling unit equivalency unit, subject to an annual consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.

## ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. All the Mitigation Measures contained in the Focused EIR shall be part of the conditions of approval.
- ENV 2. 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 3. 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](http://www.dfg.ca.gov) for more information.
- ENV 4. 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 EIR will be included in the plans prior to City Council consideration of the environmental assessment. Mitigation measures are defined in the approved project description.
- ENV 5. 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 6. 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.

- ENV 7. a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
- b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

### **PLANNING DEPARTMENT CONDITIONS**

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 3. Submittal of Final PDD. The Final Planned Development plans shall be submitted in accordance with Section 94.03.00 (Planned Development District) of the Zoning Ordinance. Final development plans shall include site plans, building elevations, floor plans, roof plans, grading plans, landscape plans, irrigation plans, exterior lighting plans, sign program, mitigation monitoring program, site cross sections, property development standards and other such documents as required by the Planning Commission and Planning Department. Final Planned Development District applications must be submitted within two (2) years of the City Council approval of the preliminary planned development district.

- PLN 4. 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.
- PLN 5. 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 6. 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 7. 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 8. 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 9. 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 10. Provide 'smart controllers' for all irrigation systems.
- PLN 11. Pre-wire all units for photovoltaic rooftop units.
- PLN 12. The maximum height of perimeter walls shall not exceed six (6) feet. **(Added by PC on November 12, 2014)**

#### **FIRE DEPARTMENT CONDITIONS**

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

FID 1 These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan received and dated June 2, 2014. Additional requirements may be required at that time based on revisions to site plans.

FID 2 Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

FID 3 **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 three (3) 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. The minimum fee is \$ 208.00. 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.

FID 4 **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire

apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**FID 5 Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

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

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

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

**FID 6** The Palm Springs Fire Department requires a minimum width of 24 feet for two-way private streets, minimum width of 24 feet. No parking shall be allowed in either side of the roadway.

- **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.
- **Reduced Roadway Width:** Areas with reduced roadway width (such as entry and exit gates, entry and exit approach roads, traffic calming areas) that are under 36 feet wide require red painted curb to maintain minimum 24 foot clear width. Red curb shall be stenciled "NO PARKING" and "FIRE LANE" with white paint.

Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 45 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.

- FID 7 **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.
- FID 8 **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)
- FID 9 **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.
- FID 10 **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13R, 2010 Edition, as modified by local ordinance.

#### **POLICE DEPARTMENT CONDITIONS**

- POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

#### **ENGINEERING DEPARTMENT CONDITIONS**

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit. Work shall be allowed according to Resolution 17950 – Restricting Street Work on Major and Secondary Thoroughfares.
- ENG 2. 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 grading or building permits.

Minimum submittal shall include the following, IF applicable:

- A. Copy of signed Conditions of Approval from the Planning Department.
- B. All agreements and improvement plans approved by City Engineer.

## BOGERT TRAIL

- ENG 3. The Main Entry (Street "A") shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205 and have a minimum width of 59 feet or as approved by the City Engineer.
- ENG 4. Construct a minimum 5 foot wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 5. Construct a 6 inch curb and gutter, 20 feet north of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 6. Construct a Type C curb ramp meeting current California State Accessibility standards on each side of the Main Entry (Street "A") in accordance with City of Palm Springs Standard Drawing No. 214 and 212A.
- ENG 7. Remove and replace existing pavement with a minimum pavement section of 3 inches asphalt concrete over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, OR equal, from edge of proposed gutter to clean sawcut edge of pavement to clean sawcut edge of pavement along the entire Bogert Trail frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 315. 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.

