



CITY COUNCIL STAFF REPORT

DATE: July 15, 2015

PUBLIC HEARING

SUBJECT: AMENDMENT TO THE SECTION 14 SPECIFIC PLAN CLARIFYING A MAXIMUM PERMITTED HEIGHT OF 24 FEET FOR THE MEDIUM DENSITY RESIDENTIAL (MR) LAND USE DESIGNATION (CASE 5.1374 SP-A).

FROM: Department of Planning Services

SUMMARY

This is a request to amend the Section 14 Specific Plan clarifying a maximum permitted height of 24 feet for the MR (Medium Density Residential) land use designation.

RECOMMENDATION

1. Open the public hearing and receive testimony.
2. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION FROM CEQA AND APPROVING AN AMENDMENT TO THE SECTION 14 SPECIFIC PLAN CLARIFYING A MAXIMUM PERMITTED HEIGHT OF 24 FEET IN THE MR (MEDIUM DENSITY RESIDENTIAL) LAND USE DESIGNATION."

BACKGROUND INFORMATION

Related Relevant Actions by Planning, Building, Fire, etc.	
07/16/14	An updated Section 14 Specific Plan was adopted by the City Council.
05/27/15	The Planning Commission voted 7 to 0 to recommend approval of the proposed amendment to the Section 14 Specific Plan.
06/16/15	The Tribal Council of the Agua Caliente Band of Cahuilla Indians reviewed the proposed amendment to the Section 14 Specific Plan, and recommends approval of the proposed request.

ANALYSIS

The Section 14 Specific Plan establishes the permitted uses and development standards for properties within the plan area. In the MR (Medium Density Residential) designation, multifamily and single-family residential uses are both permitted by right. However, development standards for the uses within the MR designation are treated differently: Multifamily development must adhere to the R-2 (Limited Multiple-Family Residential Zone) district development standards, and single-family development must adhere to the R-1-D (Single-Family Residential Zone) district development standards.

In accordance with Section 6.3 “Residential Development Standards,” of the Specific Plan, development located in the MR (Medium Density Residential) must comply with the development standards identified in Table 6-3, “Residential Development Standards,” which is shown here:

Table 6-3 Residential Development Standards			
Development Standard	High Density Residential (HR)	Medium Density Residential (MR)	Medium Density Residential Buffer (MBR)
<i>Palm Springs Zoning Ordinance</i>	The provisions of the R-4, Large-Scale Hotel and Multiple-Family Residential Zone shall apply.	The provisions of the R-2, Limited Multiple Family Residential Zone shall apply.	The provisions of the R-G-A(8), Garden Apartment & Cluster Residential Zone shall apply.
<i>Exceptions:</i>			
Building Height	A maximum height of 35 feet shall be permitted.		
Lot Size	Lot size and setback requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary or desirable, and are not detrimental to neighboring uses (existing or future permitted).		
Setbacks			
Single-Family Residences	In addition to the above exceptions, the provisions of the R-1-D single-family residential zone shall apply.		
<i>Additional Performance Standards:</i>			
Common Open Space	Incorporation of a minimum area of the required common open space at grade, or the level of the first habitable floor, and designed so that it is easily accessible and of sufficient size to be usable by all residents.		
Architectural Features	Incorporation of architectural design detail and elements which provide visual character and interest, avoiding flat planar walls and box-like appearances.		

Table 6-3 does permit certain exceptions to the development standards for lot size and setback requirements for the MR (Medium Density Residential) land use, subject to the approval of a Conditional Use Permit, Table 6-3 does not identify the applicable maximum building height. While Table 6-3 allows an exception to height limits in the

HR (High Density Residential) designation up to a maximum height of 35 feet, no such exception or maximum limit is identified for the MR land use designation.

