



CITY COUNCIL STAFF REPORT

DATE: DECEMBER 17, 2014

SUBJECT: VIA OLIVERA, LLC FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT; MAJOR ARCHITECTURAL; AND TENTATIVE PARCEL MAP FOR A FIVE (5) LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 199 WEST VIA OLIVERA, ZONE R-2, SECTION 3. (CASE NOS. 5.1348 PD 373; 3.3730 MAJ; TPM 36737) (GM)

CASE: 5.1348 PD 373; 3.3730 MAJ; TPM 36737

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

The City Council to review a request for the following:

1. **Preliminary Planned Development District** to establish project site plan, permitted uses and development standards. The applicant proposes five (5) single-family residential lots with the following development standards:
Setbacks:
Front – 25 feet
Rear – 25 feet
Side – 10 feet
Building Height: 24 feet maximum – two-story residences
House Size: Approximately 2,350-square feet
Density: 28 units per acre
2. **Major Architectural Application** to review the proposed house designs. Final Design Plans to be submitted with Final Planned Development review.
3. **Tentative Parcel Map** to subdivide one vacant lot into five lots ranging in size from 4,471-square feet to 5,094-square feet.

RECOMMENDATION:

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A PRELIMINARY PLANNED DEVELOPMENT DISTRICT 5.1348 PD 373; MAJOR ARCHITECTURAL APPLICATION 3.3730 MAJ; AND TENTATIVE PARCEL MAP 36737 TPM FOR A FIVE

(5) LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 199 WEST VIA OLIVERA, ZONE R-2, SECTION 3.

ISSUES:

- Single-Family residential developments in the R-2 zone subject to R-1-A zone standards.
- Planned Development District to allow reduced setbacks, increased building height, increased lot coverage, increased density.

BACKGROUND:

| Related Relevant City Actions by Planning, Fire, Building, etc. | |
|--|--|
| 12/12/2007 | Planning Commission approves Case No. 5.1159 Planned Development District 340 and TTM 34729 consisting of a 5-unit detached condominium project and condominium map. (Project Expires) |
| 2/6/2008 | City Council approves Planned Development District 5.1159 PD 340. (Project Expires) |
| 9/4/2014 | AAC reviews project and recommends approval to the Planning Commission with the following 3 conditions: <ol style="list-style-type: none"> 1. Combine side yards and site houses on property lines. 2. Revise landscape plan. 3. Omit gazebo. |
| 11/12/2014 | Planning Commission approves project with 2 conditions: <ol style="list-style-type: none"> 1. Public benefit of solar to equal ¼ or ½ of estimated annual use. 2. Revise landscape plan for front yards – consider trees to provide shade and withstand winds. |

| Most Recent Change of Ownership | |
|--|-----------------|
| 1/29/2010 | Via Olivera LLC |

| Planning Areas | | |
|-----------------------|------|--|
| Specific Plan | None | |
| Design Plan | None | |
| Overlay Zone | None | |
| Indian Land | None | |

| Neighborhood Meeting | |
|-----------------------------|----------------------|
| | Meeting not required |

| Sign Posting of Pending Project | |
|--|--|
| 06/01/2014 | The City received verification that one sign had been posted on-site as required by Section 94.09.00 of the Zoning Code. |

| Neighborhood Notification | |
|----------------------------------|--|
| 12/ 6/2014 | Public hearing notice sent to all property owners within 500 feet. |
| | No neighborhood organization is present. |

| Field Check | |
|--------------------|---|
| October 2014 | Staff visited site to observe existing conditions |

| Details of Application Request | |
|---------------------------------------|--------------------|
| Site Area | |
| Net Area | 23,039-square feet |



Subject Site: 199 West Via Olivera

ANALYSIS:

| General Plan, Zoning and Land Uses of Site & Surrounding Areas | | | |
|---|---|------------------------------------|--------------------------|
| | Existing General Plan Designations | Existing Zoning Designation | Existing Land Use |
| Site | MXD (Mixed Use / Multi Use) | R-2 (Multi-Family Residential) | Vacant |
| North | MDR (Medium Density Residential) | R-2 (Multi-Family Residential) | Vacant |
| South | MXD (Mixed Use / Multi Use) | R-2 (Multi-Family Residential) | Vacant |
| East | MDR (Medium Density Residential) | R-2 (Multi-Family Residential) | Nursing – Rehab Facility |
| West | MXD (Mixed Use / Multi Use) | R-2 (Multi-Family Residential) | Vacant |

Development Standards:

| | R-2 refers to R-1-A Requirements | Proposed Project: PDD 373 | Comply |
|--------------------------------------|---|--|-------------------------------|
| A. Lot Area | 20,000 sq. ft. | 4,471 to 5,094 sq. ft. minimum | No, PDD request |
| B. Lot Dimension | | | |
| Min. Width | 130 feet | 42 feet wide | No, PDD request |
| Min. Depth | 120 feet | 106 feet long | No, PDD request |
| C. Density | 15 du / acre per GP | 28 du / acre (PD allows max of 30 du/acre) | No, PDD request |
| D. Building Height | 12 feet – one-story | 24 feet maximum | No, PDD request |
| E. Yard Setbacks | | | |
| 1. General Provisions | 25 feet – front 15 feet – rear 10 feet - side | 25 feet – front 25 feet – rear 6 feet - side | Yes Yes No, PDD request |
| F. Lot Coverage Maximum | 35% | 39% | No, PDD request |
| G. Distance Between Buildings | 15 feet minimum | 12 feet | No, PDD request |
| I. Off-street Parking | Two spaces for each dwelling unit within a garage or carport. | Two covered parking spaces per residence | Yes |

PREVIOUS APPROVAL

On December 12, 2007 the Planning Commission approved Planned Development District: Case 5.1159 PD 340 to construct five 2,413-square foot detached two-story condominiums and Tentative Tract Map 34729 for a condominium lot. The building elevations and setbacks for this previously approved project are similar to the case before the Planning Commission.

On February 6, 2007, the City Council approved Planned Development District Case 5.1159 PD 340 by a 4-1 vote. The PDD entitlement expired and the Tract Map was never recorded.

On November 12, 2014, the Planning Commission approved with conditions Preliminary Planned Development District 373; and recommends approval to the City Council.

PROJECT DESCRIPTION:

The proposed project includes the development of an existing 23,039-square foot vacant lot located at the corner of West via Olivera and Zanjero Road. The site is one block west of North Indian Canyon Drive in a largely undeveloped area. The subject parcel is zoned R-2 allowing for multi-family structures; however the applicant proposes to develop the lots as single-family detached units with zero lot line on one side. The Palm Springs Zoning Code (PSZC) requires R-2 zoned parcels developed as detached single-family lots to meet the standards of the R-1-A zone. These development standards are listed in the table above.

The proposed development does not meet most of the standards set forth in the R-1-A zone. The applicant is seeking relief from the provisions of the PSZC through the Planned Development District approval process.

A Tentative Parcel Map will subdivide the lot into five (5) single-family lots ranging in size from 4,471-square feet to 5,094-square feet.

Access to each unit will be taken from Via Olivera. No access is proposed on Zanjero Road, although it will be required to be improved to its ultimate half width.

The Architectural Advisory Committee (AAC) reviewed the project and recommended three changes to include the revision of the site plan placing the houses on the side property line allowing for a wider side yard; revise landscape plan increasing the number of plants in the front yard; and eliminating a gazebo feature along Zanjero Road. All requested changes have been made and are reflected on this submission.

The Planning Commission reviewed the project and voted in favor of the Preliminary Planned Development District. An item of discussion included the proposed public benefit of the project. (See section below for a more detailed discussion.)

Site Plan

The proposed subdivision to five (5) parcels will result in four interior lots equaling 4,471-square feet and one corner lot of 5,094-square feet. Each detached home will be accessed from West via Olivera with a 23 foot long driveway. Each house will be surrounded by a six (6) foot tall combination CMU / corrugated metal wall. An Engineering Department condition of approval includes the requirement that a sidewalk be added along the street frontage of the project as well as the construction of curb and gutter. Each house will have a 25 foot front and rear yard setbacks, with side yards of ten (10) feet. Swimming pools are shown in the rear yards of each lot. The two car garage driveways for the interior four lots will be 16 feet in width with a reduced width for the corner Lot 1 to meet City Engineering standards based upon the required distance from intersecting streets.

Architecture

The applicant is proposing two house types: Unit Design “A”; and Unit Design “B”. The streetscape will alternate each unit type with three of design A and two of design B. Each house is proposed to be 2-story with a maximum height of 24 feet.

Unit A includes a front façade with a two car garage, front entry door, with a second story balcony with wide roof overhang. The house will have a stucco finish painted beige with aluminum windows, doors, garage door, glass balcony railings, with slate tile veneer accent elements on the front façade.

Unit B will have a flat front façade with stucco finish painted dark green with deep bronze window and door finish, metal facias and chimney cap. This elevation includes exposed wood finish for garage door and other accent elements.

The rear elevation for both house types includes sliders leading out to a pool area and second story balconies. Side elevations for both house types include a series of small square windows and first floor sliders leading out to the side yard.

Tentative Parcel Map

The proposed Tentative Parcel Map (TPM) subdivides the site into five (5) single-family residential lots ranging in size from 4,471-square feet and one corner lot of 5,094-square feet. The design of the TPM is consistent with the design of the site for the project. Staff has reviewed the proposed Tract Map in light of the required findings and prepared recommended conditions contained in the attached draft resolution.

Public Benefit Policy for Planned Development Districts

In September 2008, the City Council adopted a policy requiring that PDD's provide a specific “public benefit” proportionate to the nature, type and extent of the relief granted from the development standards and requirements.

The applicant is seeking the following adjustments in the underlying develop standards with the PDD:

- Permitting single-family residential in R-2 zone per R-1-A standards:
 - Reduced minimum lot standards for single family residences as noted in the staff report;
 - Increased density to 28 dwelling units per acre;
 - Building height increased to 24 feet;
 - Side yard setback reduced to 6 feet;
 - Lot coverage at 39%;
 - Distance between buildings reduced from 15 to 12 feet.

The applicant has put forth a project specific public benefit utilizing construction methods that will achieve the City's sustainability goals identified through the use of

active solar features, water conservation techniques, and the project acting as a land use transition.

- Sustainability feature of the project to include the placement of solar panels on all building roofs with the ability to generate ¼ to ½ of the expected energy used by each unit.
- The use of water efficient landscaping to reduce water use and provide shading.
- A land use transition from the Major Thoroughfare of North Indian Canyon Drive, the existing California Nursing Facility and the vacant residentially zoned property to the west. The proposed project allows for the logical transiting from higher to lower intense uses.

The Planning Commission found that the proposed project will further advance the general policies of the City through a Sustainability Public Benefit.

Planning Commission Architectural Advisory Committee Review Guidelines.