## PRIVATE STREET "A"

- ENG 8. Dedicate an easement for public utility purposes, including sewers, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private street.
- ENG 9. Construct a minimum pavement section of 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. The pavement section shall be designed, using "R" values, by a licensed Soils Engineer and submitted to the City Engineer for approval. (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 10. Construct a wedge curb, with the back of the wedge curb located 18.5 feet from both sides of centerline along the Street "A" frontage with 25' foot radius curb returns and spandrels as required per City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 11. Construct a 6 feet wide cross gutter as required from Lot "C" to the southwest corner of Street "A" and Street "B".
- ENG 12. Construct a street knuckle at the intersection of Street "A" and Street "B" per City of Palm Springs Standard Drawing No. 104.
- ENG 13. Construct minimum 10 feet wide driveway approaches for all lots in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 14. The gated entry is subject to review and approval by the City Engineer and Fire Marshall. The applicant shall provide an exhibit showing truck turning movements around the entry, demonstrating the ability of standard size vehicles to maneuver through the entry (without reversing) if unable to enter the project. A minimum of 50 feet shall be provided between the back of sidewalk on the adjacent street and the gated entry directory/control panel, with an approved maneuvering area provided between the directory/control panel and the entry gates. The ingress and egress lanes shall be a minimum of 20 feet wide, unless otherwise approved by the Fire Marshall. A Knox key operated switch shall be installed at every automatic gate. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch when required by the fire code official. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) when required by the fire code official. 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.

#### PRIVATE STREET "B"

- ENG 15. Dedicate an easement for public utility purposes, including sewers, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private street.
- ENG 16. Construct a minimum pavement section of 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. The pavement section shall be designed, using "R" values, by a licensed Soils Engineer and submitted to the City Engineer for approval. (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 17. Construct a wedge curb, with the back of the wedge curb located 18.5 feet from both sides of centerline along the Street "A" frontage with 25' foot radius curb returns and spandrels as required per City of Palm Springs Standard Drawing No. 200 and 206.



- ENG 18. Construct a 6 feet wide cross gutter as required from Lot "C" to the southwest corner of Street "A" and Street "B".
- ENG 19 All on-site cul-de-sacs shall be constructed in accordance with City of Palm Springs Standard Drawing No. 101, curb portion only. The proposed center island within the cul-de-sac shall not exceed twenty feet (20') in diameter. Construct all cul-de-sacs with a minimum curb radius of 43 feet throughout the cul-de-sac bulb.
- ENG. 20 Construct a street knuckle at the intersection of Street "A" and Street "B" per City of Palm Springs Standard Drawing No. 104.
- ENG. 21 Construct minimum 10 feet wide driveway approaches for all lots in accordance with City of Palm Springs Standard Drawing No. 201.

#### SANITARY SEWER

- ENG. 22 All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
- ENG. 23 Construct an 8 inch V.C.P. sewer main across Private street "A" and "B" of the Tentative Tract Map 36723 frontages, located 5 feet from centerline or as required by the City Engineer. Connection of Sewer System shall be made thru Lot "C", and connect to existing 8" sewer Main located in Lot "P" of Tract Map 30046.
- 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 All sewer mains constructed by the developer and to become part of the City sewer system shall be digitally video recorded (Developer shall contact City treatment plant facility for acceptable digital video format) and submitted to the City for review prior to acceptance of the sewer system for maintenance by the City. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.
- ENG. 26 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. 27 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. 28 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. 29 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. 30 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 at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development
- ENG. 31 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.
- ENG. 32 A copy of a Title Report prepared/updated within the past 3 months and copies of record documents shall be submitted to the City Engineer with the first submittal of the Grading Plan.
- ENG. 33 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. 33 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. 34 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. 35 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. 36 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.
- ENG. 37 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.

- ENG. 38 Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall:
- a. Demonstrate that all structural BMPs have been constructed and installed in conformance with approved plans and specifications;
  - b. 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
  - c. Demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

## DRAINAGE

- ENG. 39. 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. 40 Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Bogert Trail. 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. 41 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. 42 The project is subject to an "Area Benefit Fee" drainage fee of \$4,213.00 per acre of single family residential development, in accordance with Chapter 9.69.040, or as may be adjusted annually in accordance with Chapter 9.69.060 of the Palm Springs Municipal Code. The drainage fee shall be paid prior to issuance of a building permit.

ENG. 43 Construct storm drain improvements, including but not limited to catch basins, storm drain lines and retention basins for drainage of on-site streets into the on-site retention system in Lot "C", as described in the preliminary Hydrology Report for Tentative Tract Map 36723.