The proposed amendment to the Section 14 Specific Plan would clarify that the maximum permitted height is 24 feet in the MR land use designation by revising Table 6-3 to identify the 24 feet maximum building height, as shown here:

<i>Development Standard</i>	High Density Residential (HR)	Medium Density Residential (MR)	Medium Density Residential Buffer (MBR)
<i>Palm Springs Zoning Ordinance</i>	The provisions of the R-4, Large-Scale Hotel and Multiple-Family Residential Zone shall apply.	The provisions of the R-2, Limited Multiple Family Residential Zone shall apply.	The provisions of the R-G-A(8), Garden Apartment & Cluster Residential Zone shall apply.
<i>Exceptions:</i>			
Building Height	A maximum height of 35 feet shall be permitted.	<u>A maximum height of 24 feet shall be permitted.</u>	
Lot Size	Lot size and setback requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary or desirable, and are not detrimental to neighboring uses (existing or future permitted).		
Setbacks			
Single-Family Residences	In addition to the above exceptions, the provisions of the R-1-D single-family residential zone shall apply.		
<i>Additional Performance Standards:</i>			
Common Open Space	Incorporation of a minimum area of the required common open space at grade, or the level of the first habitable floor, and designed so that it is easily accessible and of sufficient size to be usable by all residents.		
Architectural Features	Incorporation of architectural design detail and elements which provide visual character and interest, avoiding flat planar walls and box-like appearances.		

The proposed revision to Table 6-3 provides a consistent maximum height limit for both single-family and multi-family development within the MR land use designation, and provides clarity in the height limit despite the exceptions allowed for setbacks and lot sizes. The proposed height limit is consistent with the height limit of the R-2 (Limited Multiple-Family Residential Zone) district.

The MR district is located at the northeast corner of Section 14, and is bounded by Alejo Road on the north, Sunrise Way on the East, and Andreas Road on the south, representing a very limited area of 15 acres (less than 3%) of the entire Specific Plan area. The proposed maximum height is consistent with the multi-family properties to the east and west of the MR district boundaries, and would be compatible with any commercial development permitted to the south of the MR district. A single-family neighborhood is located on the north side of Alejo Road outside of Section 14; the height limit would have little impact to the neighborhood due to the width of the Alejo Road right-of-way, which provides a 100-foot separation distance between the properties in addition to the required setbacks.

The Tribal Council of the Agua Caliente Band of Cahuilla Indians reviewed the proposed amendment at their meeting of June 16, 2015, and has recommended approval of the amendment to the City Council. A copy of the approval letter is included in the attachments to this staff report.

FINDINGS – SPECIFIC PLAN AMENDMENT

Palm Springs Zoning Code Chapter 94 does not list specific findings for approval of amendments to specific plan documents. California Government Code Title 7, "Planning and Land Use," stipulates that no specific plan shall be adopted or amended unless the proposed plan or amendment is consistent with the general plan.

The subject area covered by this proposed amendment is designated MDR (Medium Density Residential) by the City of Palm Springs General Plan. The MDR land use designation allows for residential development at a density of up to 15.0 dwelling units per acre, and is described as follows:

"This residential land use category accommodates a range of residential housing types, including single-family attached, single-family detached, patio homes, duplexes, townhomes, multiple-family, and mobile home projects."

The proposed amendment does not impact the maximum permitted density specified by the general plan, nor does it affect or limit the housing types permitted by the land use designation. Consequently, the proposed amendment is consistent with the general plan, and is consistent with the findings required by the California Government Code.

SUMMARY AND RECOMMENDATION

The proposed amendment will clearly define that the maximum permitted height within the MR district for single- and multifamily developments. The proposed 24-foot height limit is consistent with the height limit in the R-2 and R-3 zoning districts, and is consistent with the height of multifamily developments in the immediate vicinity. Based on these factors, staff recommends approval of the proposed amendment.

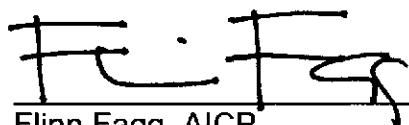
ENVIRONMENTAL ANALYSIS

Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). The Guidelines are required to include a list of classes of projects which have been determined not to have a significant effect on the environment and which are exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and are declared to be categorically exempt from the requirement for the preparation of environmental documents. In accordance with Section 15305 "Minor Alterations in Land Use

Limitations,” Class 4 projects consist of minor alterations of land use limitations which do not result in any changes in land use or density. Therefore, in accordance with Section 15305, staff has determined that the Specific Plan Amendment (5.1374 SP-A) is considered categorically exempt from CEQA; a Notice of Exemption has been prepared for filing with the Riverside County Clerk and is included as an attachment to this report.