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

| | Guideline: | Conforms? | Staff Evaluation: |
|---|---|-----------|---|
| 1 | Does the proposed development provide a desirable environment for its occupants? | Yes | Each detached single-family residence will have a small private yard and private pool areas with two car garage and driveways leading from an improved street. |
| 2 | Is the proposed development compatible with the character of adjacent and surrounding developments? | Yes | The project is compatible with the existing development in the surrounding areas. The immediate area is vacant land and the proposed two-story residential development within the R-2 zoned parcel is compatible with future and existing uses. |
| 3 | Is the proposed development of good composition, materials, textures, and colors? | Yes | The project architecture includes two house types constructed of quality materials providing a variety in front façade design with the use of stucco finish, aluminum windows and doors as well as metal and stone. Final architectural design will be reviewed once the Final Development Plan has been submitted. |

| | | | |
|----|---|-----|--|
| 4 | Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas | Yes | The proposed 5-lot subdivision will provide individual yard spaces for each unit. New sidewalks will be added to the front and side of the development providing good pedestrian access with 25 foot long driveways for extra off-street parking. |
| 5 | Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted | Yes | Surrounding parcels are zoned R-2 allowing for multi-family residences. The proposed development of single-family detached homes at a higher density is only permitted through the Planned Development District process. Alternating building elevations with different front facades and materials will provide a varied streetscape. |
| 6 | Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment | No | The proposal is seeking deviations to development standards as shown in the zoning analysis above. |
| 7 | Building design, materials and colors to be sympathetic with desert surroundings | Yes | Conceptual building designs have been provided and appear well composed. Final building materials and colors will be evaluated during the Final Development Plan review. |
| 8 | Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously | Yes | Each building type will be utilizing two different color schemes including wood and stone elements. Building overhangs are shown over windows and balconies for solar control and enhance building appearance. Further analysis will be completed when the Final PDD is submitted |
| 9 | Consistency of composition and treatment | Yes | Proposed building elevations include a variety of building materials and shapes that are crafted to create a unique contemporary design. |
| 10 | Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials | Yes | Landscape plan includes a mix of shade trees, palms, shrubs and ground cover. |

REQUIRED FINDINGS

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

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

The proposed project is currently zoned R-2 Medium Density Residential which permits single-family residential built to the R-1-A zone standards. A Planned Development District allows deviations from the strict interpretation of the zoning code. Section 94.02.00 specifically allows such action; therefore, the use applied for at the subject location is one for which is authorized by the Zoning Code.

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

The proposed use is a five lot single-family residential community with small lots ranging in size from 4,471 to 5,094-square feet in lot sizes. Each lot will accommodate a two-story residence with garages and private yards. Other similar size projects have been approved in the City and proven successful with completion of build out. Therefore, the use is desirable for the development of the community.

The project will consist of two-story single-family residential on vacant land which will be rezoned to PD-373. No other uses are permitted within this zone. Should alternate uses be proposed, an amendment to the PD would be required. Consequently, the use is not detrimental to the existing uses or to future uses specifically permitted in the zone (PD-373).

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

The subject property is approximately 23,039-square foot in size and will be subdivided to accommodate 5 residential lots fronting along W. Olivera Road. The PDD will establish all development standards for each residential parcel to accommodate a two-story residence and private yard area.

The development will be two-stories in height similar to residential projects along North Indian Canyon Drive. Therefore, the site for the intended residences is adequate in size and shape to adjust such use to those existing and future permitted uses of land in the neighborhood.

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

The project site is located a half block from North Indian Canyon Road which is defined as a Major Thoroughfare road by the General Plan Circulation Element. This street is a four-lane road designed to carry large volumes of traffic and moderate speeds. The proposed project fronts West via Olivera which is considered a Collector and is designed as a two way street carrying local traffic. Thus, the adjacent street network is properly designed and improved to carry the type of traffic expected for a 5-lot single-family subdivision.

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

The project was evaluated under the California Environmental Quality Act (CEQA) to determine if any environmental impacts would occur as a result of this project. The project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. An In-Fill development is characterized as developments consistent with the General Plan; sites less than 5-acres substantially surrounded by urban uses; no habitat for endangered or threatened species; site is adequately served by required utilities.

Tentative Parcel Map

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

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

The TPM proposes a five (5) lot single-family residential development with access to an existing improved street. The proposed residential development meets the maximum allowed residential density of 30 dwelling units per acre with the enactment of a Planned Development District. The PDD will allow for the implementation of development standards that are customized to the proposed development. No specific plans are associated with the subject property. The proposed map is consistent with the applicable general plan, and this finding has been met.

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

The proposed single-family development is not consistent with the R-2 zone in which the property is located. However, the PDD proposes a set of development standards and design details with smaller setbacks than would otherwise be required by the underlying zone. The overall density is less than the maximum allowable with a PDD for the zone and the average lot size is smaller than required by the zone. Improvements proposed include single family homes which are permitted relative to the R-1-A standards. The applicant seeks approval of a PDD permitting single family uses. With the approval of the PDD, the project will be consistent with this finding.

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

A subject parcel is a flat vacant lot with existing native vegetation which can be graded to accommodate construction of single-family residences. Site modifications include the placement of a new curb, gutter and sidewalk along W. via Olivera; and half street improvements for Zanjaro Road on the East side of the new development. The site is physically suited for this type of development and the finding has been met.

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

The proposed project of five (5) single-family residential lots ranging in size from 4,471-square feet and one corner lot of 5,094-square feet equaling 28 du/ac is consistent with the allowable density under the General Plan with the approval of a Planned Development District. The site abuts improved public streets with existing utilities and right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

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

The Tentative Parcel Map has been reviewed under the California Environmental Quality

Act, and subsequent to Section 15332, Infill Development. The proposed subdivision is consistent with the General Plan with the approval of a PDD. The site is a flat lot with an average slope less than 20% and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

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

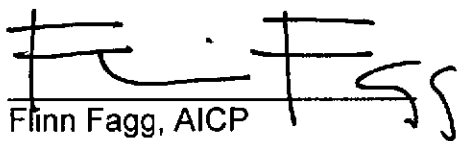
The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The private driveways from an improved street will provide access to the individual homes.

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

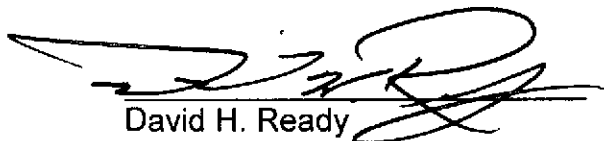
There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act, the project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. A Notice of Exemption is proposed for the project.



Flinn Fagg, AICP
Director of Planning Services



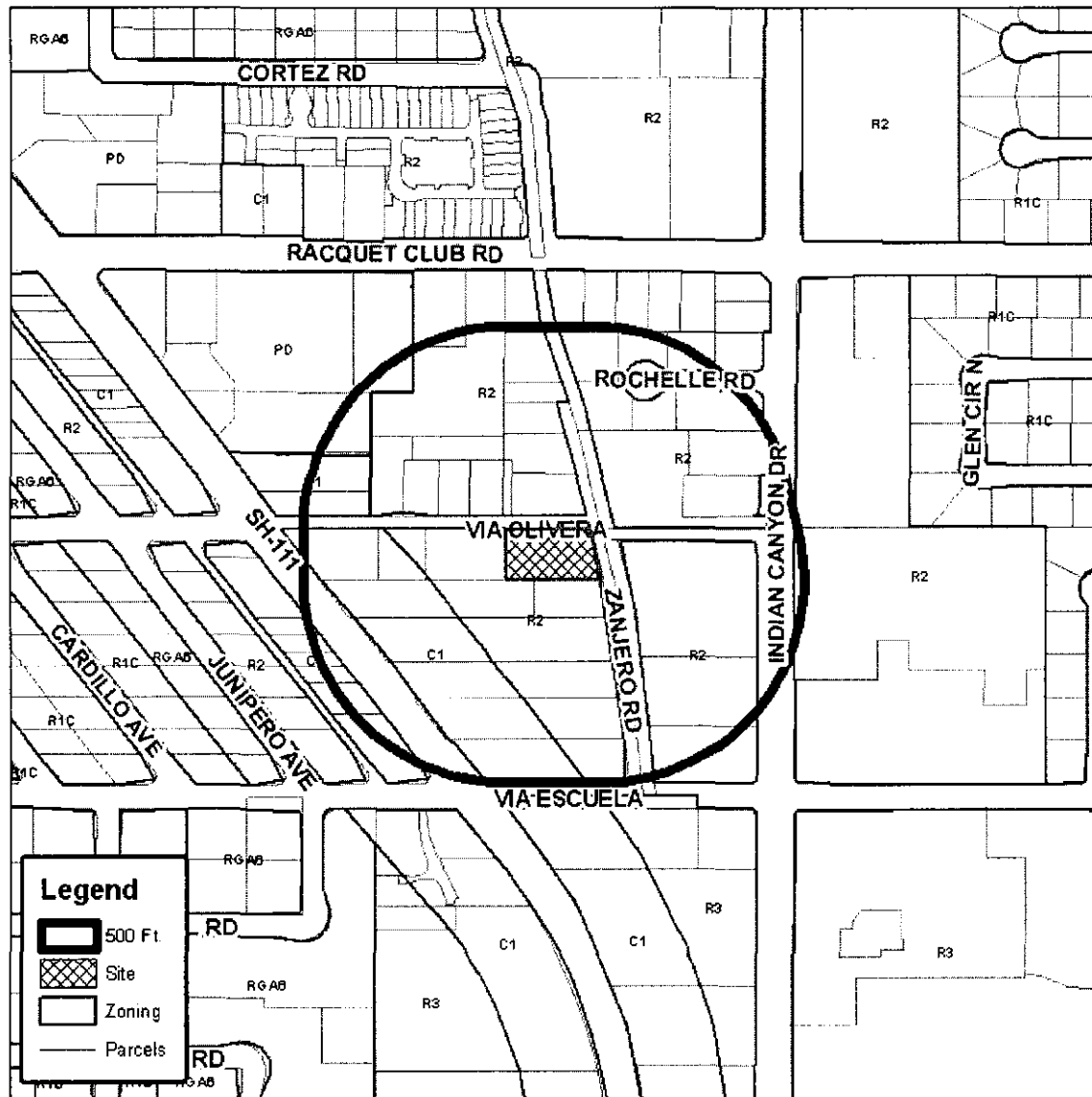
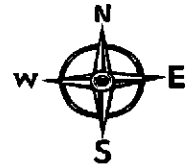
David H. Ready
City Manager

Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Minutes of Planning Commission Meeting 11/12/2014
5. Minutes of September 8, 2014 AAC Meeting
6. Planning Commission Resolution #6446
7. Planning Commission Staff Report 11/12/2014
8. Building Elevations
9. Material Board
10. Site / Landscape Plan
11. 3-D Perspectives
12. Tentative Parcel Map 36737
13. Letter from Brandenburg Properties - owner of adjacent parcels



Department of Planning Services Vicinity Map



Legend

- 500 Ft
- Site
- Zoning
- Parcels

CITY OF PALM SPRINGS

CASE NO: 5.1348 PD 373;
3.3730 MAJ; TPM 36737

APPLICANT: Via Olivera LLC

DESCRIPTION: A Tentative Parcel Map and Architectural review of a Planned Development District for a 5 lot single-family residential subdivision at 199 West via Olivera, Zone R-2, Section 3.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PRILIMINARY PLANNED DEVELOPMENT DISTRICT CASE NUMBER 5.1348 PD 373; A MAJOR ARCHITECTURAL APPLICATION, AND TENTATIVE PARCEL MAP 36737 FOR VIA OLIVERA, LLC A FIVE (5) LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 199 WEST VIA OLIVERA, ZONE R-2, SECTION 3.

WHEREAS, Via Olivera, 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 373; and

WHEREAS, Via Olivera, LLC (the "Applicant") has filed an application with the City pursuant to Section 9.62.010 of the Palm Springs Municipal Code, for Tentative Parcel Map 36737; and

WHEREAS, on September 4, 2014, the Architectural Advisory Committee reviewed the application and recommend approval to the Planning Commission with three recommendations; and

1. Combine side yards and site houses on property lines.
2. Revise landscape plan.
3. Omit gazebo.

WHEREAS, notice of a public hearing of the Planning Commission of the City of Palm Springs to consider Case Nos. 5.1348 PD 373 and TPM 36737, was given in accordance with applicable law; and

WHEREAS, on November 11, 2014, a public hearing on the applications was held by the Planning Commission in accordance with applicable law, and the Commission adopted Resolution No. 6446; unanimously approving and recommending approval of Case Nos. 5.1348 PD 373 and TTM 36737 with the following conditions; and

1. Public benefit of solar to equal $\frac{1}{4}$ to $\frac{1}{2}$ of estimated annual use.
2. Revise landscape plan for front yards – consider trees to provide shade and wind.

WHEREAS, notice of public hearing of the City Council of the City of Palm Springs to consider Case Nos. 5.1348 PD 373 and TTM 36737, was given in accordance with applicable law; and

WHEREAS, on December 17, 2014, a public hearing on the application for the project was held by the City Council in accordance with applicable law; and

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

analysis under the California Environmental Quality Act (CEQA); and

WHEREAS, Pursuant to the California Environmental Quality Act, the project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. A Notice of Exemption is proposed for the project; 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 makes the finding that the project public benefit will achieve the City's sustainability goals identified through the use of active solar features, water conservation techniques, and land use transition; and

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

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: Pursuant to the California Environmental Quality Act, the project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. A Notice of Exemption is proposed for the project; and

SECTION 2: Pursuant to Section 94.02.00 *Conditional Use Permit* applies to Planned Developments. The project as it relates to these findings is found below:

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

The proposed project is currently zoned R-2 Medium Density Residential which permits single-family residential built to the R-1-A zone standards. A Planned Development District allows deviations from the strict interpretation of the zoning

code. Section 94.02.00 specifically allows such action; therefore, the use applied for at the subject location is one for which is authorized by the Zoning Code.

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

The proposed use is a five lot single-family residential community with small lots ranging in size from 4,471 to 5,094-square feet in lot sizes. Each lot will accommodate a two-story residence with garages and private yards. Other similar size projects have been approved in the City and proven successful with completion of build out. Therefore, the use is desirable for the development of the community.

The project will consist of two-story single-family residential on vacant land which will be rezoned to PD-373. No other uses are permitted within this zone. Should alternate uses be proposed, an amendment to the PD would be required. Consequently, the use is not detrimental to the existing uses or to future uses specifically permitted in the zone (PD-373).

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

The subject property is approximately 23,039-square foot in size and will be subdivided to accommodate 5 residential lots fronting along W. Olivera Road. The PDD will establish all development standards for each residential parcel to accommodate a two-story residence and private yard area.

The development will be two-stories in height similar to residential projects along North Indian Canyon Drive. Therefore, the site for the intended residences is adequate in size and shape to adjust such use to those existing and future permitted uses of land in the neighborhood.

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

The project site is located a half block from North Indian Canyon Road which is defined as a Major Thoroughfare road by the General Plan Circulation Element. This street is a four-lane road designed to carry large volumes of traffic and moderate speeds. The proposed project fronts West via Olivera which is considered a Collector and is designed as a two way street carrying local traffic. Thus, the adjacent street network is properly designed and improved to carry the type of traffic expected for a 5-lot single-family subdivision.

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

The project was evaluated under the California Environmental Quality Act (CEQA) to determine if any environmental impacts would occur as a result of this project. The project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. An In-Fill development is characterized as developments consistent with the General Plan; sites less than 5-acres substantially surrounded by urban uses; no habitat for endangered or threatened species; site is adequately served by required utilities.

SECTION 3. Architectural Review. Pursuant to Section 94.04.00 "Architectural Review" of the Zoning Code, the proposed project is evaluated against the review guidelines listed in subsection (D) as follows:

1. Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;

The proposed 5-lot subdivision will provide individual yard spaces for each unit. New sidewalks will be added to the front and side of the development providing good pedestrian access with 25 foot long driveways for extra off-street parking.

2. Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;

Surrounding parcels are zoned R-2 allowing for multi-family residences. The proposed development of single-family detached homes at a higher density is only permitted through the Planned Development District process. Alternating

building elevations with different front facades and materials will provide a varied streetscape.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The proposal is seeking deviations to development standards as shown in the zoning analysis above.

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

Conceptual building designs have been provided and appear well composed. Final building materials and colors will be evaluated during the Final Development Plan review.

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

Each building type will be utilizing two different color schemes including wood and stone elements. Building overhangs are shown over windows and balconies for solar control and enhance building appearance. Further analysis will be completed when the Final PDD is submitted.

6. *Consistency of composition and treatment;*

Proposed building elevations include a variety of building materials and shapes that are crafted to create a unique contemporary design.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

Landscape plan includes a mix of shade trees, palms, shrubs and ground cover.

SECTION 4. *Planned Development District.* Pursuant to Section 94.03.00 (E) "*Planned Development Districts*" of the Zoning Code, a Planned Development District (PDD) may be established in accordance with the procedures required by Section 94.07.00. The proposed project is evaluated against the findings as follows:

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 Mixed Use / Multi Use designation. 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.

- 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. Access to each new home will be from an improved street with a 23-foot long driveway. The residential lots range in size from 4,471-square feet and one corner lot of 5,094-square feet which is similar to other zero lot line developments in the City. The site layout will allow the maximizing of view corridors for the project and its surroundings. New sidewalks, curbs and gutters will be installed along West Via Olivera as well as a portion of Zanjaro Road.

- 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 developments within the City. The proposed district will not be detrimental to adjacent properties or residents but will enhance the already established neighborhood by allowing a long vacant parcel to develop into new residential housing. 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.

SECTION 5: Tentative Parcel Map. The findings required for the proposed Tentative Map are pursuant to Section 66474 of the California Subdivision Map Act. The project is evaluated against these findings as follows:

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

The TPM proposes a five (5) lot single-family residential development with access to an existing improved street. The proposed residential development meets the maximum allowed residential density of 30 dwelling units per acre with the enactment of a Planned Development District. The PDD will allow for the implementation of development standards that are customized to the proposed development. No specific plans are associated with the subject property. The

proposed map is consistent with the applicable general plan, and this finding has been met.

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

The proposed single-family development is not consistent with the R-2 zone in which the property is located. However, the PDD proposes a set of development standards and design details with smaller setbacks than would otherwise be required by the underlying zone. The overall density is less than the maximum allowable with a PDD for the zone and the average lot size is smaller than required by the zone. Improvements proposed include single family homes which are permitted relative to the R-1-A standards. The applicant seeks approval of a PDD permitting single family uses. With the approval of the PDD, the project will be consistent with this finding.

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

A subject parcel is a flat vacant lot with existing native vegetation which can be graded to accommodate construction of single-family residences. Site modifications include the placement of a new curb, gutter and sidewalk along W. Via Olivera; and half street improvements for Zanjaro Road on the East side of the new development. The site is physically suited for this type of development and the finding has been met.

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

The proposed project of five (5) single-family residential lots ranging in size from 4,471-square feet and one corner lot of 5,094-square feet equaling 28 du/ac is consistent with the allowable density under the General Plan with the approval of a Planned Development District. The site abuts improved public streets with existing utilities and right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

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

The Tentative Parcel Map has been reviewed under the California Environmental Quality Act, and subsequent to Section 15332, Infill Development. The proposed subdivision is consistent with the General Plan with the approval of a PDD. The site is a flat lot with an average slope less than 20% and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

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

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The private driveways from an improved street will provide access to the individual homes.

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

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

SECTION 6: Public Benefit. the City Council finds that the project Public Benefit will achieve the City's sustainability goals identified through the use of active solar features, water conservation techniques, and land use transition. Sustainability features of the project to include the placement of solar panels on all building roofs with the ability to generate $\frac{1}{4}$ to $\frac{1}{2}$ of the expected energy used by each unit; the use of water efficient landscaping to reduce water use and provide shading; and provide an appropriate land use transition from commercial uses to the East to lower density residential uses to the west.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council approves Planned Development District 373 and the project architecture and approves Case Number 5.1348, PD-373 and Tentative Tract Map 36737.

ADOPTED this 17th day of December, 2014.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

RESOLUTION NO.

EXHIBIT A

Cases 5.1348 PD 373; 3.3730 MAJ; TPM 36737

199 West Via Olivera

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 5.1348 PD 373; 3.3730 MAJ; TPM 36737: except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped October 15, 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 Parcel Map. This approval is for Tentative Parcel Map 36737 located at 199 West Via Olivera, date stamped October 9, 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 5.1448 PD 373. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 7. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

ADM 8. Time Limit on Approval. Approval of the (Planned Development District (PDD) Tentative Tract Map (TTM) and Major Architectural Applications (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

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

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

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$50 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).
- 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 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 negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the 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. (check for duplication in engineering conditions)

- 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. Conditions imposed by Planning Commission. The applicant shall incorporate the following conditions:

- Sustainability feature of the project to include the placement of solar panels on all building roofs with the ability to generate $\frac{1}{4}$ to $\frac{1}{2}$ of the expected energy used by each unit.
- The use of water efficient landscaping to reduce water use and provide shading.

PLN 5. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:

- Combine side yards and site houses on property line
- Revise landscape plan
- Omit Gazebo

PLN 6. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.

PLN 7. 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 8. 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 9. 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 10. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:

- a. The document to convey title.

- b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.
- c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

PLN 11. Update of City's Zoning Map. Upon approval of the proposed Change of Zone, Tract Map and/or Planned Development District, the applicant shall be responsible for costs associated with update of the City's GIS based zoning maps.

PLN 12. Smart Controller for landscape irrigation. The applicant is to use "smart controllers" available from the Desert Water Agency for water efficiency in the irrigation system.

PLN 13. Notice to future buyers on views. Applicant shall notify all prospective buyers of lots within the proposed subdivision that development will occur on adjacent and abutting properties and there are no written or implied rights to the preservation of scenic views from any of the lots.

POLICE DEPARTMENT CONDITIONS

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

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

STREETS

ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

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 building permits.

VIA OLIVERA

- ENG 3. Construct a 6 inch curb and gutter, 18 feet south of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 4. Construct a driveway approach for each proposed lot on Via Olivera in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 5. Construct a 5 feet wide sidewalk behind the proposed curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 6. Construct a Type A curb ramp meeting current California State Accessibility standards at the southwest corner of the intersection of via Olivera and Zanjero Road in accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 7. Construct pavement with 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, from edge of proposed gutter to clean sawcut edge of pavement at centerline of Via Olivera frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 300. 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 8. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ZANJERO ROAD

- ENG 9. Construct a 6 inch curb and gutter, 18 feet west of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 10. Construct a 5 feet wide sidewalk behind the proposed curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 11. Construct pavement with 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, from edge of proposed gutter to centerline along the entire Zanjero Road frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 300. 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 12. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

SANITARY SEWER

- ENG 13. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

GRADING

- ENG 14. 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 has 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 15. 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 16. 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 17. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 18. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 19. 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 20. 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 21. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 22. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blow sand relating to this property and development.

- ENG 23. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 24. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided even though there may not be a grading plan for the project. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 25. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building foundation.
- ENG 26. 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).

DRAINAGE

- ENG 27. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).
- ENG 28. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$6,511.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

- ENG 29. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.
- ENG 30. All proposed utility lines shall be installed underground.
- ENG 31. 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 32. 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 33. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 34. 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 35. 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.

MAP

ENG 36. A Parcel Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Parcel Map to the Engineering Division as part of the review of the Map. The Parcel Map shall be approved by the City Council prior to issuance of building permits.

ENG 37. In accordance with Government Code 66411.1 (a), all required public improvements shall be listed in an Improvement Certificate on the Parcel Map and clearly noted that the required public improvements will be the minimum development requirements for Tentative Parcel Map No. 36737, but shall be completed prior to issuance of a building permit of TPM36737.

ENG 38. Upon approval of a parcel map, the parcel map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

ENG 39. 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 Via Olivera and Zanjero Road frontage of TPM36737.

ENG 40. 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 41. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.

ENG 42. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

FID 1 No fire conditions at this time.

END OF CONDITIONS

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

2F. VIA OLIVERA, LLC FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT; MAJOR ARCHITECTURAL AND TENTATIVE PARCEL MAP FOR A FIVE (5) LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 199 WEST VIA OLIVERA, ZONE R-2, SECTION 3 (CASE NOS. 5.1348 PD 373 / 3.3730 MAJ / TPM 36737). (GM)

Assistant Planner Mlaker presented the proposed project as outlined in the staff report.