ENG. 44 All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.

#### ON-SITE

ENG. 45 Any utility cuts in the existing off-site pavement made by this development shall receive trench replacement pavement to match the existing pavement plus one additional inch. See City of Palm Springs Standard Drawing No. 115. Pavement shall be restored to a smooth rideable surface.

ENG. 46 All proposed utility lines shall be installed underground.

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 The developer is advised to contact all utility purveyors for detailed requirements for this project at the earliest possible date.

- ENG. 49 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.
- ENG. 50 All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904
- ENG. 51 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.

#### GENERAL

- ENG. 52 The applicant shall comply with all required Standard Conditions and Mitigation Measures identified in the Focused Environmental Impact Report, whether or not restated in these conditions of approval. All required plans shall be prepared in conformance with all applicable Standard Conditions and Mitigation Measures.
- ENG. 53 Development of the site is subject to all applicable provisions of Chapter 92.21.1.05 "Design Standards" of the Palm Springs Zoning Code, whether or not restated in these conditions of approval. All required plans shall be prepared in conformance with all applicable provisions of the Code.
- ENG. 54 A Road and Bridge Impact Fee of \$2,704 per single family residential unit; as well as a Fire Station Fee of \$469.00 per acre for single family residential units and \$1,875 per multi-family residential units shall be paid (or as may be adjusted annually) in accordance with Chapter 9.69.040 and 9.69.060 of the Palm Springs Municipal Code, shall be paid prior to issuance of a building permit
- ENG. 55 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. 56 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.



## MAP

- ENG. 57 A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.
- ENG. 58 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. 59 Upon approval of a Final map, the Final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, 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.
- ENG. 60 Relocation or abandonment of record easements across the property shall be performed in conjunction with or prior to approval of a final map. The easements, identified as an easement to Southern California Edison recorded as Instrument No. 64905 on 1974; an easement to Verizon recorded as Instrument No. 79471 on July 9, 1965; and easements to Desert Water Agency, Instrument No. 108731 recorded on Sept. 22, 1965, Instrument No. 65547 recorded on June 27, 1969, Instrument No. 46609 recorded on April 15, 1964 and Instrument No. 109136 recorded on April 26, 1988 shall be extinguished, quit-claimed, relocated or abandoned to facilitate development of the subject property. Without evidence of the

extinguishment, quit-claim, relocation or abandonment of the record easement(s), building permits for proposed buildings encumbered by the existing record easement(s) will be withheld until such time as this easement is removed of record and are not an encumbrance to the affected buildings.

## TRAFFIC

- ENG. 61 A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks (or pedestrian paths of travel) shall be provided by (either an additional dedication of a sidewalk easement (if necessary)) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Bogert Trail, Street "A" and Street "B" frontages of the subject property.
- ENG. 62 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. 63 Install a stop sign, stop bar, and "STOP" legend for traffic exiting the development at the intersection of Bogert Trail and Street "A" in accordance with City of Palm Springs Standard Drawing Nos. 620-625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
- ENG. 64 Install a street name sign at the intersection of Bogert Trail and Street "A" in accordance with City of Palm Springs Standard Drawing Nos. 620 through 625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
- ENG. 65 Low profile and glare protected lights shall be installed on each side of the Main Entry located on Bogert Trail.
- ENG. 66 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. 67      This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

**END OF CONDITIONS**

**2G. ALTA VERDE, LLC, APPLICATION FOR A TENTATIVE TRACT MAP (TTM 36723), TO SUBDIVIDE APPROXIMATELY 7.21 ACRES OF VACANT LAND INTO 14 SINGLE-FAMILY RESIDENTIAL LOTS, A PLANNED DEVELOPMENT DISTRICT (PDD 371) AND MAJOR ARCHITECTURAL APPROVAL TO CONSTRUCT THE PROPOSED 14 SINGLE-FAMILY RESIDENTIAL HOMES WITHIN THE CANYON PARK SPECIFIC AREA LOCATED AT 1000 BOGERT TRAIL, ZONE R-1-B (5.1342-PD 371/TTM 36723). (ER)**

Principal Planner Robertson presented the proposed project as outlined in the staff report. He reported that the AAC unanimously recommended approval.