NOTIFICATION

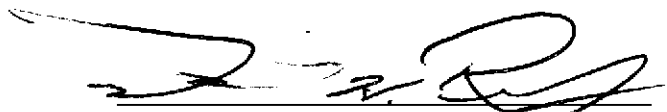
A public hearing notice was published in accordance with the requirements of State law and local ordinance. As of the writing of this report, staff has not received any comment on the proposed amendment to the Section 14 Specific Plan.



Flinn Fagg, AICP
Director of Planning Services



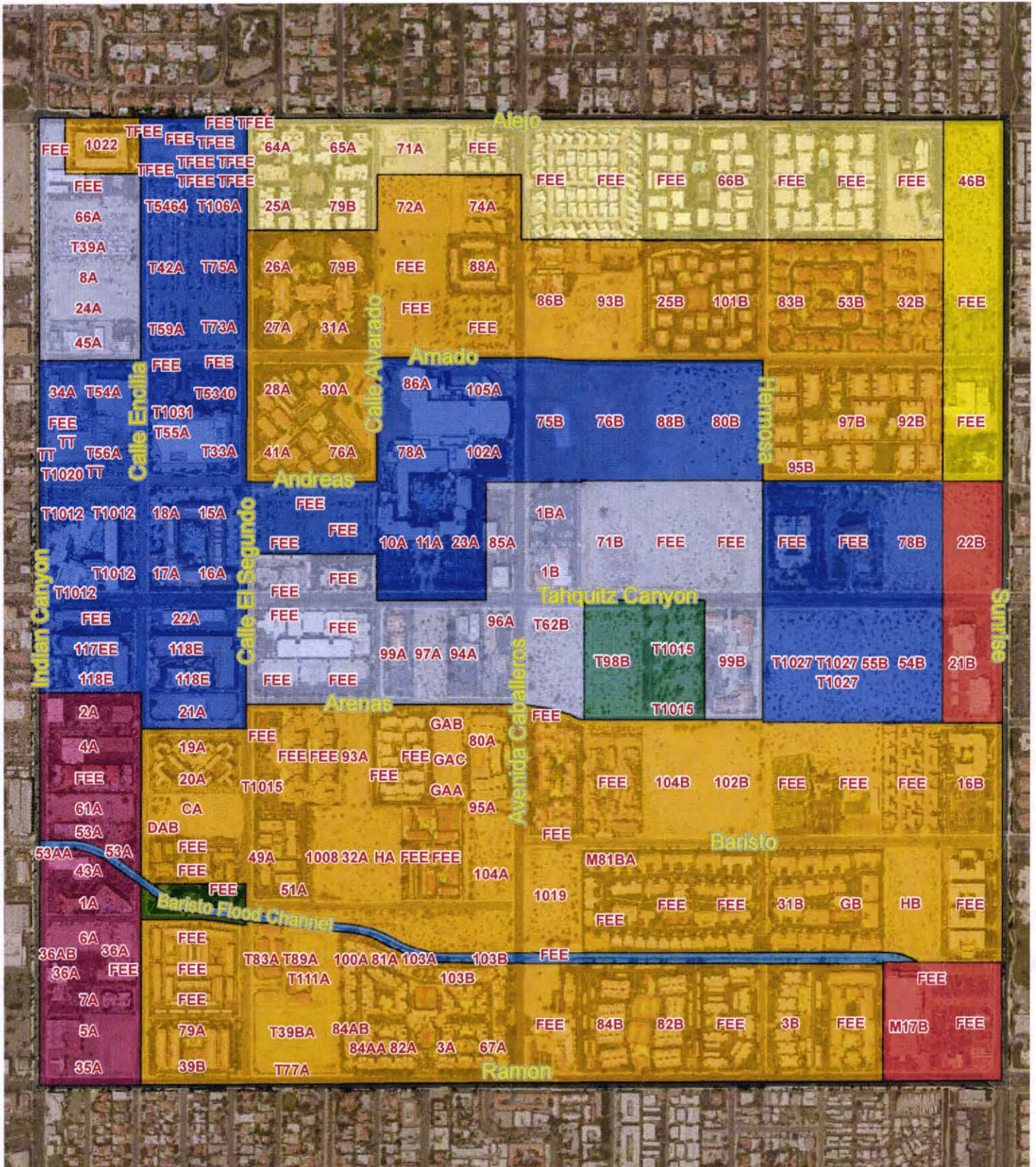
Marcus L. Fuller, MPA, PE, PLS
Assistant City Manager/City Engineer



