



City Council Staff Report

Date: November 4, 2015 CONSENT CALENDAR

Subject: APPROVAL OF PARCEL MAP 36562

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

SUMMARY

Amir Engineering representing Ocean West Homes, a California Limited Partnership, has requested approval of Parcel Map 36562 to subdivide a roughly 26,722 square foot parcel into 3 single family residential lots. Approval of Parcel Map 36562 is a ministerial action, as required by the Municipal Code and the Subdivision Map Act.

RECOMMENDATION:

Adopt Resolution No. ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 36562 FOR PROPERTY LOCATED AT 745, 757 AND 765 ORANGE AVENUE, IN SECTION 19, TOWNSHIP 4 SOUTH, RANGE 5 EAST."

STAFF ANALYSIS:

Amir Engineering representing Ocean West Homes, a California Limited Partnership, (the "Developer"), submitted Parcel Map 36562, requesting that the property located at 745, 757 and 765 Orange Avenue, in Section 19, Township 4 South, Range 5 East, be subdivided into 3 parcels for development of 3 single family residential homes. A site map is provided below and a Vicinity Map is included as **Attachment 1**. A copy of Parcel Map 36562 is included as **Attachment 2**.



Parcel Map 36562 Site Map

At its meeting of July 23, 2014, the Planning Commission recommended approval of Tentative Parcel Map 36562, which was subsequently approved by the City Council, subject to conditions, on September 17, 2014. The developer offers for dedication to the City of Palm Springs an easement for utility purposes, designated as Lot "A" and Lot "B", as shown on Parcel Map 36562.

Development of Parcel Map 36562 requires construction of certain off-site public improvements (street, sewer and water system improvements) to service the three residential parcels proposed for new single family residential homes. Construction of these improvements have not been completed; however, in accordance with Section 66411.1(a) of the Government Code, all required public improvements shall be listed in an Improvement Certificate on the Parcel Map and clearly noted and shall be completed prior to the issuance of building permits for the parcels. Therefore, there is no subdivision improvement agreement associated with Parcel Map 36562.

The City Engineer has determined that required conditions of approval associated with Tentative Parcel Map 36562 have been satisfied, that Parcel Map 36562 is in substantial conformance with the approved Tentative Parcel Map, and that Parcel Map 36562 is ready for City Council approval.

It should be noted that approval of a Parcel Map is a ministerial action, and the City Council cannot condition its approval of the Parcel Map; new conditions cannot be imposed on the project that were not previously identified at the time the Tentative Parcel Map was approved.

ENVIRONMENTAL IMPACT:

Pursuant to Section 15315 of the California Environmental Act (CEQA), the project is considered a "Minor land Division" and is Categorically Exempt. The preparation of further environmental assessment is not necessary since the proposed subdivision meets the standards as stated in required findings and approved by City Council on September 17, 2014. No further action with regard to CEQA is required to approve Parcel Map 36562.

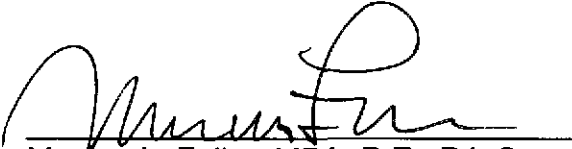
FISCAL IMPACT:

Approval of Parcel Map 36562 will subdivide the currently vacant parcel into 3 residential parcels. Ultimately, upon completion of the Project, the City will receive yet to be determined additional property tax revenue. Additional, incremental costs for public service will be incurred over time.

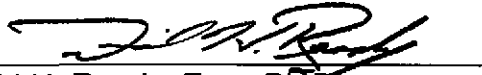
SUBMITTED

Prepared by:

Approved by:



Marcus L. Fuller, MPA, P.E., P.L.S.
Assistant City Manager/City Engineer

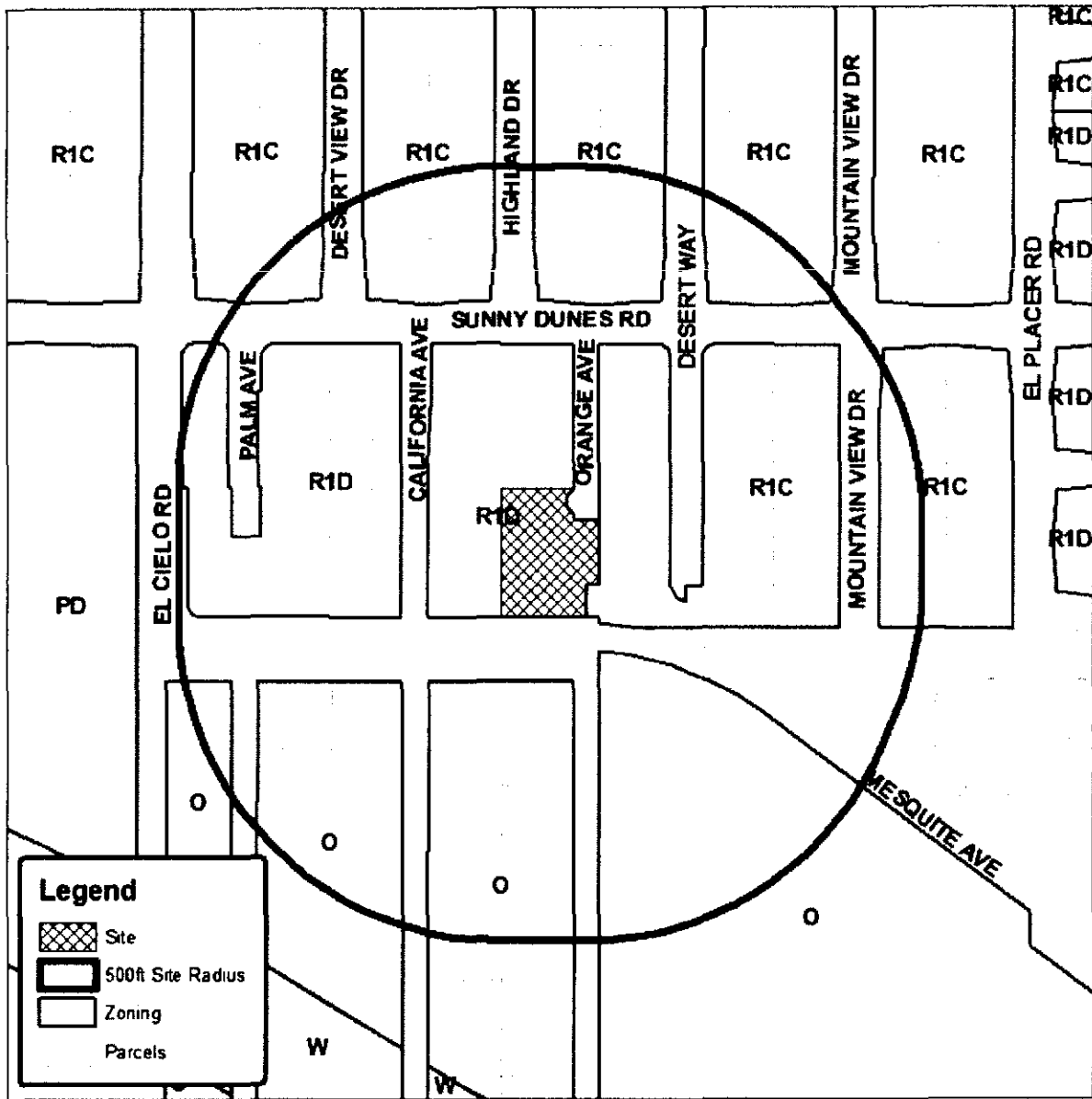


David H. Ready, Esq., P.P.D.
City Manager

ATTACHMENTS:

1. Vicinity Map
2. Parcel Map 36562
3. Resolution

ATTACHMENT 1



ATTACHMENT 2

THIS MAP CONSISTS OF THREE LOTS
AREA 26,853.25 SQ. FT. (0.61 AC.)
PARCEL 1 AREA 8,993.70 SQ. FT.
PARCEL 2 AREA 8,340.09 SQ. FT.
PARCEL 3 AREA 8,529.46 SQ. FT.

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
PARCEL MAP No. 36562

SHEET ONE OF THREE

BEING A SUBDIVISION OF PARCEL "A" OF THE LOT LINE ADJUSTMENT NO. 03-05 IN THE CITY OF PALM SPRINGS RECORDED AS DOCUMENT NO. 2003-432475 ON JUNE 05, 2003, OFFICIAL RECORDS OF RIVERSIDE COUNTY, IN THE NORTHWEST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN.

AMR ENGINEERING, INC. SEPTEMBER 15

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE RECORD OWNERS OF THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN HEREON, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND; AND THAT WE HEREBY CONSENT TO THE RECORDED MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY DEDICATE TO THE CITY OF PALM SPRINGS AN EASEMENT FOR UTILITY PURPOSES, DESIGNATED AS LOT "A" AND LOT "B" AND SHOWN WITHIN THIS MAP.

WE HEREBY RESERVE AN ACCESS EASEMENT FOR THE BENEFIT OF PARCEL 2, OVER THAT AREA OF PARCEL 1 BEING COINCIDENT WITH THE UTILITY EASEMENT DESIGNATED AS LOT A, AND ALSO OVER THAT AREA OF PARCEL 3 BEING COINCIDENT WITH THE UTILITY EASEMENT DESIGNATED AS LOT B.

WE HEREBY RESERVE A STORM DRAIN EASEMENT DESIGNATED AS LOT C, FOR THE BENEFIT OF OURSELVES, OUR SUCCESSORS, ASSIGNEES, AND THE LOT OWNERS WITHIN THIS PARCEL MAP.

OCEAN WEST HOMES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: [Signature] 10/14/2015
MANAGING MEMBER DATE
BY: [Signature] 10-16-2015
MANAGING MEMBER DATE

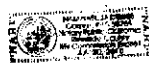
NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF Riverside
ON October 16, 2015, BEFORE ME Richard Jacques notary public

PERSONALLY APPEARED Marlene Bailey Daniel N. Bailey WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE, TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGEMENT TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT, THE PERSONS, OR THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXCLUDED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL



CITY CLERK'S STATEMENT

I, JAMES THOMPSON, CITY CLERK AND EX OFFICIO CLERK OF THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA, HEREBY CERTIFY THAT CITY COUNCIL AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 20____, DULY APPROVED THE WITHIN PARCEL MAP NO. 36562.

AND DID ACCEPT THE PUBLIC UTILITY EASEMENT DESIGNATED AS LOT "A" AND LOT "B", AS SHOWN IN THE WITHIN MAP.

THE TENTATIVE PARCEL MAP WAS APPROVED BY THE CITY COUNCIL AT ITS REGULAR MEETING

HELD ON THE _____ DAY OF _____, 20____

CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL, OF THE CITY OF PALM SPRINGS

TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE PROPERTY SHOWN ON THE WITHIN MAP FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, ~~EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOW A LIEN ON BUT NOT YET PAYABLE, WHICH ARE LISTED TO BE~~

~~THIS CERTIFICATION EXCLUDES ANY SUPPLEMENTAL TAX ASSESSMENTS NOT YET EXTENDED.~~

DON KENT
COUNTY TAX COLLECTOR
DATED October 27, 2015 BY: [Signature]
DEPUTY DON KENT COUNTY TAX COLLECTOR

TAX BOND CERTIFICATE

I HEREBY CERTIFY THAT A BOND IN THE SUM OF \$ _____ HAS BEEN EXECUTED AND FILED WITH THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CONDITIONED UPON THE PAYMENT OF ALL TAXES, STATE, COUNTY, MUNICIPAL OR LOCAL, AND ALL SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH AT THE TIME OF THE FILING OF THIS MAP WITH THE COUNTY RECORDER ARE A LIEN AGAINST SAID PROPERTY, BUT NOT YET PAYABLE, AND SAID BOND HAS BEEN DULY APPROVED BY SAID BOARD OF SUPERVISORS.

DATED: _____, 20____
KECIA HARPER - HEN
CLERK OF THE BOARD OF SUPERVISORS
CASH TAX BOND
DON KENT
COUNTY TAX COLLECTOR
BY: _____ BY: _____
DEPUTY DEPUTY

SOIL REPORT

A PRELIMINARY SOIL REPORT WAS PREPARED BY SLADDEN ENGINEERING ON JANUARY 15, 2014, AS REQUIRED BY THE HEALTH AND SAFETY CODE, FILED WITH THE BUILDING DIVISION, CITY OF PALM SPRINGS.

ABANDONMENT NOTE

PURSUANT TO SECTION 66434(C) OF THE SUBDIVISION MAP ACT, THE FILING OF THIS MAP SHALL CONSTITUTE ABANDONMENT, WITHIN THE BOUNDARY OF THIS MAP, OF THAT CERTAIN RIGHT-OF-WAY GRANTED TO THE CITY OF PALM SPRINGS, RECORDED JUNE 28, 2002 AS INSTRUMENT NO. 2002-359616 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

SIGNATURE OMISSIONS

THE SIGNATURE(S) OF THE PARTIES LISTED BELOW, OWNER(S) OF EASEMENTS PER DOCUMENTS NOTED BELOW HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436 SUBSECTION (6)(3)(A)(i) OF THE SUBDIVISION MAP ACT, THEIR INTERESTS IS SUCH THAT IT CANNOT RISE INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

- 1. COACHELLA VALLEY COUNTY WATER DISTRICT OWNERS OF A EASEMENT FROM RAY HELLER AND MARY HELLER AS HUSBAND AND WIFE AS JOINT TENANTS RECORDED OCTOBER 18, 1957 AS INSTRUMENT NO. 75121, IN BOOK 2165, PAGE 72 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, FOR INGRESS, EGRESS, PIPELINES AND CONDUITS AS SET OUT IN DEED.
- 2. AN EASEMENT GRANTED TO THE CITY OF PALM SPRINGS FOR STREETS, HIGHWAYS, UNDERGROUND SEWERS, AND PUBLIC UTILITY INSTALLATIONS PER DOCUMENT NO. 2002-245936, RECORDED MAY 09, 2002, OFFICIAL RECORDS OF RIVERSIDE COUNTY.
- 3. ANY EASEMENTS OR RIGHTS OF WAY FOR EXISTING UTILITIES OR OTHER RIGHTS OF WAY OVER THOSE PORTIONS OF SAID LAND LYING WITHIN THE PUBLIC RIGHT OF WAY ABANDONED BY RESOLUTION OR ORDINANCE RECORDED JUNE 28, 2002 AS DOCUMENT NO. 2002-359616, OFFICIAL RECORDS OF RIVERSIDE COUNTY.

RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 2015 AT _____
IN MAP BOOK _____, AT PAGE _____ AT THE REQUEST OF
THE CITY CLERK OF THE CITY OF PALM SPRINGS.
NO. _____ FEE _____
PETER ALMANA COUNTY ASSESSOR-CLERK-RECORDER
BY: _____ DEPUTY
SUBDIVISION GUARANTEE BY: LAWYERS TITLE COMPANY

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION, AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT, AND LOCAL ORDINANCE AT THE REQUEST OF OCEAN WEST HOMES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, ON MARCH 15, 2015. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET BY ACCORDANCE WITH THE TERMS OF THE MONUMENT AGREEMENT FOR THE MAP AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE PARCEL MAP. THIS SURVEY IS TRUE AND COMPLETE AS SHOWN.

[Signature] 10/15
STEVEN J. VAN, PLS 6500 DATE
EXP. 6/30/2017



CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN MAP OF PARCEL MAP NO. 36562 CONSISTING OF THREE (3) SHEETS, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP OR ANY APPROVED ALTERATION THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

MARCUS L FULLER, LS 7987 DATE
EXP. 12/31/2016



IMPROVEMENT CERTIFICATE

PURSUANT TO THE PROVISION OF SECTION 66411.1 OF THE SUBDIVISION MAP ACT, NOTICE IS HEREBY GIVEN THAT ALL REQUIRED PUBLIC IMPROVEMENTS WILL BE THE MINIMUM DEVELOPMENT REQUIREMENTS FOR PARCELS 1, 2, AND 3 OF TENTATIVE PARCEL MAP 36562, PRIOR TO ISSUANCE OF BUILDING PERMITS.

- STREET IMPROVEMENTS INCLUDING: STREET GRADING AND PAVING, CURB AND GUTTER, SIDEWALK AND APPURTENANCES.
- STORM DRAIN IMPROVEMENTS INCLUDING: MAIN LINE AND LATERAL LINES, MANHOLES, CATCH BASINS AND APPURTENANCES.
- ELECTRICAL IMPROVEMENTS INCLUDING: PRIMARY AND SECONDARY CIRCUITRY, TRANSFORMERS, STREET LIGHTING FACILITIES AND APPURTENANCES.
- WATER IMPROVEMENTS INCLUDING: MAIN LINE AND LATERAL LINES, FIRE HYDRANTS, VALVES AND APPURTENANCES.
- SANITARY SEWER IMPROVEMENTS MAIN LINE AND LATERAL LINES, MANHOLES, AND APPURTENANCES.

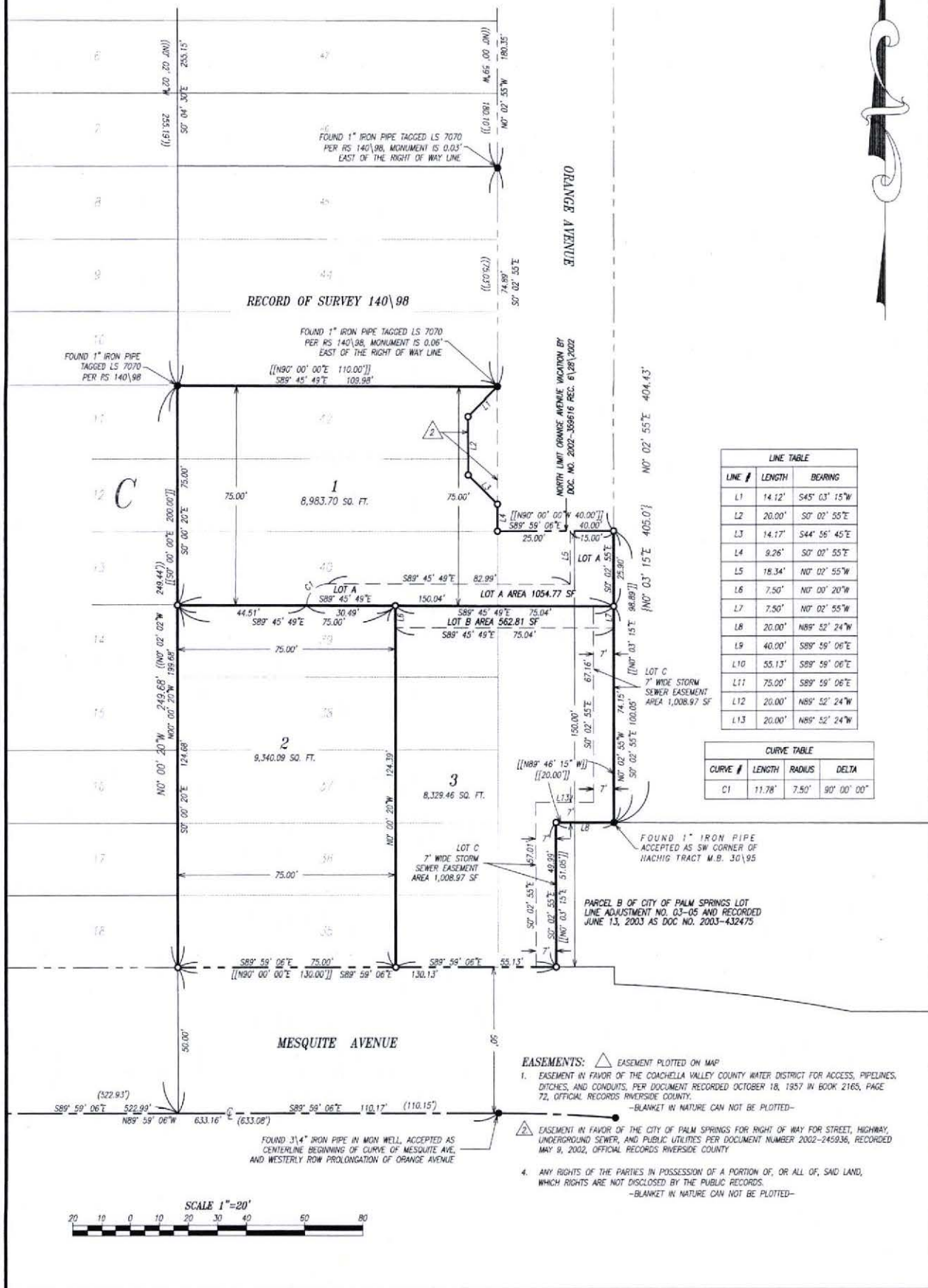
THIS MAP CONSISTS OF THREE LOTS
 AREA 26,653.25 SQ FT (0.61 AC)
 PARCEL 1 AREA 8,983.70 SQ. FT
 PARCEL 2 AREA 9,340.09 SQ. FT.
 PARCEL 3 AREA 8,329.46 SQ. FT.

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET THREE OF THREE

PARCEL MAP No. 36562

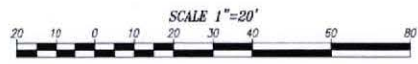
BEING A SUBDIVISION OF PARCEL "A" OF THE LOT LINE ADJUSTMENT NO. 03-05 IN THE CITY OF PALM SPRINGS RECORDED AS DOCUMENT NO. 2003-432475 ON JUNE 06, 2003, OFFICIAL RECORDS OF RIVERSIDE COUNTY, IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN.



LINE TABLE		
LINE #	LENGTH	BEARING
L1	14.12'	S45° 03' 15\"W
L2	20.00'	S0° 02' 55\"E
L3	14.17'	S44° 56' 45\"E
L4	9.26'	S0° 02' 55\"E
L5	18.34'	N0° 02' 55\"W
L6	7.50'	N0° 00' 20\"W
L7	7.50'	N0° 02' 55\"W
L8	20.00'	N89° 52' 24\"W
L9	40.00'	S89° 59' 06\"E
L10	55.13'	S89° 59' 06\"E
L11	75.00'	S89° 59' 06\"E
L12	20.00'	N89° 52' 24\"W
L13	20.00'	N89° 52' 24\"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	11.78'	7.50'	90° 00' 00\"

- EASEMENTS:** \triangle EASEMENT PLOTTED ON MAP
- EASEMENT IN FAVOR OF THE COACHELLA VALLEY COUNTY WATER DISTRICT FOR ACCESS, PIPELINES, DITCHES, AND CONDUITS, PER DOCUMENT RECORDED OCTOBER 18, 1957 IN BOOK 2165, PAGE 72, OFFICIAL RECORDS RIVERSIDE COUNTY.
 -BLANKET IN NATURE CAN NOT BE PLOTTED-
 - EASEMENT IN FAVOR OF THE CITY OF PALM SPRINGS FOR RIGHT OF WAY FOR STREET, HIGHWAY, UNDERGROUND SEWER, AND PUBLIC UTILITIES PER DOCUMENT NUMBER 2002-245936, RECORDED MAY 9, 2002, OFFICIAL RECORDS RIVERSIDE COUNTY.
 - ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAND LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS.
 -BLANKET IN NATURE CAN NOT BE PLOTTED-



ATTACHMENT 3

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 36562 FOR PROPERTY LOCATED AT 745, 757 AND 765 ORANGE AVENUE, IN SECTION 19, TOWNSHIP 4 SOUTH, RANGE 5 EAST

WHEREAS, the Planning Commission of the City of Palm Springs, at its meeting of July 23, 2014, recommended approval of Tentative Parcel Map 36562, subject to conditions; and

WHEREAS, the City Council of the City of Palm Springs, (hereinafter the "City"), at its meeting of September 17, 2014, approved Tentative Parcel Map 36562 subject to conditions; and

WHEREAS, included with the City Council's conditional approval of Tentative Parcel Map 36562 is Administrative Condition No. 8 referencing the obligation to support the formation of a Community Facilities District ("CFD") under the authority of Government Code Section 53311 et seq., associated with the City's existing public safety services, to which such obligation to support the formation of a CFD should not apply to a residential subdivision of four or fewer parcels; and

WHEREAS, Ocean West Homes, a California Limited Partnership, (hereinafter the "Subdivider"), has filed Parcel Map No. 36562 with the City in accordance with Section 66463 of the California Government Code; and

WHEREAS, the Subdivider offers for dedication to the City of Palm Springs an easement for utility purposes, designated as Lot "A" and Lot "B", as shown on Parcel Map 36562.; and

WHEREAS, development of Parcel Map 36562 requires construction of certain off-site public improvements (street, sewer and water system improvements), (the "Public Improvements"), to service the three residential parcels proposed for new single family residential homes; and

WHEREAS, construction of the Public Improvements have not been completed, and pursuant to Section 66411.1(a) of the Government Code, the Public Improvements shall be listed in an Improvement Certificate on the Parcel Map and clearly noted and shall be completed prior to the issuance of building permits for the parcels.

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

- Section 1.** Parcel Map 36562 is in substantial conformance with approved Tentative Parcel Map 36562.
- Section 2.** Parcel Map 36562 is in conformance with the General Plan.
- Section 3.** Parcel Map 36562 conforms to all requirements of the Subdivision Map Act of the State of California.
- Section 4.** In accordance with Section 66477.1 of the California Government Code, the offers of dedication to the public on Parcel Map 36562 shall be accepted by the City Clerk, subject to improvement, who shall certify acceptance by signature on the map thereof.
- Section 5.** Requisite conditions associated with Tentative Parcel Map 36562 have been satisfied, or will be satisfied pursuant to the Improvement Certificate for Parcel Map 36562 approved herewith.
- Section 6.** The City Council hereby determines that Administrative Condition No. 8 associated with the formation of a Community Facilities District ("CFD") for the City's existing public safety services does not apply to residential subdivisions of four or fewer parcels, and that all remaining conditions associated with Tentative Parcel Map 36562 have been satisfied.
- Section 7.** Parcel Map 36562 is hereby approved for purposes therein defined.

ADOPTED THIS 4th day of November, 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 November 4, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California