Commissioner Lowe disclosed that he lives on Bogert Trail; however, it is more than 500 feet from the proposed project. Commissioner Lowe noted there is significant increase in construction on Bogert Trail and side access road and believes the Engineering Dept. needs to take a look at it in terms of additional traffic control.

Commissioner Weremiuk questioned if this project is proposed as gated. Staff responded that it is gated and is consistent with the Canyon Specific Plans in this vicinity.

Chair Hudson opened the public hearing.

ANDREW ADLER, Alta Verde Group, president, commented that their projects are unique in the area and spoke about the homes being minimal with many sustainable features. He provided details pertaining to the lot layout, site, neighborhood meeting, view corridors and setbacks.

SCOTT LYLE, LYLE REALTORS, spoke on behalf Ed and Jill Perry, said that they attended the neighborhood meeting and the AAC meeting and he gave his testimony for approval of the project because it maintains their privacy and it's gated.

EMILY HEMPHIL, legal counsel for the applicant, spoke about the public benefit consisting of sustainable features including substantial solar arrays, dual tank less hot water heaters, two car charging stations in all the homes and all the glass protected by significant overhang. In addition, they will be extending the walkway to Bogert Trail and no Casey June beetles were found on the property.

There being no further appearances the public hearing was closed.

Commissioner Weremiuk said she is supportive of the project with the exception of the 7 foot wall.

Commissioner Roberts commented that this is a beautiful project; however, he has issues with the 7 foot wall and would prefer a 6 foot wall. The applicant said they are ok with a 6 foot wall.

Commissioner Calerdine said he does not have a problem with the 7 foot wall.

Commissioner Middleton said she does not have a concern with the 7 foot wall; however, expressed concern with the gates and doesn't think they are necessary.

Commissioner Roberts said he is not concerned with the gates because many of the adjacent properties are gated.

Commissioner Calerdine made an amendment to the motion to eliminate the requirement for a six foot wall. No second was made. Amendment failed.

**ACTION:** Approve PDD 371 and recommend the adoption of a Focused EIR and approval of TTM 36723 to the City Council, as amended:

- The wall height shall be 6 feet in height.

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

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

~~24. PALM SPRINGS PROMENADE, LLC FOR A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A 4-STORY MIXED-USE COMMERCIAL BUILDING CONSISTING OF A 135-ROOM, 71,714-SQUARE FOOT HOTEL AND APPROXIMATELY 5,064-SQUARE FEET OF GROUND FLOOR COMMERCIAL-RETAIL ON BLOCK "F" OF THE MUSEUM MARKET PLAZA SPECIFIC PLAN / DOWNTOWN PALM SPRINGS RENOVATION PROJECT LOCATED AT THE SOUTHWEST CORNER OF BELARDO ROAD AND MAIN STREET, ZONE CBD (CASE 3.3785 MAJ). (DN)~~

A recess was taken at 4:30 pm

The meeting resumed at 4:37 pm.

Associate Planner Newell presented the project as outlined in the staff report. He recommended that the CEQA Analysis be included as an exhibit in the resolution and noted the correction to the conditions of approval.

~~The Commission asked questions in reference to:~~

**CITY OF PALM SPRINGS  
PUBLIC HEARING NOTIFICATION**



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Date: December 17, 2014

Subject: Alta Verde Homes, LLC for TTM 36723 PDD 371 3.3748 MAJ

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**AFFIDAVIT OF PUBLICATION**

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on December 6, 2014.

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

A handwritten signature in black ink, appearing to read "C.A. Berardi", is written over a horizontal line.

Cynthia A. Berardi, CMC  
Deputy City Clerk

**AFFIDAVIT OF POSTING**

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on December 4, 2014.

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

A handwritten signature in black ink, appearing to read "C.A. Berardi", is written over a horizontal line.