David H. Ready, Esq., PhD
City Manager

Attachments:

1. Figure 4-1 – Land Use Plan (Section 14 Specific Plan)
2. Draft Resolution
3. Minutes – 5/27/15 Planning Commission Meeting
4. CEQA Notice of Exemption
5. Letter – Tribal Council (dated 06/16/15)



AGUA CALIENTE
BAND OF CAHULLA INDIANS

 HR - Residential High	 LSC - Local Serving Commercial
 MR - Residential Medium	 NSP - Neighborhood/ Specialized Park
 MBR - Residential Medium-Buffer	 C - Cemetery
 REO - Retail/Entertainment/Office	 W - Watercourse
 RA - Resort Attraction	
 NC - Neighborhood Commercial	

FEE, 56A Allotment Number

0 250 500 1,000
Feet

Figure 4 - 1
Land Use Plan

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION FROM CEQA AND APPROVING AN AMENDMENT TO THE SECTION 14 SPECIFIC PLAN CLARIFYING A MAXIMUM PERMITTED HEIGHT OF 24 FEET IN THE MR (MEDIUM DENSITY RESIDENTIAL) LAND USE DESIGNATION.

WHEREAS, on July 16, 2014, the City Council reviewed and approved the Section 14 Specific Plan Comprehensive Update; and

WHEREAS, through implementation of the Section 14 Specific Plan Comprehensive Update, it has been determined that Table 6-3 "Residential Development Standards" does not clearly identify a maximum building height for the MR (Medium Density Residential) land use designation; and

WHEREAS, the City has initiated an application to amend the Section 14 Specific Plan Comprehensive Update to revise Table 6-3 to clarify the maximum building height of 24 feet for the MR (Medium Density Residential) land use designation; and

WHEREAS, on May 27, 2015, the Planning Commission recommended approval of the proposed amendment to the Section 14 Specific Plan Comprehensive Update; and

WHEREAS, on June 16, 2015, the Tribal Council of the Agua Caliente Band of Cahuilla Indians recommended approval of the proposed amendment to the Section 14 Specific Plan Comprehensive Update.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:

A. The proposed specific plan amendment (Case 5.1374 SP-A) is Categorically Exempt from the provisions of CEQA under Section 15305 – Minor Alterations in Land Use Limitations of the Guidelines for the California Environmental Quality Act because the proposed amendment does not propose any changes to land use or density.

B. The City Council hereby finds that adoption of the proposed Specific Plan Amendment would:

1. Clarify that the maximum permitted height is 24 feet in the MR (Medium Density Residential) land use designation.
2. Provide a consistent height limit of 24 feet in the MR (Medium Density Residential) land use designation for all development types.
3. Provide a buffer between higher-intensity land uses within Section 14 and lower-intensity residential and commercial uses adjacent to the Section 14 Specific Plan area boundaries.

C. The adoption of the proposed Specific Plan Amendment would be consistent with the intent of the Section 14 Specific Plan and the City's General Plan as it establishes consistent development standards for medium-density residential uses and provides a compatible transition to surrounding development and land uses.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES:

SECTION 1. Table 6-3 of the Section 14 Specific Plan, "Residential Development Standards," shall be amended as follows:

Development Standard	High Density Residential (HR)	Medium Density Residential (MR)	Medium Density Residential Buffer (MBR)
<i>Palm Springs Zoning Ordinance</i>	The provisions of the R-4, Large-Scale Hotel and Multiple-Family Residential Zone shall apply.	The provisions of the R-2, Limited Multiple Family Residential Zone shall apply.	The provisions of the R-G-A(8), Garden Apartment & Cluster Residential Zone shall apply.
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Architectural Features	Incorporation of architectural design detail and elements which provide visual character and interest, avoiding flat planar walls and box-like appearances.		

SECTION 2. The City Council hereby adopts the Categorical Exemption from CEQA and approves the amendment to the Section 14 Specific Plan.

PASSED, APPROVED, AND ADOPTED this 15th day of July, 2015.