Chair Hudson said he was in attendance at the AAC meeting when this project was heard and asked what will be substituted for the gazebo. Planner Mlaker responded the public benefit is that 1/2 of Zanjero Road will be built with curb and gutter.

Chair Hudson opened the public hearing:

Leonard Urquiza, PE, Secutrac Engineering, provided details about the replacement of the gazebo with landscaping area per the AAC recommendations.

There being no further appearances the public hearing was closed.

Commissioner Weremiuk expressed concern with the lack of public benefit for the community.

Commissioner Calderine suggested looking at improving the cross-section road (Zanjero Road) as a public benefit.

Commissioner Middleton noted the lack of landscape and encouraged a greater variety of material and more shading could be provided.

Vice-Chair Klatchko asked about the possibility of an alternative approach for a PDD such as a change of zone.

Assistant Planner Mlaker responded that the gazebo was part of one lot; and when the application was submitted staff asked the applicant to submit a PDD because of the density and original site plan was designed it would not meet the design standards.

The Commission discussed the amount of public benefit proportionate to the project.

Director Fagg noted that without a specific ordinance by the City Council establishing a specific fee in place this cannot be done.

Director Fagg stated that the concept of proportionality for public benefit - is the amount of the variance being requested proportional to what the public benefit is given. This is a small project - streets are not being created and so the public benefit would be less.

Vice-Chair Klatchko noted hesitation because this area is vacant except for the nursing home area directly to the east and this would be a transition from the commercial use to residential. He feels this is a public benefit and an allowance should be given for development in this neighborhood.

ACTION: Approve subject to conditions and recommend approval to City Council as amended:

- To include a public benefit of solar - 1/4 to 1/2 of the estimated annual use.
- Return with a more varied landscape plan - reconsideration is given to the trees to provide shade and withstand the winds.

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

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

26. 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:

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

M/S/C (Fauber/Fredricks, 6-0-1 abstention Secoy-Jensen) Approve to submit to the Planning Commission.

4. **SAGE COURTYARD L.P., OWNER FOR A MINOR ARCHITECTURAL APPROVAL AND VARIANCE REQUEST TO REDUCE SETBACK TO 5 FEET FOR THE CONSTRUCTION OF SEVEN CARPORTS AT THE SAGE APARTMENTS LOCATED AT 2300 EAST TAHQUITZ CANYON WAY, ZONE R-3, SECTION 13. (CASE NOS. 3.1312 & 6.540).**

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

M/S/C (Fauber/Secoy, 6-0-1 abstention Song) Approve to submit to the Planning Commission.

5. **OLIVERA, LLC FOR A TENTATIVE PARCEL MAP AND ARCHITECTURAL REVIEW OF A PLANNED DEVELOPMENT DISTRICT FOR A 5 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 199 WEST VIA OLIVERA, ZONE R-2, SECTION 3. (CASE NOS. TPM 36737, 5.1348 PD373, 3.3730 MAJ).**

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

M/S/C (Song/Cassady, 7-0) Approved on three conditions: to reconsider the site design with combined the side yards with no property lines, to revise the landscapes plan, to look at site layout with Lot 0 design and to omit the gazebo and instead have a public benefit feature(renewable energy, landscape, or public transportation).

6. **PALM SPRINGS PROMENADE, LLC FOR AN UPDATE ON EXTERIOR ELEVATIONS OF BLOCK A OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT LOCATED AT THE NORTHWEST CORNER OF ANDREAS ROAD AND PALM CANYON DRIVE, ZONE CBD. (CASE 3.3605 MAJ).**

ASSOCIATE PLANNER NEWELL presented the proposed project (Building A) as outlined in the staff memorandum.

MEMBER SECOY-JENSEN asked why certain elements in the presentations were omitted from the Architectural Advisory Committee's packets.

file

RESOLUTION NO. 6446

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PRILIMINARY PLANNED DEVELOPMENT DISTRICT CASE NUMBER 5.1348 PD 373; A MAJOR ARCHITECTURAL APPLICATION, AND TENTATIVE PARCEL MAP 36737 FOR VIA OLIVERA, LLC A FIVE (5) LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 199 WEST VIA OLIVERA, ZONE R-2, SECTION 3.

WHEREAS, Via Olivera, 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 373; and

WHEREAS, Via Olivera, LLC (the "Applicant") has filed an application with the City pursuant to Section 9.62.010 of the Palm Springs Municipal Code, for Tentative Parcel Map 36737; and

WHEREAS, the Architectural Advisory Committee reviewed the application and recommend approval to the Planning Commission with three recommendations; and

1. Combine side yards and site houses on property lines.
2. Revise landscape plan.
3. Omit gazebo.

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case Number 5.1348, consisting of Planned Development District 373, Tentative Tract Map 36737, 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, Pursuant to the California Environmental Quality Act, the project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. A Notice of Exemption is proposed for the project; and

WHEREAS, pursuant to Section 66412.3 of the Subdivision Map Act, the Planning Commission 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 Planning Commission makes the finding that the project public benefit will achieve the City's sustainability goals identified through the use of active solar features, water conservation techniques, and land use transition; and

WHEREAS, the Planning Commission 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 PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the California Environmental Quality Act, the project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. A Notice of Exemption is proposed for the project; and

Section 2: Pursuant to Section 94.03.00 (E) of the Palm Springs Zoning Code, the Planning Commission 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 Mixed Use / Multi Use designation. 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.

- 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. Access to each new home will be from an improved street with a 23-foot long driveway. The residential lots range in size from 4,471-square feet and one corner lot of 5,094-square feet which is similar to other zero lot line developments in the City. The site layout will allow the maximizing of view corridors for the project and its surroundings. New sidewalks, curbs and gutters will be installed along West Via Olivera as well as a portion of Zanjaro Road.

- 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 developments within the City. The proposed district will not be detrimental to adjacent properties or residents but will enhance the already established neighborhood by allowing a long vacant parcel to develop into new residential housing. 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.

Section 3: Pursuant to Section 66474 of the Subdivision Map Act, the Planning Commission makes the following findings:

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

The TPM proposes a five (5) lot single-family residential development with access to an existing improved street. The proposed residential development meets the maximum allowed residential density of 30 dwelling units per acre with the enactment of a Planned Development District. The PDD will allow for the implementation of development standards that are customized to the proposed development. No specific plans are associated with the subject property. The proposed map is consistent with the applicable general plan, and this finding has been met.

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

The proposed single-family development is not consistent with the R-2 zone in which the property is located. However, the PDD proposes a set of development standards and design details with smaller setbacks than would otherwise be required by the underlying zone. The overall density is less than the maximum allowable with a PDD for the zone and the average lot size is smaller than required by the zone. Improvements proposed include single family homes which are permitted relative to the R-1-A standards. The applicant seeks approval of a PDD permitting single family uses. With the approval of the PDD, the project will be consistent with this finding.

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

A subject parcel is a flat vacant lot with existing native vegetation which can be graded to accommodate construction of single-family residences. Site modifications include the placement of a new curb, gutter and sidewalk along W. Via Olivera; and half street improvements for Zanjaro Road on the East side of the new development. The site is physically suited for this type of development and the finding has been met.

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

The proposed project of five (5) single-family residential lots ranging in size from 4,471-square feet and one corner lot of 5,094-square feet equaling 28 du/ac is consistent with the allowable density under the General Plan with the approval of a Planned Development District. The site abuts improved public streets with existing utilities and right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

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

The Tentative Parcel Map has been reviewed under the California Environmental Quality Act, and subsequent to Section 15332, Infill Development. The proposed subdivision is consistent with the General Plan with the approval of a PDD. The site is a flat lot with an average slope less than 20% and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

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

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The private driveways from an improved street will provide access to the individual homes.

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

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

Section 4: Public Benefit. The Planning Commission finds that the project Public Benefit will achieve the City's sustainability goals identified through the use of active solar features, water conservation techniques, and land use transition. Sustainability features of the project to include the placement of solar panels on all building roofs with the ability to generate $\frac{1}{4}$ to $\frac{1}{2}$ of the expected energy used by each unit; the use of water efficient landscaping to reduce water use and provide shading; and provide an appropriate land use transition from commercial uses to the East to lower density residential uses to the west.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission approves Planned Development District 373 and the project architecture and recommends that the City Council approve Case Number 5.1348, PD-373 and Tentative Tract Map 36737.

ADOPTED this 12th day of November, 2014.

AYES: 7, Commissioner Weremiuk, Vice-Chair Klatchko, Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts and Chair Hudson

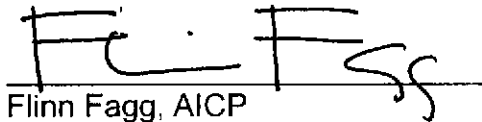
NOES: None.

ABSENT: None.

ABSTAIN: None.

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO. 6446

EXHIBIT A

CITY OF PALM SPRINGS

APPROVED BY PLANNING COMMISSION

Cases 5.1348 PD 373; 3.3730 MAJ; TPM 36737 Case # 5.1348 Date 11/12/14 Initial GM

APPROVED BY CITY COUNCIL

199 West Via Olivera Case # _____ Date _____ Initial _____

November 12, 2014 Resolution # _____ Ordinance # _____

APPROVAL SUBJECT TO ALL REQUIRED

CONDITIONS BY ABOVE BODIES

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 5.1348 PD 373; 3.3730 MAJ; TPM 36737: except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped October 15, 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 Parcel Map. This approval is for Tentative Parcel Map 36737 located at 199 West Via Olivera, date stamped October 9, 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 5.1448 PD 373. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 7. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

ADM 8. Time Limit on Approval. Approval of the (Planned Development District (PDD) Tentative Tract Map (TTM) and Major Architectural Applications (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

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

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).

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$50 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).
- 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 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 negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the 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. (check for duplication in engineering conditions)
- 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. Conditions imposed by Planning Commission. The applicant shall incorporate the following conditions:
- Sustainability feature of the project to include the placement of solar panels on all building roofs with the ability to generate $\frac{1}{4}$ to $\frac{1}{2}$ of the expected energy used by each unit.
 - The use of water efficient landscaping to reduce water use and provide shading.

- PLN 5. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:
- Combine side yards and site houses on property line
 - Revise landscape plan
 - Omit Gazebo
- PLN 6. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 7. 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 8. 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 9. 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 10. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:
- a. The document to convey title.
 - b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.
 - c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.
- PLN 11. Update of City's Zoning Map. Upon approval of the proposed Change of Zone, Tract Map and/or Planned Development District, the applicant shall be responsible for costs associated with update of the City's GIS based zoning maps.

PLN 12. Smart Controller for landscape irrigation. The applicant is to use "smart controllers" available from the Desert Water Agency for water efficiency in the irrigation system.

POLICE DEPARTMENT CONDITIONS

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

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

STREETS

ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

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 building permits.

VIA OLIVERA

ENG 3. Construct a 6 inch curb and gutter, 18 feet south of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.

ENG 4. Construct a driveway approach for each proposed lot on Via Olivera in accordance with City of Palm Springs Standard Drawing No. 201.

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

ENG 6. Construct a Type A curb ramp meeting current California State Accessibility standards at the southwest corner of the intersection of via Olivera and Zanjero Road in accordance with City of Palm Springs Standard Drawing No. 212.

ENG 7. Construct pavement with 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, from edge of proposed gutter to clean sawcut edge of pavement at centerline of Via Olivera frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 300. 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 8. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ZANJERO ROAD

ENG 9. Construct a 6 inch curb and gutter, 18 feet west of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.

ENG 10. Construct a 5 feet wide sidewalk behind the proposed curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

ENG 11. Construct pavement with 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, from edge of proposed gutter to centerline along the entire Zanjero Road frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 300. 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 12. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

SANITARY SEWER

ENG 13. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

GRADING

ENG 14. 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 has 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 15. 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 16. 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 17. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 18. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

- ENG 19. 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 20. 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 21. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 22. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blow sand relating to this property and development.
- ENG 23. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 24. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided even though there may not be a grading plan for the project. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 25. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building foundation.

ENG 26. 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).

DRAINAGE

ENG 27. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).

ENG 28. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$6,511.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

ENG 29. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 30. All proposed utility lines shall be installed underground.

- ENG 31. 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 32. 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 33. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 34. 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 35. 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.

MAP

- ENG 36. A Parcel Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Parcel Map to the Engineering Division as part of the review of the Map. The Parcel Map shall be approved by the City Council prior to issuance of building permits.
- ENG 37. In accordance with Government Code 66411.1 (a), all required public improvements shall be listed in an Improvement Certificate on the Parcel Map and clearly noted that the required public improvements will be the minimum development requirements for Tentative Parcel Map No. 36737, but shall be completed prior to issuance of a building permit of TPM36737.
- ENG 38. Upon approval of a parcel map, the parcel map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate

System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

- ENG 39. 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 Via Olivera and Zanjero Road frontage of TPM36737.
- ENG 40. 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 41. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 42. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

- FID 1 No fire conditions at this time.

END OF CONDITIONS



PLANNING COMMISSION STAFF REPORT

DATE: November 12, 2014

SUBJECT: VIA OLIVERA, LLC FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT; MAJOR ARCHITECTURAL; AND TENTATIVE PARCEL MAP FOR A FIVE (5) LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AT 199 WEST VIA OLIVERA, ZONE R-2, SECTION 3. (CASE NOS. 5.1348 PD 373; 3.3730 MAJ; TPM 36737) (GM)

FROM: Flinn Fagg, AICP, Director of Planning Services

SUMMARY

The Planning Commission to review a proposal for the following:

1. **Preliminary Planned Development District** to establish project site plan, permitted uses and development standards. The applicant proposes five (5) single-family residential lots with the following development standards:
Setbacks:
Front – 25 feet
Rear – 25 feet
Side – 10 feet
Building Height: 24 feet maximum – two-story residences
House Size: Approximately 2,350-square feet
Density: 28 units per acre
2. **Major Architectural Application** to review the proposed house designs. Final Design Plans to be submitted with Final Planned Development review.
3. **Tentative Parcel Map** to subdivide one vacant lot into five lots ranging in size from 4,471-square feet to 5,094-square feet.

RECOMMENDATION:

Approve subject to Conditions of Approval and recommend approval to the City Council

ISSUES:

- Single-Family residential developments in the R-2 zone subject to R-1-A zone standards.
- Planned Development District to allow reduced setbacks, increased building height, increased lot coverage, increased density.

BACKGROUND:

| Related Relevant City Actions by Planning, Fire, Building, etc... | |
|--|--|
| 12/12/2007 | Planning Commission approves Case No. 5.1159 Planned Development District 340 and TTM 34729 consisting of a 5-unit detached condominium project and condominium map. (Project Expires) |
| 2/6/2008 | City Council approves Planned Development District 5.1159 PD 340. (Project Expires) |
| 9/4/2014 | AAC reviews project and recommends approval to the Planning Commission with the following 3 conditions: <ol style="list-style-type: none"> 1. Combine side yards and site houses on property lines. 2. Revise landscape plan. 3. Omit gazebo. |

| Most Recent Change of Ownership | |
|--|-----------------|
| 1/29/2010 | Via Olivera LLC |

| Planning Areas | | |
|-----------------------|------|--|
| Specific Plan | None | |
| Design Plan | None | |
| Overlay Zone | None | |
| Indian Land | None | |

| Neighborhood Meeting | |
|-----------------------------|----------------------|
| | Meeting not required |

| Sign Posting of Pending Project | |
|--|--|
| 06/01/2014 | The City received verification that one sign had been posted on-site as required by Section 94.09.00 of the Zoning Code. |

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

| Field Check | |
|--------------------|---|
| October 2014 | Staff visited site to observe existing conditions |

| Details of Application Request | |
|---------------------------------------|--------------------|
| Site Area | |
| Net Area | 23,039-square feet |



Subject Site: 199 West Via Olivera

ANALYSIS:

| General Plan, Zoning and Land Uses of Site & Surrounding Areas | | | |
|---|---|------------------------------------|--------------------------|
| | Existing General Plan Designations | Existing Zoning Designation | Existing Land Use |
| Site | MXD (Mixed Use / Multi Use) | R-2 (Multi-Family Residential) | Vacant |
| North | MDR (Medium Density Residential) | R-2 (Multi-Family Residential) | Vacant |
| South | MXD (Mixed Use / Multi Use) | R-2 (Multi-Family Residential) | Vacant |
| East | MDR (Medium Density Residential) | R-2 (Multi-Family Residential) | Nursing – Rehab Facility |
| West | MXD (Mixed Use / Multi Use) | R-2 (Multi-Family Residential) | Vacant |

Development Standards:

| | R-2 refers to R-1-A Requirements | Proposed Project: PDD 373 | Comply |
|-------------------------|---|----------------------------------|-----------------|
| A. Lot Area | 20,000 sq. ft. | 4,471 to 5,094 sq. ft. minimum | No, PDD request |
| B. Lot Dimension | | | |
| Min. Width | 130 feet | 42 feet wide | No, PDD request |
| Min. Depth | 120 feet | 106 feet long | No, PDD request |

| | | | |
|--------------------------------------|---|--|-------------------------------|
| C. Density | 15 du / acre per GP | 28 du / acre (PD allows max of 30 du/acre) | No, PDD request |
| D. Building Height | 12 feet – one-story | 24 feet maximum | No, PDD request |
| E. Yard Setbacks | | | |
| 1. General Provisions | 25 feet – front 15 feet – rear 10 feet - side | 25 feet – front 25 feet – rear 6 feet - side | Yes Yes No, PDD request |
| F. Lot Coverage Maximum | 35% | 39% | No, PDD request |
| G. Distance Between Buildings | 15 feet minimum | 12 feet | No, PDD request |
| I. Off-street Parking | Two spaces for each dwelling unit within a garage or carport. | Two covered parking spaces per residence | Yes |

PREVIOUS APPROVAL

On December 12, 2007 the Planning Commission approved Planned Development District: Case 5.1159 PD 340 to construct five 2,413-square foot detached two-story condominiums and Tentative Tract Map 34729 for a condominium lot. The building elevations and setbacks for this previously approved project are similar to the case before the Planning Commission.

On February 6, 2007, the City Council approved Planned Development District Case 5.1159 PD 340 by a 4-1 vote. The PDD entitlement expired and the Tract Map was never recorded.

PROJECT DESCRIPTION:

The proposed project includes the development of an existing 23,039-square foot vacant lot located at the corner of West via Olivera and Zanjero Road. The site is one block west of North Indian Canyon Drive in a largely undeveloped area. The subject parcel is zoned R-2 allowing for multi-family structures; however the applicant proposes to develop the lots as single-family detached units with zero lot line on one side. The Palm Springs Zoning Code (PSZC) requires R-2 zoned parcels developed as detached single-family lots to meet the standards of the R-1-A zone. These development standards are listed in the table above.

The proposed development does not meet most of the standards set forth in the R-1-A zone. The applicant is seeking relief from the provisions of the PSZC through the Planned Development District approval process.

A Tentative Parcel Map will subdivide the lot into five (5) single-family lots ranging in size from 4,471-square feet to 5,094-square feet.

Access to each unit will be taken from Via Olivera. No access is proposed on Zanjero Road, although it will be required to be improved to its ultimate half width.

The Architectural Advisory Committee (AAC) reviewed the project and recommended three changes to include the revision of the site plan placing the houses on the side property line allowing for a wider side yard; revise landscape plan increasing the number of plants in the front yard; and eliminating a gazebo feature along Zanjero Road. All requested changes have been made and are reflected on this submission.

Site Plan

The proposed subdivision to five (5) parcels will result in four interior lots equaling 4,471-square feet and one corner lot of 5,094-square feet. Each detached home will be accessed from West via Olivera with a 23 foot long driveway. Each house will be surrounded by a six (6) foot tall combination CMU / corrugated metal wall. An Engineering Department condition of approval includes the requirement that a sidewalk be added along the street frontage of the project as well as the construction of curb and gutter. Each house will have a 25 foot front and rear yard setbacks, with side yards of ten (10) feet. Swimming pools are shown in the rear yards of each lot. The two car garage driveways for the interior four lots will be 16 feet in width with a reduced width for the corner Lot 1 to meet City Engineering standards based upon the required distance from intersecting streets.

Architecture

The applicant is proposing two house types: Unit Design "A"; and Unit Design "B". The streetscape will alternate each unit type with three of design A and two of design B. Each house is proposed to be 2-story with a maximum height of 24 feet.

Unit A includes a front façade with a two car garage, front entry door, with a second story balcony with wide roof overhang. The house will have a stucco finish painted beige with aluminum windows, doors, garage door, glass balcony railings, with slate tile veneer accent elements on the front façade.

Unit B will have a flat front façade with stucco finish painted dark green with deep bronze window and door finish, metal facias and chimney cap. This elevation includes exposed wood finish for garage door and other accent elements.

The rear elevation for both house types includes sliders leading out to a pool area and second story balconies. Side elevations for both house types include a series of small square windows and first floor sliders leading out to the side yard.

Tentative Parcel Map

The proposed Tentative Parcel Map (TPM) subdivides the site into five (5) single-family residential lots ranging in size from 4,471-square feet and one corner lot of 5,094-square feet. The design of the TPM is consistent with the design of the site for the project. Staff has reviewed the proposed Tract Map in light of the required findings and prepared recommended conditions contained in the attached draft resolution.

Planning Commission Architectural Advisory Committee Review Guidelines.

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

| | Guideline: | Conforms? | Staff Evaluation: |
|---|--|-----------|---|
| 1 | Does the proposed development provide a desirable environment for its occupants? | Yes | Each detached single-family residence will have a small private yard and private pool areas with two car garage and driveways leading from an improved street. |
| 2 | Is the proposed development compatible with the character of adjacent and surrounding developments? | Yes | The project is compatible with the existing development in the surrounding areas. The immediate area is vacant land and the proposed two-story residential development within the R-2 zoned parcel is compatible with future and existing uses. |
| 3 | Is the proposed development of good composition, materials, textures, and colors? | Yes | The project architecture includes two house types constructed of quality materials providing a variety in front façade design with the use of stucco finish, aluminum windows and doors as well as metal and stone. Final architectural design will be reviewed once the Final Development Plan has been submitted. |
| 4 | Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas | Yes | The proposed 5-lot subdivision will provide individual yard spaces for each unit. New sidewalks will be added to the front and side of the development providing good pedestrian access with 25 foot long driveways for extra off-street parking. |

| | | | |
|----|---|-----|--|
| 5 | Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted | Yes | Surrounding parcels are zoned R-2 allowing for multi-family residences. The proposed development of single-family detached homes at a higher density is only permitted through the Planned Development District process. Alternating building elevations with different front facades and materials will provide a varied streetscape. |
| 6 | Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment | No | The proposal is seeking deviations to development standards as shown in the zoning analysis above. |
| 7 | Building design, materials and colors to be sympathetic with desert surroundings | Yes | Conceptual building designs have been provided and appear well composed. Final building materials and colors will be evaluated during the Final Development Plan review. |
| 8 | Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously | Yes | Each building type will be utilizing two different color schemes including wood and stone elements. Building overhangs are shown over windows and balconies for solar control and enhance building appearance. Further analysis will be completed when the Final PDD is submitted |
| 9 | Consistency of composition and treatment | Yes | Proposed building elevations include a variety of building materials and shapes that are crafted to create a unique contemporary design. |
| 10 | Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials | Yes | Landscape plan includes a mix of shade trees, palms, shrubs and ground cover. |

REQUIRED FINDINGS

Planned Development District

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 Mixed Use / Multi Use designation. 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.

- 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. Access to each new home will be from an improved street with a 23-foot long driveway. The residential lots range in size from 4,471-square feet and one corner lot of 5,094-square feet which is similar to other zero lot line developments in the City. The site layout will allow the maximizing of view corridors for the project and its surroundings. New sidewalks, curbs and gutters will be installed along West Via Olivera as well as a portion of Zanjaro Road.

- 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 developments within the City. The proposed district will not be detrimental to adjacent properties or residents but will enhance the already established neighborhood by allowing a long vacant parcel to develop into new residential housing. 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.

Tentative Parcel Map

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

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

The TPM proposes a five (5) lot single-family residential development with access to an existing improved street. The proposed residential development meets the maximum allowed residential density of 30 dwelling units per acre with the enactment of a Planned Development District. The PDD will allow for the implementation of development standards that are customized to the proposed development. No specific plans are associated with the subject property. The proposed map is consistent with the applicable general plan, and this finding has been met.

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

The proposed single-family development is not consistent with the R-2 zone in which the property is located. However, the PDD proposes a set of development standards and design details with smaller setbacks than would otherwise be required by the underlying zone. The overall density is less than the maximum allowable with a PDD for the zone and the average lot size is smaller than required by the zone. Improvements proposed include single family homes which are permitted relative to the R-1-A standards. The applicant seeks approval of a PDD permitting single family uses. With the approval of the PDD, the project will be consistent with this finding.

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

A subject parcel is a flat vacant lot with existing native vegetation which can be graded to accommodate construction of single-family residences. Site modifications include the placement of a new curb, gutter and sidewalk along W. Via Olivera; and half street improvements for Zanjaro Road on the East side of the new development. The site is physically suited for this type of development and the finding has been met.

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

The proposed project of five (5) single-family residential lots ranging in size from 4,471-square feet and one corner lot of 5,034-square feet equaling 28 du/ac is consistent with the allowable density under the General Plan with the approval of a Planned Development District. The site abuts improved public streets with existing utilities and right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

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

The Tentative Parcel Map has been reviewed under the California Environmental Quality Act, and subsequent to Section 15332, Infill Development. The proposed subdivision is consistent with the General Plan with the approval of a PDD. The site is a flat lot with an average slope less than 20% and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

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

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The private driveways from an improved street will provide access to the individual homes.

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

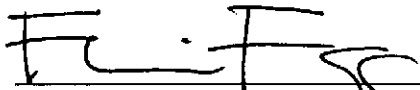
There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act, the project was reviewed by staff, and determined to be exempt under Section 15332, Infill Development. A Notice of Exemption is proposed for the project.



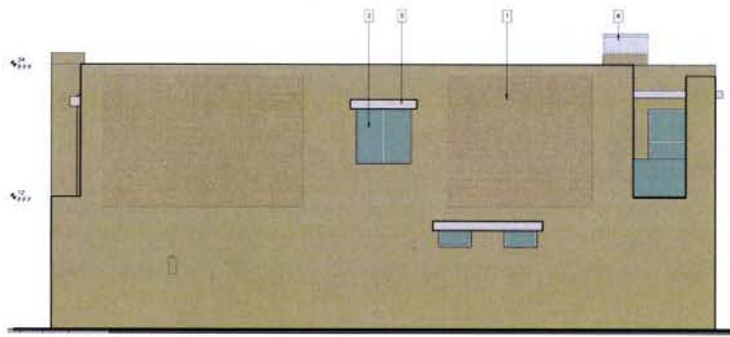
Glenn Mlaker, AICP
Assistant Planner



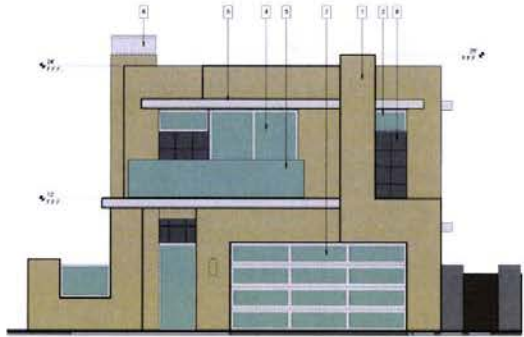
Flinn Fagg, AICP
Director of Planning Services

Attachments:

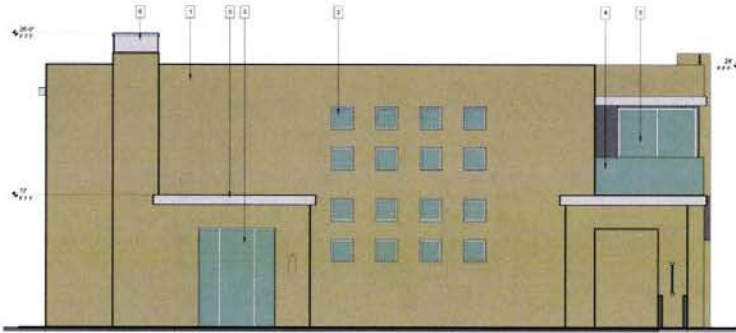
1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Minutes of September 8, 2014 AAC Meeting
5. Building Elevations
6. Material Board
7. Site / Landscape Plan
8. 3-D Perspectives
9. Tentative Parcel Map 36737



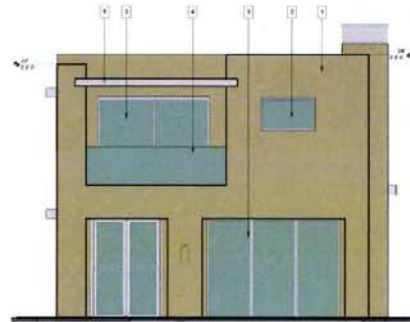
LEFT SIDE ELEVATION
1/4" = 1'-0"



FRONT ELEVATION
1/4" = 1'-0"



RIGHT SIDE ELEVATION
1/4" = 1'-0"



REAR ELEVATION
1/4" = 1'-0"

Unit Design "A"

Material Key Notes

- | | |
|--------------------|-------------------------------------|
| 1. Stucco Finish | 5. Painted Steel Fascia |
| 2. Aluminum Window | 6. Chimney Cap-Painted metal Shroud |
| 3. Aluminum Door | 7. Aluminum Garage Door w/Glass |
| 4. Glass Railing | 8. Slate Tile Veneer |

**GORDON
STEIN
DESIGN**

GORDON STEIN DESIGN
8065 Sunset Ct.
Indio, CA 92201

Owner

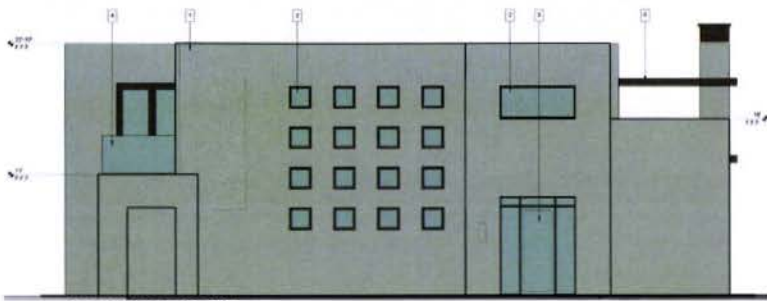
VIA OLIVERA PROJECT
VIA OLIVERA ST. PALM SPRINGS, CA.

**EXTERIOR
ELEVATIONS -
COLOR**

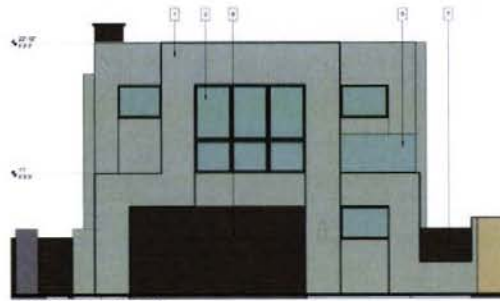
Project Number/Project Number
Date: 4-9-2014
Drawn By: Author
Checked By: Checker

A3.3

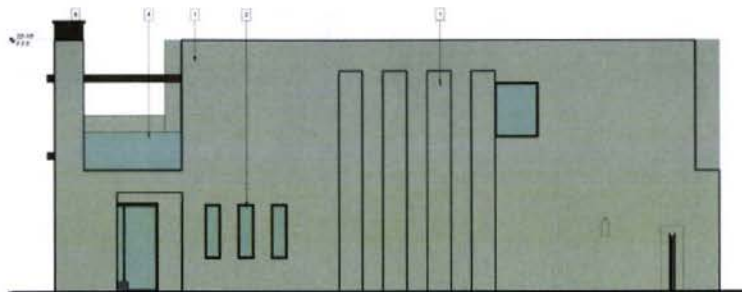
Scale: 1/4" = 1'-0"



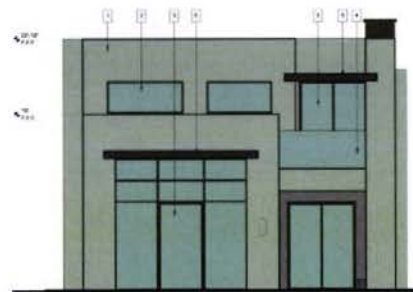
LEFT SIDE ELEVATION
1/4" = 1'-0"



FRONT ELEVATION
1/4" = 1'-0"



RIGHT SIDE ELEVATION
1/4" = 1'-0"



REAR ELEVATION
1/4" = 1'-0"

Unit Design "B"

Material Key Notes

- | | |
|--------------------|--|
| 1. Stucco Finish | 4. Painted Steel Fascia |
| 2. Aluminum Window | 5. Chimney Cap-Painted metal Shroud |
| 3. Aluminum Door | 6. Corrugated Metal Garage Door w/Painted Finish |
| 4. Glass Railing | 7. Corrugated Metal Fencing w/Painted Finish |



GORDON STEIN DESIGN
9680 Sorensen Ct.
Irvine, CA 92618

Owner

VIA OLIVERA PROJECT
VIA OLIVERA ST. PALM SPRINGS, CA

EXTERIOR
ELEVATIONS -
COLOR

Project Number/Revision Number
Date: 4-8-2014
Drawn By: Author
Checked By: Checker

A4.3

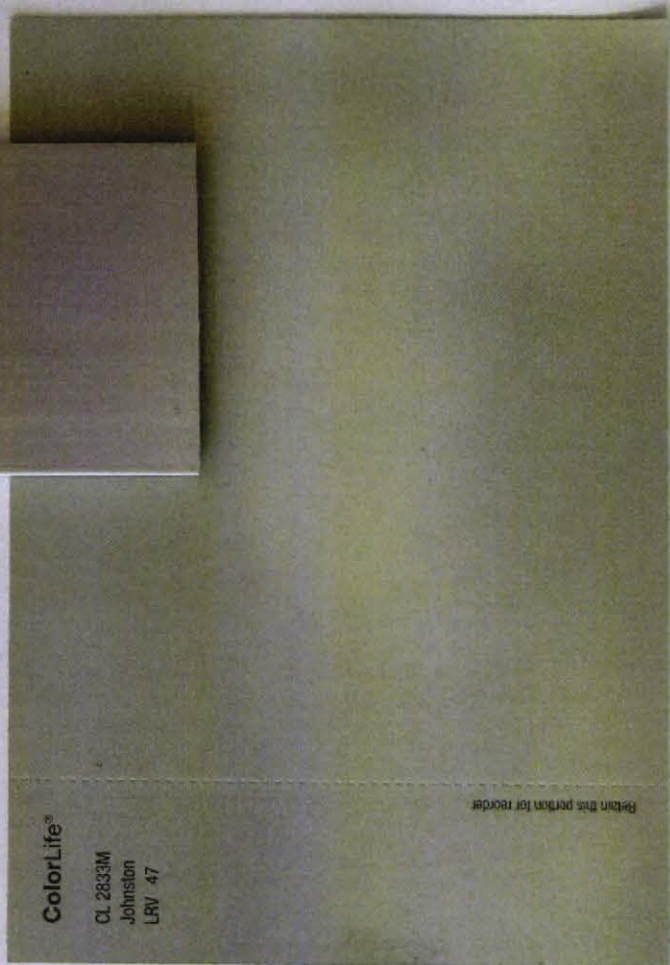
Scale: 1/4" = 1'-0"

Color/ Material board
Via Olivera Rd,
Palm Springs
Unit Design - B **A**

Date:
March 22 -2014

**Window and door finish color/
Metal facias / Chimney Cap finish/
Garage Door**
Clear Aluminum finish and or paint
in similar tone finish.

Exterior stucco:
Paint finish over stucco
"Johnston LRV 47"



Slate Tile Veneer



Color/ Material board
Via Olivera Project
Via Olivera Rd,
Palm Springs
Unit Design - B

Date:
March 22 -2014

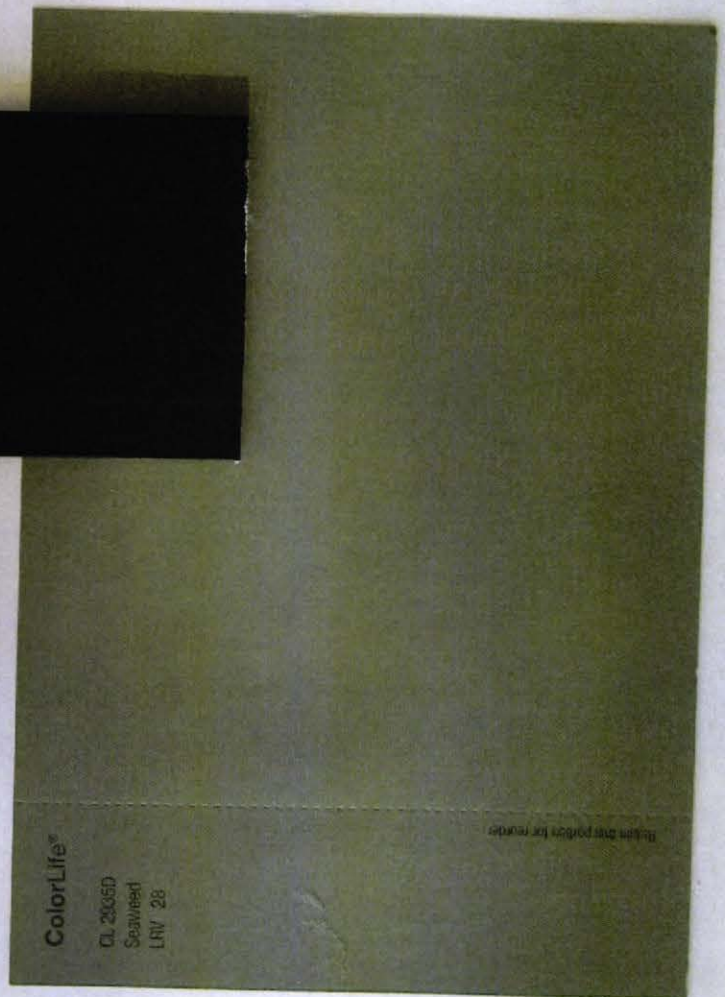
03/09/2014

**Window and door finish color/
Metal facias / Chimney Cap finish/
Garage Door**
Bronze tone Aluminum finish and or paint
in similar tone finish.

Exterior stucco:
Paint finish over stucco
"Seaweed LRV 28"



Exposed wood Finish
Garage doors and or gates
Stain over cedar Wood



VIA OLIVERA



GORDON STEIN DESIGN
8583 Laurel Ct.
Irvine, CA 92618

Final Design 08-08-2014
Master Planning 12-01-2014

Owner

VIA OLIVERA PROJECT
VIA OLIVERA ST. PALM SPRINGS, CA.

LANDSCAPE PLAN
- COLOR

Project Number/Project Number:
Date: 12-1-14
Designed By: Author
Checked By: Checker

A2.2

Gordon Stein Design
Contact: Gordon Stein (714) 424-4198
Design Copyright © 2014
Scale: 1" = 10'-0"

Plant Legend

| Symbol | Name | Size | Qty |
|--------|------------------|----------|-----|
| | Black Olive Tree | 10" Dia. | 20 |
| | Black Olive Tree | 8" Dia. | 10 |
| | Black Olive Tree | 6" Dia. | 10 |
| | Yellow Butterfly | 12" Dia. | 10 |
| | Yellow Butterfly | 12" Dia. | 10 |
| | Yellow Butterfly | 12" Dia. | 10 |
| | Green Butterfly | 12" Dia. | 10 |
| | Yellow Butterfly | 12" Dia. | 10 |
| | Yellow Butterfly | 12" Dia. | 10 |

Exterior Lighting

| Symbol | Name |
|--------|-------------------------------------|
| | Spotlight - 100' Dia. |
| | Path Light - 10' Dia. |
| | Decorative Wall Mount Light Fixture |



APN 504-270-005
VACANT

APN 504-270-006
VACANT

LANDSCAPE PLAN
1"=10'-0"

5-13-08 RECEIVED
PLANNING SERVICES
DEPARTMENT



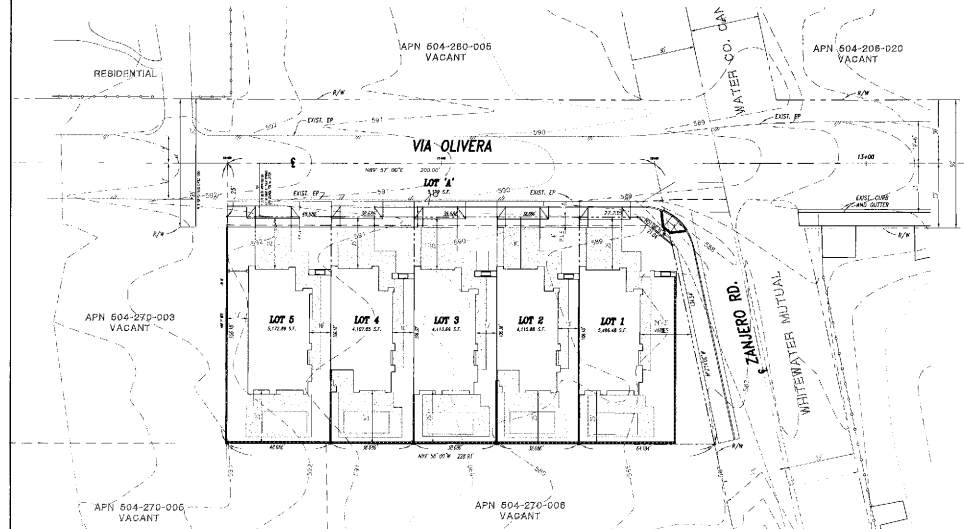






IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
TENTATIVE PARCEL MAP NO. 36737

BEING A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER OF THE
 SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN
 MARCH 2014



LEGAL DESCRIPTION:

ALL THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN, AS SHOWN BY UNITED STATES GOVERNMENT SURVEY, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE NORTH 01°11' EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 1324.26 FEET; THENCE NORTH 80°26' WEST THIRTY FEET MORE OR LESS TO A POINT IN THE NORTHEASTLY LINE OF THE STATE HIGHWAY; THENCE NORTH 30°24' WEST ALONG THE NORTHEASTLY LINE OF SAID STATE HIGHWAY, 842.95 FEET; THENCE SOUTH 85°57' EAST 577.22 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 80°57' EAST 200 FEET TO A POINT 30 FEET WEST OF THE WESTERN LINE OF THE RIGHT OF WAY OF THE WHITEWATER MUTUAL WATER COMPANY; SAID POINT ALSO BEING THE WEST LINE OF TRACT FORMERLY OWNED BY THE CITY OF PALM SPRINGS; THENCE RECORDED MAY 8, 1948, IN BOOK 238, PAGE 543 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE SOUTH 01°14' EAST AND PARALLEL TO THE WESTERN LINE OF SAID RIGHT OF WAY, 134.57 FEET TO A POINT IN THE SOUTHERLY LINE OF THE PIERCE & WATSON TRACT, FORMERLY OWNED BY HENRIKSON AND IDOLY; THENCE RECORDED FEBRUARY 14, 1948, IN BOOK 234, PAGE 254, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE NORTH 89°04' WEST ALONG THE SOUTHERLY LINE OF THE LAST ABOVE DESCRIBED PARCEL TO A POINT WHICH IS SOUTH 01°11' WEST FROM THE POINT OF BEGINNING THENCE NORTH 01°11' EAST 130 FEET, MORE OR LESS, TO THE POINT OF BEGINNING OF SURVEY ON FILE IN BOOK 113, PAGE 28 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

ZONING AND LAND USE:

EXISTING LAND USE: VACANT
 PROPOSED LAND USE: SINGLE FAMILY DWELLINGS
 CURRENT ZONING: R-2
 PROPOSED ZONING: R-2

UTILITIES:

ELECTRIC: SOUTHERN CALIFORNIA Edison
 GAS: THE GAS COMPANY
 TELEPHONE: CITY OF PALM SPRINGS SENIOR SERVICES WATER ADJUST
 TELEVISION: SATELLITE WIRELESS CABLE

NOTES:

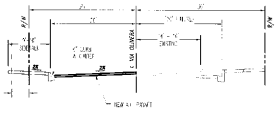
ASSESSMENT PARCEL NUMBER: 504-270-004
 COUNTY ANNUAL VALUE: 1 FOOT
 THOMAS GUNDE, PC, 756 ORIO DR., PALM SPRINGS, CA 92262
 RIVERSIDE COUNTY 2005 EDITION) PALM SPRINGS UNIFIED SCHOOL DISTRICT
 SCHOOL DISTRICT

LOT ACREAGE:

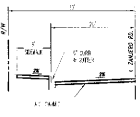
TOTAL SITE (GROSS): 28,168 ± 0.65 AC.
 LOT 1 (PUBLIC STREET LOT): 4,125 ± 0.12 AC.
 SITE (NET): 2,523 ± 0.53 AC.
 LOT 2: 4,125 ± 0.12 AC.
 LOT 3: 4,125 ± 0.12 AC.
 LOT 4: 4,125 ± 0.12 AC.
 LOT 5: 5,172 ± 0.14 AC.

OWNER APPLICANT

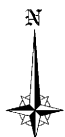
VIA OLIVERA, LLC
 REG. OFF. 170033
 PALM SPRINGS, CA 92262
 (760) 439-0777



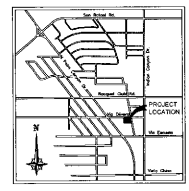
PROPOSED VIA OLIVERA - PUBLIC STREET
 SCALE: 1" = 10'



PROPOSED ZANJERO RD. - PUBLIC STREET
 SCALE: 1" = 10'



SCALE: 1" = 20'



VICINITY MAP
 THOMAS GUNDE, PC, 756 ORIO DR.