Cynthia A. Berardi, CMC  
Deputy City Clerk

**AFFIDAVIT OF MAILING**

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on December 4, 2014, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (116 notices)

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

A handwritten signature in black ink, appearing to read "C.A. Berardi", is written over a horizontal line.

Cynthia A. Berardi, CMC  
Deputy City Clerk

NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

CASE: 5.1342 PDD 371 / 3.3748 MAJ & TTM 36723  
ALTA VERDE HOMES, LLC  
VACANT LAND AT 1000 BOGERT TRAIL

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of December 17, 2014. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a proposal consisting of a Tentative Tract Map (TTM36723) to subdivide approximately 7.21 acres into 14 single-family residential lots, open and common area parcels and private streets, Planned Development District (PDD) application consistent with the Canyon Park Specific Plan and a Major Architectural Application for the development of 14 detached single-family residential homes. The property is currently zoned R-1-B.

**ENVIRONMENTAL DETERMINATION:** A Focused Environmental Report (State Clearinghouse #2014091078) has been prepared for this project under the guidelines of the California Environmental Quality Act (CEQA). Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the City Council hearing.

**REVIEW OF PROJECT INFORMATION:** The staff report and other supporting documents regarding this project are also available for public review at the City Hall between the hours of 8:00 a.m. and 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

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

James Thompson, City Clerk  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

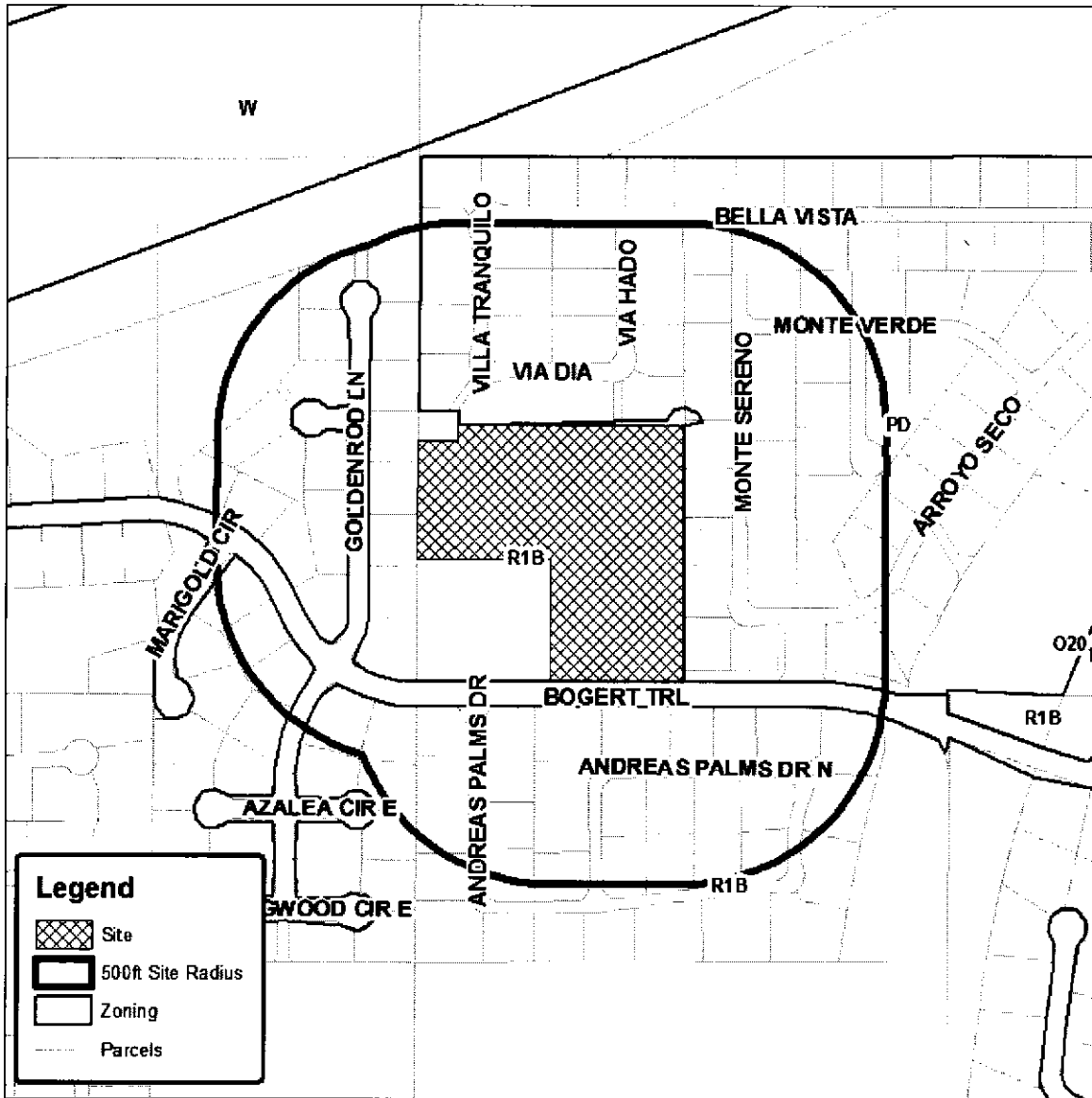
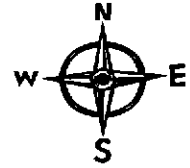
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Edward Robertson, Principal City Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