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 July 15, 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

2A. JONATHAN WASSER ON BEHALF OF PLAZA INDIAN AVENUE INC. FOR A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW AMPLIFIED ENTERTAINMENT, ADD A DANCE FLOOR AND MODIFY THE HOURS OF OPERATION FOR AN EXISTING COCKTAIL LOUNGE (CHILL BAR) LOCATED AT 212 AND 216 SOUTH INDIAN CANYON DRIVE, ZONED LSC BY SECTION 14 SPECIFIC PLAN (CASE 5.1320 CUP) (DN)

Planning Director Fagg reported that staff is requesting a continuance to June 10, 2015 to allow for additional notification.

ACTION: Continue to a date certain of June 10, 2015.

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

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

2B. CITY OF PALM SPRINGS FOR A SPECIFIC PLAN AMENDMENT TO AMEND THE SECTION 14 SPECIFIC PLAN TO CLARIFY THE MAXIMUM PERMITTED HEIGHT FOR THE MEDIUM DENSITY RESIDENTIAL (MR) LAND USE DESIGNATION (CASE 5.1374 SP-A). (FF)

Planning Director Fagg presented the proposed request to amend the Section 14 Specific Plan in reference to a maximum height limit of 24 feet for medium density residential zoning districts.

Chair Hudson opened the public hearing and with no speakers coming forward the public hearing was closed.

ACTION: To recommend approval to the City Council.

Motion: Commissioner Calerdine, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

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

2C. CITY OF PALM SPRINGS FOR A REQUEST TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) 93.20.07 AND 99.20.08 REGARDING REAL ESTATE SIGNS AND OTHER TEMPORARY SIGNS (CASE 5.1338 ZTA). (FF)

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

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

(Address)

Project Title: Section 14 Specific Plan Amendment

Project Applicant: City of Palm Springs

Project Location - Specific:
Section 14

Project Location - City: Palm Springs Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:
The project is an amendment to an approved specific plan, and is intended to clearly establish the maximum permitted height within the MDR (Medium Density Residential) land use designation.

Name of Public Agency Approving Project: City of Palm Springs

Name of Person or Agency Carrying Out Project: City of Palm Springs

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number: 15305 - Minor Alterations in Land Use
Statutory Exemptions. State code number:

Reasons why project is exempt:
The amendment does not propose any changes to permitted land uses or density.

Lead Agency Contact Person: Flinn Fagg Area Code/Telephone/Extension: (760) 323-8269

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

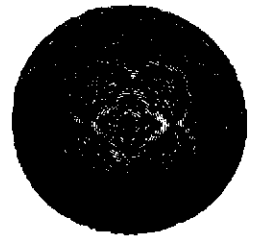
Signature: [Handwritten Signature] Date: 6/14/15 Title: Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL PLANNING & DEVELOPMENT



June 16, 2015

HAND DELIVERED

Mayor Steve Pougnet and City Council
CITY OF PALM SPRINGS
3200 Tahquitz Canyon Way
Palm Springs, California 92262

RE: Case No. 5.1374 SP-A – Section 14 Specific Plan Amendment to Clarify the Maximum Permitted Height for the Medium Density Residential Land Use Designation

Dear Mayor and City Council,

The Tribal Council of the Agua Caliente Band of Cahuilla Indians reviewed the above referenced Amendment at its meeting of June 16, 2015, and recommends approval of the Amendment to the City Council.

Please contact me should you have any questions at 760-883-1326.

Very truly yours,

Margaret E. Park, AICP
Director of Planning & Natural Resources
**AGUA CALIENTE BAND
OF CAHUILLA INDIANS**

MP/dm

C: Tribal Council
Tom Davis, Chief Planning & Development Officer
Flinn Fagg, Director of Planning Services, City of Palm Springs

RECEIVED
JUN 17 PM 1:10

**CITY OF PALM SPRINGS
PUBLIC NOTIFICATION**

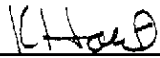


Date: July 15, 2015
Subject: Case 5.1374 SP-A
Section 14, Bldg Height

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, MMC, Chief 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 July 1, 2015.

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




Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Kathie Hart, MMC, Chief 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 July 1, 2015.