Securitas Civil • Structural • Environmental
 Residential • Industrial • Commercial
 43306 BARNHART PARK DRIVE, SUITE 205
 PALM SPRINGS, CA 92262
 TEL: 951-858-3884 FAX: 951-858-3811
 WWW: WWW.SECURITASENGINEERING.COM

| | | | | | | | | | | | | |
|---------------------------|--|------|-------|----------|-------|--|--------------|--|--------------|--|----------------------|---|
| APPROVED DATE: | BENCH MARK: | 3-20 | DATE: | 5/3/2014 | DATE: | | APPROVED BY: | | APPROVED BY: | | CITY OF PALM SPRINGS | 1 |
| LOCATION: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT NO.: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT NAME: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT ADDRESS: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT CONTACT: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT PHONE: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT FAX: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT EMAIL: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT WEBSITE: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT URL: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT MAP NO.: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT MAP DATE: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT MAP SCALE: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT MAP SHEET: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |
| PROJECT MAP TOTAL SHEETS: | CITY OF PALM SPRINGS PUBLIC WORKS & ENGINEERING DEPARTMENT | | | | | | | | | | | |

C.P. XX-XX

CITY OF PALM SPRINGS, CALIFORNIA
 OLIVERA HOMES, LLC
 TENTATIVE PARCEL MAP NO. 36737

BRANDENBURG PROPERTIES

RECEIVED
DEC 09 2014
PLANNING SERVICES
DEPARTMENT

November 7, 2014

Mr. Flinn Fagg, AICP
DIRECTOR OF PLANNING SERVICES
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

VIA EMAIL

RE: Cases 5.1348 PD 373; MAJ 3.3730; TPM 36737—199 W. Via Olivera

Dear Mr. Fagg:

Thank you for the opportunity to provide input on the above referenced Cases. We own adjoining land as shown in "yellow" on the attached map. In principle, we have no significant opposition to the proposed project. That said, we believe it important—and would request—that the city require the developer to provide proper disclosures to future homebuyers regarding the potential development of the adjoining lands (our lands)—particularly in that it appears the backyards and swimming pools of the above referenced proposed project face south, towards our property.

Like the applicant's, our lands adjacent to the proposed project are designated Mixed Use-Multi Use in the General Plan with an R-2 Zoning designation. We expect a residential development will be proposed on our lands, likely of a multi-family character and like our neighbors—may be two-story.

Although we do not suggest stifling future public discourse to our proposed project—it is important to insure that a proper disclosure and education is provided to future homeowners such that it is clearly understood development is contemplated on lands surrounding their future home—and as such, the development could be multi-family and two-story. We simply wish to notify, disclose and share information to minimize the potential for any future misunderstandings.

Thank you for your time. We ask that this request is forwarded to the Planning Commission and entered into the record.

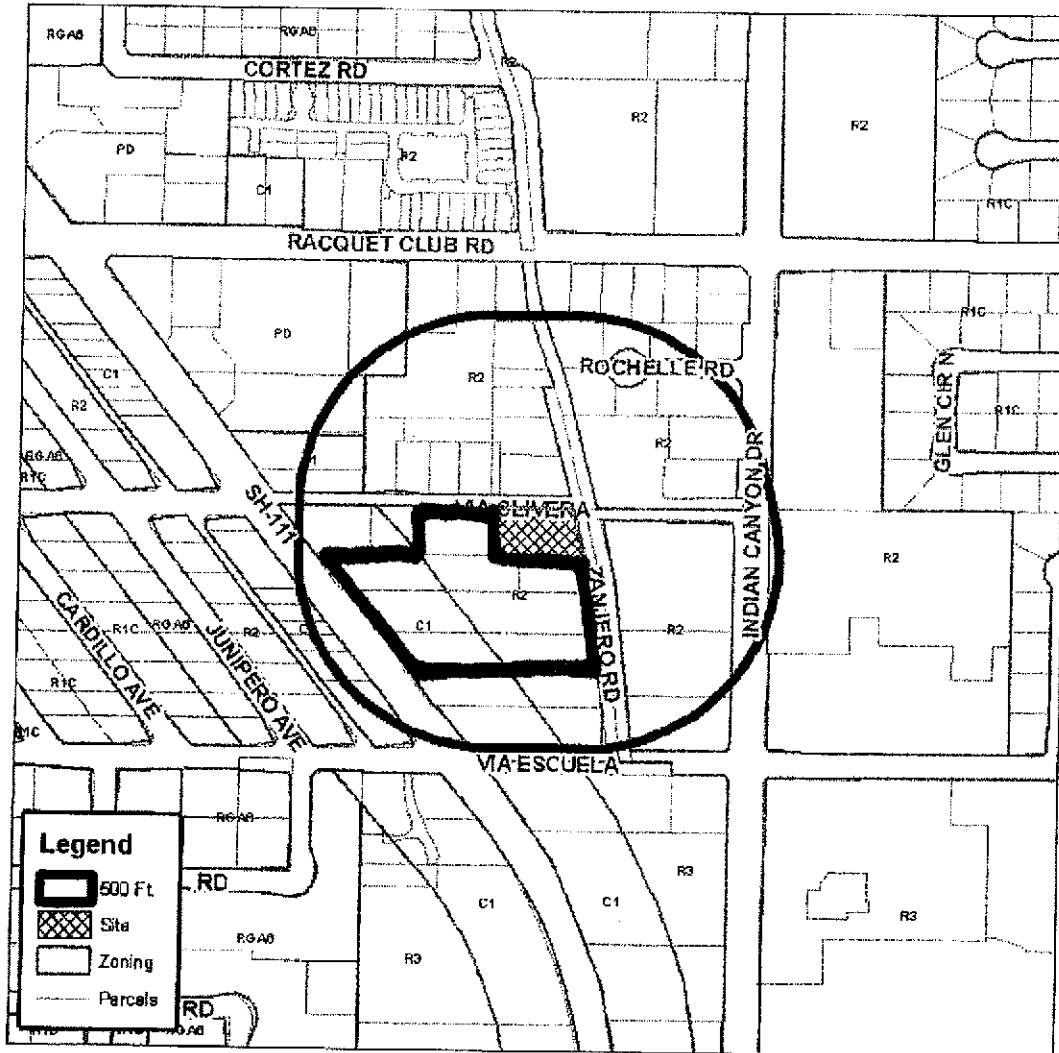
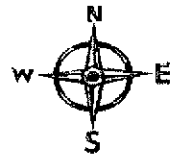
Sincerely,
For NORTH FIRST STREET PROPERTIES, LP



William B. Baron



Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1348 PD 373;
3.3730 MAJ; TPM 36737

APPLICANT: Via Olivera LLC

DESCRIPTION: A Tentative Parcel Map and Architectural review of a Planned Development District for a 5 lot single-family residential subdivision at 199 West via Olivera, Zone R-2, Section 3.

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**



Date: December 17, 2014

Subject: Via Olivera, LLC for TPM 36737 PD 373 3.3740 MAJ

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.

Handwritten signature of Cynthia A. Berardi in black ink.

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.

Handwritten signature of Cynthia A. Berardi in black ink.

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. (150 notices)

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

Handwritten signature of Cynthia A. Berardi in black ink.

Cynthia A. Berardi, CMC
Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASES 5.1348 PD 373; 3.3730 MAJ; TPM 36737
PLANNED DEVELOPMENT DISTRICT AND TENTATIVE PARCEL MAP
199 WEST VIA OLIVERA

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 the hearing is to consider Cases 5.1348 PD 373; 3.3730 MAJ; and TPM 36737 an application by Via Olivera LLC, owner for Planned Development District, a Major Architectural Application, and a Tentative Parcel Map for a five (5) lot single-family residential subdivision located at 199 West Via Olivera, Zone R-2, Section 3.

ENVIRONMENTAL DETERMINATION: Pursuant to Section 15332 of the California Environmental Quality Act (CEQA), the project is exempt as "In-Fill" development.

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

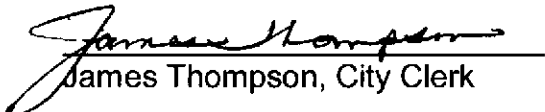
COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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

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

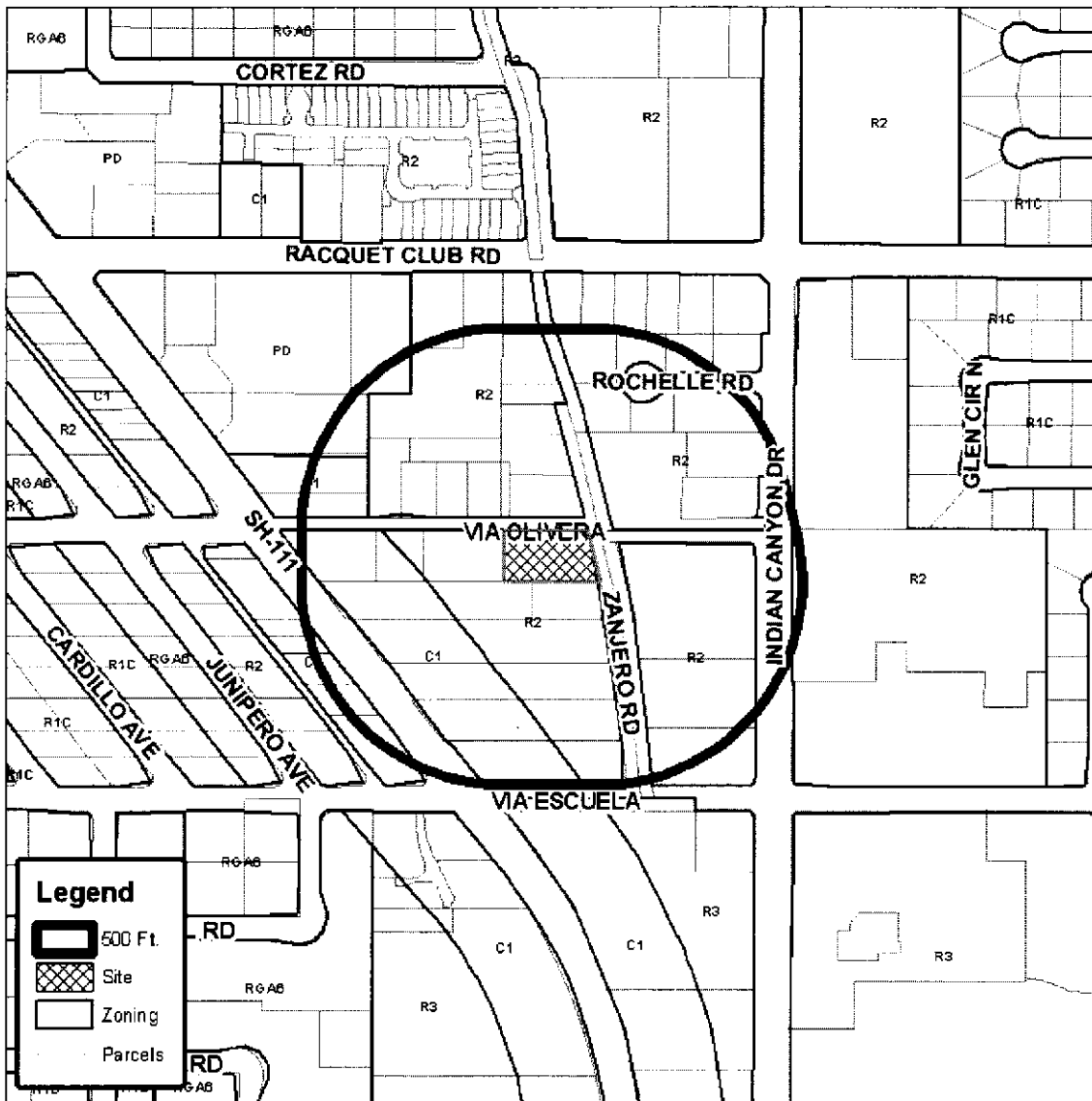
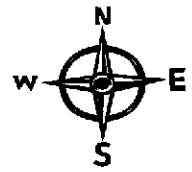
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Glenn Mlaker, Assistant Planner, at (760) 323-8245.

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



Legend

- 500 Ft.
- Site
- Zoning
- Parcels

CITY OF PALM SPRINGS

CASE NO: 5.1348 PD 373;
3.3730 MAJ; TPM 36737

APPLICANT: Via Olivera, LLC

DESCRIPTION: A Tentative Parcel Map and Architectural review of a Planned Development District for a 5 lot single-family residential subdivision at 199 West via Olivera, Zone R-2, Section 3.

Cindy Berardi

From: Joanne Bruggemans
Sent: Thursday, December 04, 2014 8:05 AM
To: Chino Canyon; Racquet Club West; Racquet Club Estates
Cc: Glenn Mlaker; Cindy Berardi
Subject: Case 5.1348 PDD 373 - Via Olivera Tract
Attachments: CC PHN Case 5.1348.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