  
James Thompson, City Clerk



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** 5.1342 /3.3748 MAJ  
& TTM 36723

**APPLICANT:** Alta Verde Homes,  
LLC

**DESCRIPTION:** An application by Alta Verde Homes, LLC, for a Planned Development District, Tentative Tract Map 36723 and a Major Architectural Application for the development of a 14- lot single-family residential subdivision within the Canyon South Specific Plan Area. The subject site is located at 1000 Bogert Trail, Zone R-1-B.





# City of Palm Springs

Office of the City Clerk

3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262

Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: [www.palmspringsca.gov](http://www.palmspringsca.gov)

December 3, 2014

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

Fax To: Brenda Diaz  
(760) 416-2687

RE: City Council Meeting – December 17, 2014  
Case 5.1342 PD 371, Alta Verde Homes, LLC

Dear Ms. Salgado:

The City Council will be conducting a public hearing at 6:00 p.m. on December 17, 2014, to consider a Tentative Tract Map to subdivide 7.21 acres into 14 single-family residential lots at 1000 Bogert Trail.

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

APN	Allotment Number
See enclosed list. Please note that all APNs listed show Allotment 105E.	

Thank you for your continuous assistance and support. Please feel free to contact me at (760) 323-8204 if there are any questions or concerns.

Sincerely,

Cynthia A. Berardi, CMC  
Deputy City Clerk

Encl: Public Hearing Notices (60 copies)  
Envelopes

5.13 1/2



512-280-016  
USA BIA  
PO BOX 2245  
PALM SPRINGS CA 92263

512-260-007  
USA BIA  
PO BOX 2245  
PALM SPRINGS CA 92263

512-261-002  
USA BIA  
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512-280-015  
USA BIA  
PO BOX 2245  
PALM SPRINGS CA 92263

## Cindy Berardi

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**From:** Joanne Bruggemans  
**Sent:** Thursday, December 04, 2014 8:04 AM  
**To:** Indian Canyons; Andreas Hills; Canyon Corridor  
**Cc:** Edward Robertson; Cindy Berardi  
**Subject:** Case 5.1342 PDD 371 - Alta Verde Homes, LLC  
**Attachments:** CC PHN Case 5.1342.pdf

Morning –

Please find the attached Public Hearing Notice of the City Council for December 17, 2014 of the proposed project within a ½ mile of your neighborhood organization.

Thank you,

*Joanne*

Joanne Bruggemans  
City of Palm Springs  
Planning Services Department  
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262  
Phone: (760) 323-8245 Fax: (760) 322-8360  
Email: [joanne.bruggemans@palmspringsca.gov](mailto:joanne.bruggemans@palmspringsca.gov)