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




Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF MAILING

I, Kathie Hart, MMC, Chief 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 July 1, 2015, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.
(6 notices)

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



Kathie Hart, MMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASE 5.1374 SP-A
APPLICATION BY THE CITY OF PALM SPRINGS
FOR A SPECIFIC PLAN AMENDMENT TO AMEND THE SECTION 14
SPECIFIC PLAN TO CLARIFY THE MAXIMUM PERMITTED HEIGHT FOR THE
MEDIUM DENSITY RESIDENTIAL (MR) LAND USE DESIGNATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of July 15, 2015. 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 Case 5.1374 SP-A, an application by the City of Palm Springs, to amend the Section 14 Specific Plan to clarify that the maximum permitted height for the Medium Density Residential (MR) land use designation is 24 feet.

ENVIRONMENTAL DETERMINATION: The City of Palm Springs, in its capacity as the Lead Agency, under the California Environmental Quality Act (CEQA) has determined that the proposed specific plan amendment is Categorical Exempt under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act since the proposed amendment only clarifies existing standards and does not propose any changes to the land use designations, development standards, or permitted density.

REVIEW OF INFORMATION: The staff report and other supporting documents regarding this matter 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.

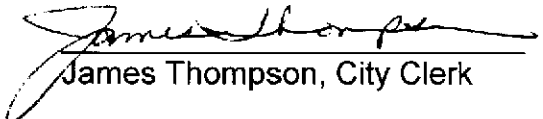
COMMENTS: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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 Flinn Fagg, Director of Planning Services, at (760) 323-8245.

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


James Thompson, City Clerk

NEIGHBORHOOD SPONSOR REPS

Case 5.1374 SP-A
City of Palm Springs
PHN for CC Meeting 07.15.15

**MODCOM AND
HISTORIC SITE REP → → →**

MR PETE MORUZZI
PALM SPRINGS MODERN COMMITTEE
P.O. BOX 4738
PALM SPRINGS, CA 92263-4738

VERIFICATION NOTICE → → →

CITY OF PALM SPRINGS
PLANNING SERVICES DEPARTMENT
ATTN SECRETARY / 5.1374 SP-A
PO BOX 2743
PALM SPRINGS, CA 92263-2743

**AGUA CALIENTE BAND OF CAHUILLA
INDIANS → → → → → →**

MS MARGARET PARK, DIRECTOR
AGUA CALIENTE BAND OF CAHUILLA
INDIANS
PLANNING & DEVELOPMENT DEPT.
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

MS PATRICIA GARCIA
TRIBAL HISTORIC PRESERVATION
OFFICER
AGUA CALIENTE BAND OF CAHUILLA
INDIANS
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

INTERESTED PARTIES → → →

SOBOBA BAND OF LUISEÑO INDIANS
ATTN: JOSEPH ONTIVEROS
CULTURAL RESOURCES MANAGER
P.O. BOX 487
SAN JACINTO, CA 92581

MR FRANK TYSEN
CASA CODY INN
175 S. CAHUILLA ROAD
PALM SPRINGS, CA 92262

SPONSORS → → → → →

RECEIVED
CITY OF PALM SPRINGS

2015 JUN -8 AM 7:50

June 1, 2015

Attn: James Thompson, City Clerk
City of Palm Springs
Planning Commission
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262



EST. JUNE 19, 1883

Re: Case 5. 1374 SP-A, Specific Plan Amendment to Amend the Section 14 Specific Plan to Clarify the Maximum Permitted Height for the Medium Density Residential Land Use Designation

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. At this time the Soboba Band does not have any specific concerns regarding known cultural resources in the specified areas that the project encompasses, but does request that the appropriate consultation continue to take place between the tribes, project proponents, and government agencies.

Also, working in and around traditional use areas intensifies the possibility of encountering cultural resources during any future construction/excavation phases that may take place. For this reason the Soboba Band of Luiseño Indians requests that approved Native American Monitor(s) be present during any future ground disturbing proceedings, including surveys and archaeological testing, associated with this project. The Soboba Band recommends that you contact the Agua Caliente Band of Cahuilla Indians and other tribes that are closer to the project area. In the event that future monitoring does become necessary and a monitor from the Agua Caliente Band of Cahuilla Indians is not able to be retained, cultural monitors from the Soboba Band of Luiseño Indians will be available.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Ontiveros", with a long horizontal flourish extending to the right.

Joseph Ontiveros
Cultural Resource Director
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov