



CITY COUNCIL STAFF REPORT

DATE: February 3, 2016

PUBLIC HEARING

SUBJECT: AN APPLICATION BY PS TEAM, LLC, ON BEHALF OF THE OWNER, AIC CAPITAL, LLC FOR A TENTATIVE PARCEL MAP (TPM) TO SUBDIVIDE A 0.46-ACRE PARCEL INTO TWO PARCELS AT 2732 NORTH CARDILLO AVENUE; ZONE R-1-C / RGA-6, (CASE TPM 36958). (KL)

FROM: Department of Planning Services

SUMMARY

The subject 0.46-acre parcel was originally two back-to-back lots that were part of a subdivision of land approved by Riverside County in 1937. The two lots were merged in the 1990's to resolve a code violation. The current owner desires to re-establish the two lots, raze a dilapidated garage and shop that was the subject of the merger, and develop a single family residence on each lot.

The Planning Commission, at its October 28, 2015 meeting, approved a variance on minimum lot size so that the map could be processed. (Case 6.545 VAR).¹

RECOMMENDATION

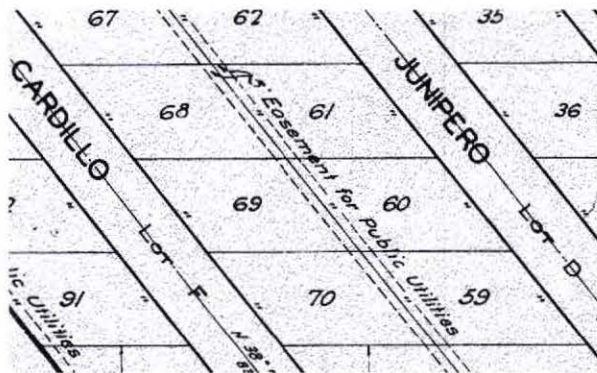
1. Open the public hearing and take testimony.
2. Close the public hearing and adopt Resolution # _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A CLASS 32 (INFILL) CATEGORICAL EXEMPTION UNDER CEQA AND APPROVING CASE TPM 36958 FOR A TENTATIVE PARCEL MAP (TPM) TO SUBDIVIDE A 0.46-ACRE PARCEL INTO TWO LOTS, LOCATED AT 2732 NORTH CARDILLO AVENUE."

BACKGROUND INFORMATION

The project is located two blocks west of North Palm Canyon Drive and two blocks north of West Racquet Club Road in an area primarily developed with single family homes. The proposed parcel map re-establishes two parcels of the same size and shape as originally created with the

¹ Current minimum lot sizes for the R-1-C and RGA-6 zones are larger than the lots originally created in 1937, thus a variance was necessary to re-establish the two lots in their original size and shape.

1937 subdivision of this area².



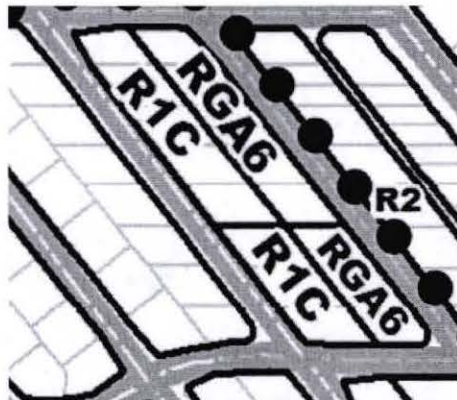
PORTION OF 1937 TRACT MAP



PROJECT SITE

The two lots were merged in the 1990's as part of a resolution of a code violation in which a non-permitted garage/shop (accessory structure) had been built on the eastern lot³. A dilapidated single family residence is located on the western half of the lot that was constructed in 1960 that the property owner wishes to substantially renovate and resell.

The 0.46-acre parcel has "split zoning", which occurs along the entire length of the block between Cardillo Road and Junipero Road and reflects a typical pattern of zoning in this part of the City. The eastern half of the 0.46-acre parcel is zoned RGA-6 (6 dwelling units per acre) and the west half is R-1-C (4du/ac).



PORTION OF ZONING MAP SHOWING THE BLOCK WITH SPLIT ZONING

² It is assumed that the original county zoning from the 1930's was for single family units. The zone was likely changed to RGA-6 in the 1980's as part of citywide re-zoning that created "transition zones" with increased residential densities in the blocks immediately adjacent to Palm Canyon Drive and other major thoroughfares. As a result, none of the lots in this area conform to the two-acre minimum lot size of the RGA zone.

³ Accessory structures (garages, carports, swimming pools, storage buildings, etc.) are not permitted without there first being a primary use / structure (such as a dwelling unit, apartment, hotel or other permitted use) on the lot.

TABLE 1: Related Past Actions by the Departments of Planning, Building, Fire, etc.	
Date	Action:
1994	Administrative Minor Modification (Case 7.373 AMM) to reduce yard setback by 3 ft for garage attached to the existing single family residence.
1999	Lot merger to legalize stand-alone garage/shop on eastern parcel
1999	Variance to reduce setbacks (Case 6.432 VAR) to legalize garage/shop structure
Oct.28, 2015	Planning Commission voted 7-0 to approve the TPM & Variance.

Most Recent Change of Ownership	
2014	Purchase by the current owner / applicant

Neighborhood Meeting	
	None required

Field Check	
September 11, 2015	Site visit by project case planner.

Site Area	
	0.46 Acres



AERIAL PHOTO LOOKING EAST SHOWS THE BLOCK ON WHICH THE PARCEL IS LOCATED COMPRISED OF EXISTING SINGLE FAMILY HOMES. THE BLOCK FURTHER EAST (NEAR THE TOP OF THIS PHOTO) IS PARTIALLY DEVELOPED WITH MULTI-FAMILY HOMES.

TABLE 2: GENERAL PLAN, ZONING, AND EXISTING USES:			
Surrounding Property	General Plan Land Use Designation	Zoning Designation:	Existing Uses:
Site	VLDR (Very low density residential - 4du/ac)	R-1-C / RGA-6	Single family residence on the west half, an existing large garage & workshop on the east half.
North	VLDR	R-1-C / RGA-6	Single Family Residence / Vacant
South	VLDR	R-1-C / RGA-6	Single Family Residence
East	VLDR	RGA-6	Multi Family Residence
West	VLDR	R-1-C	Single Family Residence

PROJECT DESCRIPTION:

The current owner purchased the subject parcel and the vacant parcel immediately north of it with the intent to subdivide the subject lot, redevelop the existing single family parcel on the western portion of the subject site, demolish the existing garage and shop and construct a new single family residence on the eastern half of the site and construct a third home on the vacant parcel to the north of the subject site. Each home on its own lot would then be individually sold.

The block on which the parcel is located is comprised of single family residential units. Thus, the proposed development of single family units would be consistent with the existing development pattern on the block.

The project is comprised of both a Tentative Parcel Map (TPM) and a Variance (VAR). The variance was required in order to seek approval of the creation of lots that are smaller than the minimum required for the zones in which they're located. As noted earlier this subdivision, originally approved by the County prior to incorporation of this area into the City is comprised of lots slightly less than 10,000 square feet in area. In order to re-establish the lots in the same size and shape as originally platted, the variance was necessary. The Planning Commission approved the variance in order to facilitate approval of the parcel map with parcels smaller than the current minimum lot sizes for the R-1-C zone and the RGA-6 zone.

ANALYSIS:

As noted in the project description, the subject site has split zoning. The challenge this creates in terms of processing the map is the ability of the resultant lots to conform to the minimum lot size for the zone. For R-1-C, the minimum lot size is 10,000 square feet, and the proposed westerly lot is 9,995 square feet. For RGA-6, the minimum lot size is 2 acres (87,120 square feet) and the proposed lot is 9,996 square feet. Although the RGA-6 zone designation has existed on the eastern half of the block for many decades, none of the lots therein meet the minimum two-acre lot size for the RGA-6 zone and none of the existing parcels are large enough to develop garden apartments. The parcel is located in an area developed mostly with single family residences. The State of California Subdivision Map Act section 66473.5 requires

that tentative maps be consistent with the City's general plan and any specific plan that may be in effect. The table below evaluates the proposed parcels against the zoning development standards in which each lot would be located.

TABLE 3: ANALYSIS OF DEVELOPMENT STANDARDS: WEST LOT		
Development Standards	R-1-C	Parcel 1 (west lot) Compliance w / R-1-C
Min. Lot Size	10,000 sf	9,995 square feet; yes with approval of variance
Min. Lot Width	100 feet	100 Feet (78 ft when measured perpendicular to side lot lines); yes w/apvl of variance.
Min. Lot Depth	100 feet	128 Feet
Min. Setbacks		
• Front		
• Side	25 feet	25 feet (existing)
• Side	10 feet	10 feet (existing)
• Rear	10 feet	10 feet (existing)
	15 feet	15 feet (existing)
Max. Lot Coverage	35%	existing
Maximum Density	1 du/lot w/accessory	1,135 sf / unit (existing)
Max. Building Height	12 ft at setback to 18 ft max	(existing)
Distance Bet. Bldgs	15 ft	N/A (1 existing SFR on site only at this time).
Mechanical Equipment	Screened	N/A

(Note, the existing SFR on the subject lot conforms to the development standards for the R-1-C zone)

TABLE 4: ANALYSIS OF DEVELOPMENT STANDARDS – EAST LOT:		
Development Standards	RGA-6	Parcel 2 (east lot) Compliance w / RGA-6
Min. Lot Size	2 acres	9,996 square feet; yes, with approval of variance
Min. Lot Width	165 feet	100 feet (78 ft when measured perpendicular to side lot lines); yes, w/apvl. of variance
Min. Lot Depth	165 feet	128 feet; yes w/apvl of variance
Min. Setbacks		
• Front	25 feet	N/A (the TPM and variance does not include an architectural submittal at this time, thus setback evaluation is not applicable.)
• Side	10% of lot width / not less than 10 feet for sides.	
• Side		
• Rear	20 feet rear	
Max. Lot Coverage	50% of lot to be landscaped	N/A
Maximum Density	6 du/ac	Max. allowable of 1 du, (the TPM & variance does not include an architectural submittal at this time)
Max. Building Height	Single family subject to R-1-C standards	N/A (no buildings are proposed as part of the current application)
Distance Bet. Bldgs	15 ft	N/A
Mechanical Equipment	Screened	N/A

FINDINGS – TENTATIVE PARCEL MAP – (Case TPM 36958)

The City Council shall evaluate the proposed map against the following findings pursuant to Section 66474 of the California Subdivision Map Act.

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

The proposed map establishes two parcels of roughly 10,000 square feet. The General Plan land use designation for this area is VLDM (Very Low Density Residential; 4du/ac). The size of the lots is consistent with the maximum allowable densities of the General Plan. There are no specific plans for this area. Thus the map is consistent with this finding.

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

The parcel has split zoning; R-1-C on the western half and RGA-6 on the eastern half. The subject parcel was originally comprised of two lots in the original tract map approved by the County of Riverside in 1937. The proposed parcel map re-establishes the same lot size and configuration as the original 1937 tract map for this area. The R-1-C zone requires minimum lot size of 10,000 square feet and the RGA-6 zone requires minimum lot size of two (2) acres. The Planning Commission approved a variance application to allow the two lots created with the proposed parcel map to be consistent with the original 1937 map, but smaller in size than the minimum allowable for the respective zone in which each lot is located. The western parcel (parcel 1) is 9,995 square feet and the eastern parcel (parcel 2) is proposed at 9,996 square feet. With approval of the variance the proposed map will be consistent with the zone.

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

The Palm Springs Village Tract #2, approved in 1937, of which the subject site is a part, created lots of the same dimension and area as proposed in this parcel map. It is consistent with the other lots in this tract, and with other lots within the block bounded by Cardillo, Junipero, San Marco and Cabrillo roads within which the project is located. 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 map creates two lots of roughly 10,000 square feet each, which is consistent with the R-1-C zone. The applicant desires to construct a single family house on each parcel. Single family residences are permitted in the RGA-6 zone subject to the R-1-C standards. The site is therefore suitable for the proposed density of development.

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

The project is in a fully developed area of the City and is not near or adjacent to any designated conservation areas or sensitive habitat. The project has been reviewed under the California Environmental Quality Act, and subsequent to Section 15332 is considered Categorically Exempt as "Infill development". The land on which the project is located has been previously graded and structures exist on both proposed parcels. The project will therefore not cause environmental 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 is in an area with available connections to all public utilities including potable water and sanitary sewer, thus there are no known health problems that would be caused by the proposed map.

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 is a ten foot wide public utility easement that runs the length of the block, parallel with the rear property line (a five foot PUE on the easterly lots and a five foot PUE on the westerly lots). This easement is quite typical throughout much of Palm Springs and provides access for electric, cable and data carriers to access their overhead lines that run along this easement. The easement will not impact the proposed parcels. There are no other known public access easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property.

ENVIRONMENTAL ANALYSIS

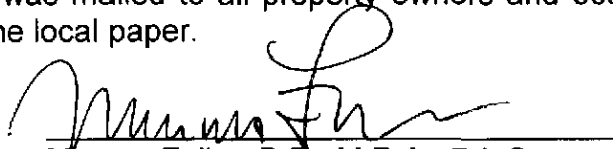
The proposed development is a project as defined by the California Environmental Quality Act (CEQA). The City has evaluated the project against Section 15332 of the CEQA guidelines and determined it to be Categorically Exempt from further analysis under (infill development). Upon completion of the action on this project, notice of exemption will be filed with the State.

NOTIFICATION

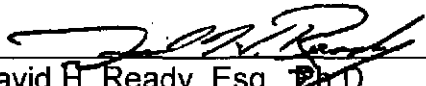
Posting of the agenda for this meeting was made to neighborhood organizations in accordance with PSZC 94.04. A public hearing notice was mailed to all property owners and occupants within 500 feet of the site and published in the local paper.



Flinn Fagg, AICP
Director of Planning Services



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



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

Attachments:

1. Vicinity Map
2. Draft Resolution and Exhibit "A" - Draft Conditions of Approval
3. Planning Commission Staff Report, Resolution & Minutes October 28, 2015
4. Applicant Justification Letter
5. TPM 36958

**CITY OF PALM SPRINGS
PUBLIC NOTIFICATION**



Date: February 3, 2016
Subject: 2732 North Cardillo Road

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 January 23, 2016.

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

KHart
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 January 21, 2016.

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

KHart
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 January 21, 2016, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.
(89 notices)

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

KHart
Kathie Hart, MMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASE TPM 36958 & 6.545 VAR
A TWO-LOT TENTATIVE PARCEL MAP AND VARIANCE
LOCATED AT 2732 NORTH CARDILLO ROAD

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of February 3, 2016. 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 an application by PS Team, LLC on behalf of the owner AIC Capital, LLC for a two-lot Tentative Parcel Map (TPM) and a variance for lots smaller than the minimum size for the zones in which they are proposed.

ENVIRONMENTAL DETERMINATION: This project is categorically exempt from environmental review pursuant to Section 15301 (Class 32 – Infill Development) of the California Environmental Quality Act (CEQA).

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]).

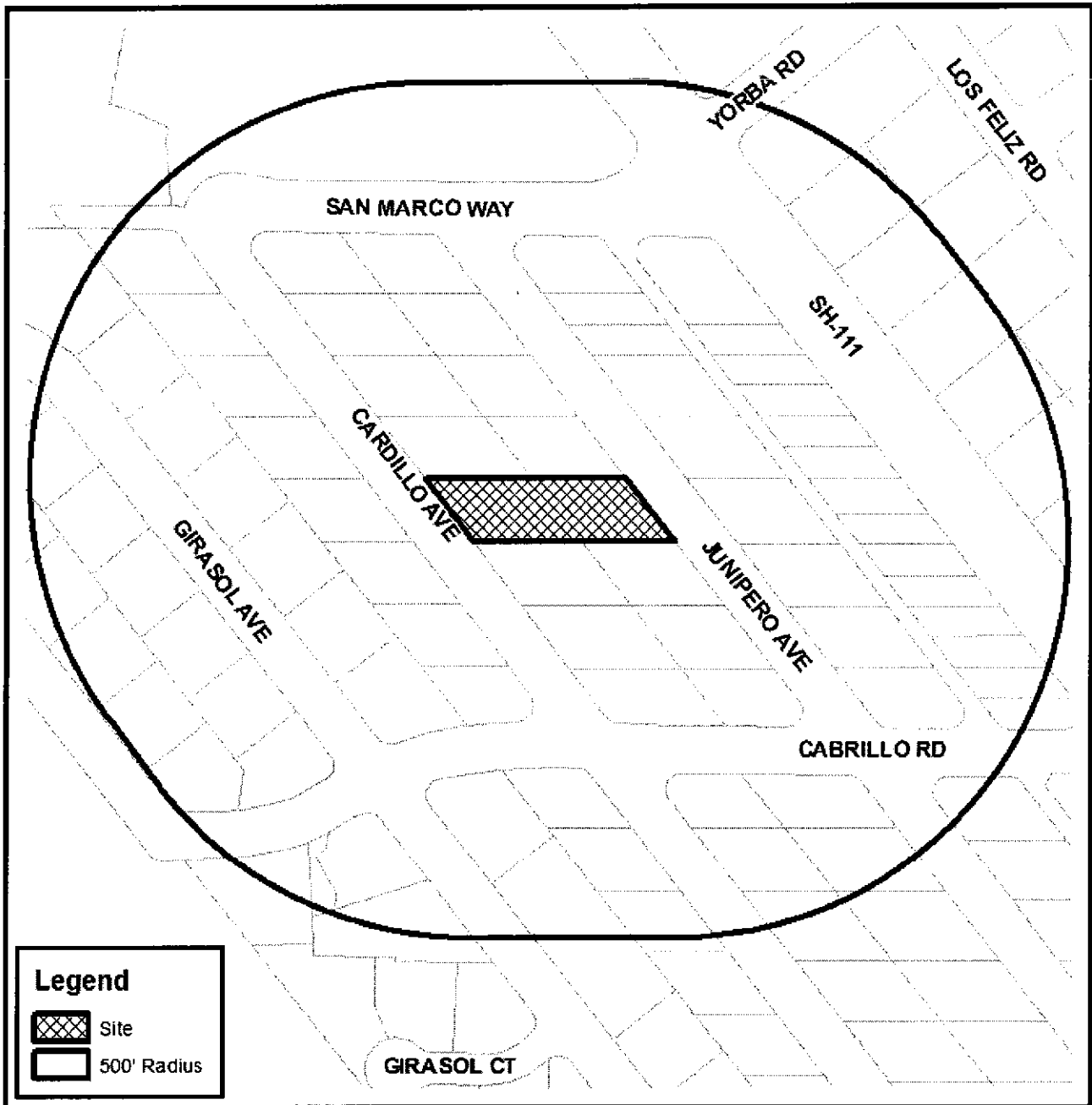
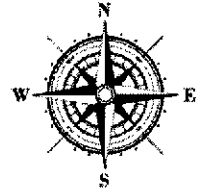
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Ken Lyon, RA, Associate Planner, at (760) 323-8245.

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


James Thompson, City Clerk



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

Kathie Hart

From: Joanne Bruggemans
Sent: Thursday, January 21, 2016 9:27 AM
To: Desert Highland Estates; Little Tuscany; Racquet Club West
Cc: Ken Lyon; Kathie Hart
Subject: Case TPM 36958 & 6.545 VAR - Two-Lot Tentative Parcel Map & Variance
Attachments: TPM 36958 PHN CC 02 03 16.pdf

Morning -

Please find the attached Public Hearing Notice of the City Council for February 3, 2016 of the proposed project within a ½ mile of your neighborhood organization.

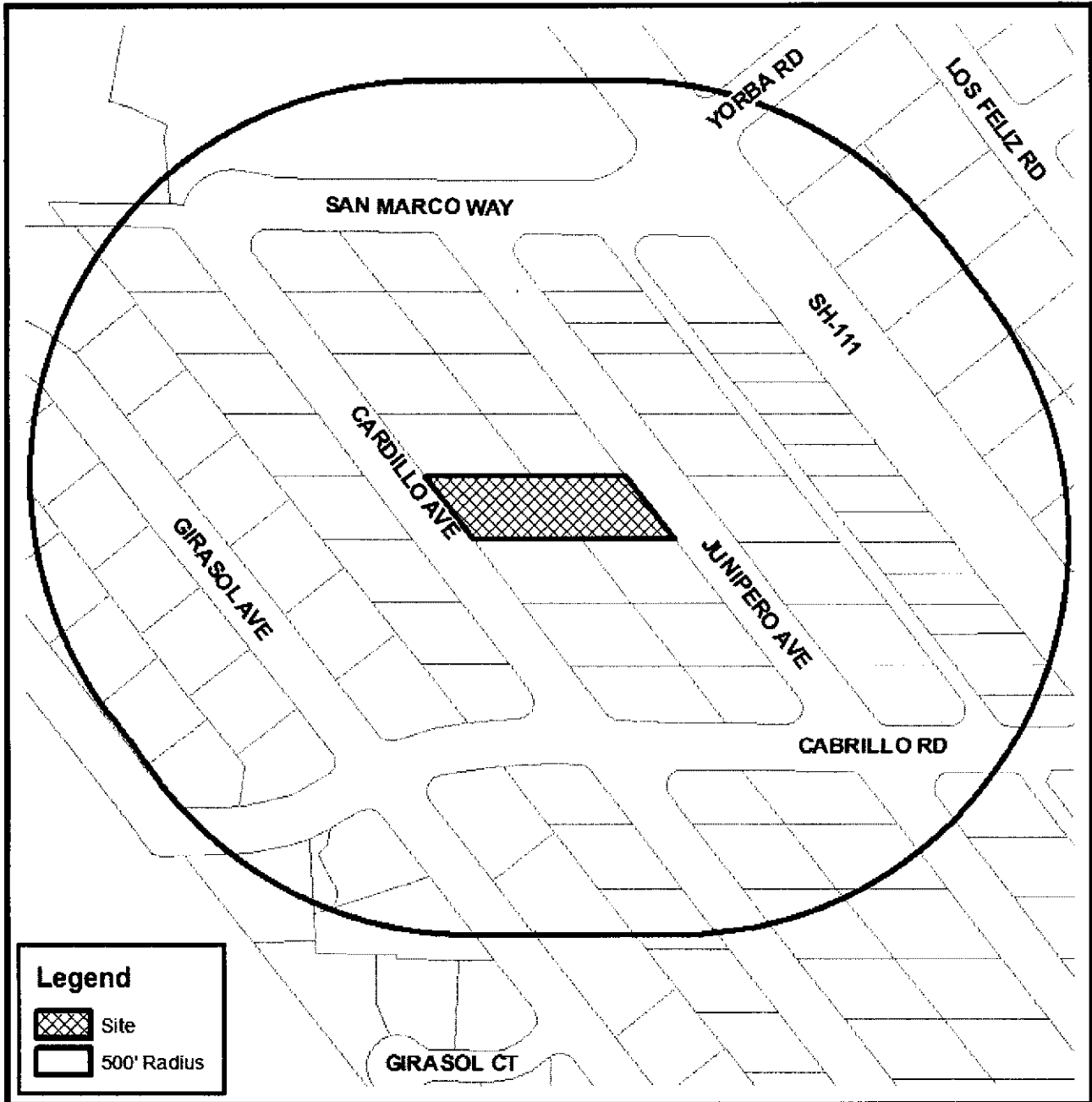
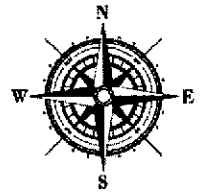
Thank you,

Joanne

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



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE TPM 36958; A SUBDIVISION OF A 0.46-ACRE PARCEL INTO TWO LOTS LOCATED AT 2732 NORTH CARDILLO AVENUE, SUBJECT TO CONDITIONS, (ZONE R-1-C / RGA-6), (APN 504-054-017).

THE CITY COUNCIL FINDS AND DETERMINES AS FOLLOWS:

- A. On June 20, 2015, the applicant submitted applications pursuant to Palm Springs Zoning Code (PSZC) Section 94.06 (variance), and Section 66474 of the State of California Subdivision Map Act (California Government Code § 66410 et seq.) for a two-lot parcel map and a variance.
- B. A notice of a public hearing of the Planning Commission was given in accordance with applicable law.
- C. On October 28, 2015, the Planning Commission held a public hearing in accordance with applicable law to consider the proposed parcel map and variance.
- D. The Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented and voted 7-0 to approve a variance allowing lot sizes within the proposed parcel map smaller than the minimum required by the underlying zone and approving Tentative Parcel Map TPM 36958.
- E. A notice of a public hearing of the City Council was given in accordance with applicable law.
- F. On February 3, 2016, the City Council held a public hearing in accordance with applicable law to consider the proposed parcel map and variance.
- G. The proposed development is considered a "project" pursuant to the guidelines of the California Environmental Quality Act ("CEQA"). The City has evaluated the proposal and determined the project to be exempt from further review under CEQA pursuant to Section 15332 of the CEQA Guidelines (infill development).
- H. The City Council carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.
- I. The City Council evaluated the proposed tentative parcel map against the findings of the Subdivision Map Act Section 66474, which states that a legislative body of a city or county shall deny approval of a tentative map or a parcel map for which a tentative map was not

required if it cannot make affirmative findings on all of the following. The City Council finds as follows:

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

The proposed map establishes two parcels of roughly 10,000 square feet. The General Plan land use designation for this area is VLDM (Very Low Density Residential; 4du/ac). The size of the lots is consistent with the maximum allowable densities of the General Plan. There are no specific plans for this area. Thus the map is consistent with this finding.

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

The parcel has split zoning; R-1-C on the western half and RGA-6 on the eastern half. The subject parcel was originally comprised of two lots in the original tract map approved by the County of Riverside in 1937. The proposed parcel map re-establishes the same lot size and configuration as the original 1937 tract map for this area. The R-1-C zone requires minimum lot size of 10,000 square feet and the RGA-6 zone requires minimum lot size of two (2) acres. On October 28, 2015 by Resolution 6535, the Planning Commission approved a variance application approving lots consistent with the original 1937 map, but smaller in size that the minimum allowable for the respective zone in which each lot is located. The western parcel (parcel 1) is 9,995 square feet and the eastern parcel (parcel 2) is proposed at 9,996 square feet. With the Planning Commission's approval of the variance, the proposed map can be deemed consistent with the zone.

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

The Palm Springs Village Tract #2, approved in 1937, of which the subject site is a part, created lots of the same dimension and area as proposed in this parcel map. It is consistent with the other lots in this tract, and with other lots within the block bounded by Cardillo, Junipero, San Marco and Cabrillo roads within which the project is located. 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 map creates two lots of roughly 10,000 square feet each, which is consistent with the R-1-C zone. The applicant desires to construct a single family house on each parcel. Single family residences are permitted in the RGA-6 zone subject to the R-1-C standards. The site is therefore suitable for the proposed density of development.

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

The project is in a fully developed area of the City and is not near or adjacent to any designated conservation areas or sensitive habitat. The project has been reviewed under the California Environmental Quality Act, and in accordance with Section 15332 (infill development) of the CEQA Guidelines, is deemed exempt from CEQA. The land on which the project is located has been previously graded and structures exist on both proposed parcels. The project will therefore not cause environmental 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 is in an area with available connections to all public utilities including potable water and sanitary sewer thus there are no known health problems that would be caused by the proposed map.

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 is a ten foot wide public utility easement that runs the length of the block, parallel with the rear property line (a five foot PUE on the easterly lots and a five foot PUE on the westerly lots). This easement is quite typical throughout much of Palm Springs and provides access for electric, cable and data carriers to access their overhead lines that run along this easement. The easement will not impact the proposed parcels.

THE CITY COUNCIL RESOLVES:

Based upon the foregoing, the City Council hereby approves Case TPM 36958; a tentative parcel map for the subdivision of a 0.46-acre parcel into two lots located at 2732 North Cardillo Avenue, subject to conditions as outlined in Exhibit "A" attached hereto.

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

Case TPM 36958
A Two-lot Tentative Parcel Map
2732 North Cardillo Avenue

February 3, 2016

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 TPM 36958 except as modified with the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped July 20, 2015.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Tentative Map. This approval is for Tentative Parcel Map 36958 located at 2732 North Cardillo Avenue, date stamped July 20, 2015 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 TPM 36958. 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 Tentative Parcel Map (TPM) 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.

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) NOT required.

- ENV 2. 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 3. 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 4. 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. 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 2. 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 3. (add any additional conditions imposed by the Planning Commission or City Council here)

BUILDING DEPARTMENT CONDITIONS

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

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

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

STREETS

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

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.

CARDILLO ROAD

- ENG 1. Construct 6 inch curb and gutter, 18 feet east of centerline along the entire frontage, in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 2. Construct a driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 3. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

- ENG 4. Construct pavement with a minimum pavement section of 2 ½ 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 along the entire Cardillo Road frontage in accordance with City of Palm Springs Standard Drawing No. 110. (Additional pavement removal and replacement may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel lane or along transitions to existing pavement) 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 5. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

JUNIPERO AVENUE

- ENG 6. Construct 6 inch curb and gutter, 18 feet east of centerline along the entire frontage, in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 7. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 8. Construct pavement with a minimum pavement section of 2 ½ 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 along the entire Junipero Avenue frontage in accordance with City of Palm Springs Standard Drawing No. 110. (Additional pavement removal and replacement may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel lane or along transitions to existing pavement) If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 9. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

SANITARY SEWER

- ENG 10. All sanitary facilities shall be connected to the public sewer system. The existing sewer services to the property shall be used for new sanitary facilities. New laterals shall not be connected at manholes.

MAP

- ENG 11. 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 12. 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 Parcels 1 and 2 of Tentative Parcel Map No. 36958, but shall be completed prior to issuance of a building permit on the parcels.

- ENG 13. Upon approval of a final parcel map, the final parcel map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

- ENG 14. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

- ENG 15. 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 16. 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 (CAMUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.

FIRE DEPARTMENT CONDITIONS

(none)

END OF CONDITIONS



PLANNING COMMISSION STAFF REPORT

DATE: October 28, 2015

PUBLIC HEARING

SUBJECT: AN APPLICATION BY PS TEAM, LLC, ON BEHALF OF THE OWNER, AIC CAPITAL, LLC FOR A TENTATIVE PARCEL MAP (TPM) TO SUBDIVIDE A 0.46-ACRE PARCEL INTO TWO PARCELS AND A VARIANCE APPLICATION FOR APPROVAL OF THE RESULTANT LOTS TO BE SMALLER THAN THE MINIMUM LOT SIZE FOR THE ZONES IN WHICH THEY ARE LOCATED, AT 2732 NORTH CARDILLO ROAD; ZONE R-1-C / RGA-6, (CASE TPM 36958 AND 6.545 VAR). (KL)

FROM: Department of Planning Services

SUMMARY

The subject 0.46-acre parcel was originally two back-to-back lots that were part of a subdivision of land approved by Riverside County in 1937. The two lots were merged in the 1990's to resolve a code violation. The current owner desires to re-establish the two lots, raze a dilapidated garage and shop that was the subject of the merger, and develop a single family residence on each lot.

A tentative parcel map (TPM) is necessary to subdivide the parcel into two lots and the variance is necessary to establish lots smaller than the required minimum size for the zone.

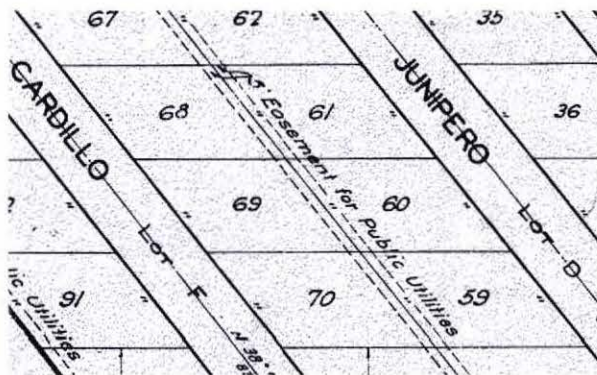
RECOMMENDATION

1. Open the public hearing and take testimony.
2. Close the public hearing and adopt Resolution #_____, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A CLASS 32 (INFILL) CATEGORICAL EXEMPTION UNDER CEQA AND APPROVING CASE TPM 36958 / 6.545 VAR; FOR A TENTATIVE PARCEL MAP (TPM) TO SUBDIVIDE A 0.46-ACRE PARCEL INTO TWO PARCELS AND A VARIANCE FOR APPROVAL OF THE RESULTANT LOTS TO BE SMALLER THAN THE MINIMUM LOT SIZE FOR THE ZONES IN WHICH THEY ARE LOCATED, AT 2732 NORTH CARDILLO ROAD."

BACKGROUND INFORMATION

The project is located two blocks west of North Palm Canyon Drive and two blocks north of West

Racquet Club Road in an area primarily developed with single family homes. The proposed parcel map re-establishes two parcels of the same size and shape as originally created with the 1937 subdivision of this area¹.



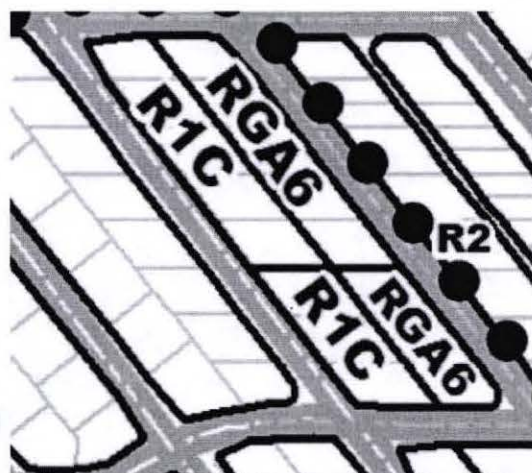
PORTION OF 1937 TRACT MAP



PROJECT SITE

The two lots were merged in the 1990's as part of a resolution of a code violation in which a non-permitted garage/shop (accessory structure) had been built on the eastern lot. A dilapidated single family residence is located on the western half of the lot that was constructed in 1960 that the property owner wishes to substantially renovate and resell.

The 0.46-acre parcel has "split zoning", which occurs along the entire length of the block between Cardillo Road and Junipero Road and reflects a typical pattern of zoning in this part of the City. The eastern half of the 0.46-acre parcel is zoned RGA-6 (6 dwelling units per acre) and the west half is R-1-C (4du/ac).



PORTION OF ZONING MAP SHOWING THE BLOCK WITH SPLIT ZONING

¹ It is assumed that the original county zoning from the 1930's was for single family units. The zone was likely changed to RGA-6 in the 1980's as part of citywide re-zoning that created "transition zones" with increased residential densities in the blocks immediately adjacent to Palm Canyon Drive and other major thoroughfares. As a result, none of the lots in this area conform to the two-acre minimum lot size of the RGA zone.

TABLE 1: Related Past Actions by the Departments of Planning, Building, Fire, etc.	
Date	Action:
1994	Administrative Minor Modification (Case 7.373 AMM) to reduce yard setback by 3 ft for garage attached to the existing single family residence.
1999	Lot merger to legalize stand-alone garage/shop on eastern parcel
1999	Variance to reduce setbacks (Case 6.432 VAR) to legalize garage/shop structure

Most Recent Change of Ownership	
2014	Purchase by the current owner / applicant

Neighborhood Meeting	
	None required

Field Check	
September 11, 2015	Site visit by project case planner.

Site Area	
	0.46 Acres



AERIAL PHOTO LOOKING EAST SHOWS THE BLOCK ON WHICH THE PARCEL IS LOCATED COMPRISED OF EXISTING SINGLE FAMILY HOMES. THE BLOCK FURTHER EAST (NEAR THE TOP OF THIS PHOTO) IS PARTIALLY DEVELOPED WITH MULTI-FAMILY HOMES.

TABLE 2: GENERAL PLAN, ZONING, AND EXISTING USES:

Surrounding Property	General Plan Land Use Designation	Zoning Designation:	Existing Uses:
Site	VLDR (Very low density residential - 4du/ac)	R-1-C / RGA-6	Single family residence on the west half, an existing large garage & workshop on the east half.
North	VLDR	R-1-C / RGA-6	Single Family Residence / Vacant
South	VLDR	R-1-C / RGA-6	Single Family Residence
East	VLDR	RGA-6	Multi Family Residence
West	VLDR	R-1-C	Single Family Residence

PROJECT DESCRIPTION:

The current owner purchased the subject parcel and the vacant parcel immediately north of it with the intent to subdivide the subject lot, redevelop the existing single family parcel on the western portion of the subject site, demolish the existing garage and shop and construct a new single family residence on the eastern half of the site and construct a third home on the vacant parcel to the north of the subject site. Each home on its own lot would then be individually sold.

The block on which the parcel is located is comprised of single family residential units. Thus, the proposed development of single family units would be consistent with the existing development pattern on the block. The variance is necessary because the original lot sizes do not conform to the current minimum lot sizes for the zone in which they are located.

ANALYSIS:

As noted in the project description, the subject site has split zoning. The challenge this creates in terms of processing the map is the ability of the resultant lots to conform to the minimum lot size for the zone. For R-1-C, the minimum lot size is 10,000 square feet, and the proposed westerly lot is 9,995 square feet. For RGA-6, the minimum lot size is 2 acres (87,120 square feet) and the proposed lot is 9,996 square feet. Although the RGA-6 zone designation has existed on the eastern half of the block for many decades, none of the lots therein meet the minimum two-acre lot size for the RGA-6 zone and none of the existing parcels are large enough to develop garden apartments. The parcel is located in an area developed mostly with single family residences. The State of California Subdivision Map Act section 66473.5 requires that tentative maps be consistent with the City's general plan and any specific plan that may be in effect. The table below evaluates the proposed parcels against the zoning development standards in which each lot would be located.

TABLE 3: ANALYSIS OF DEVELOPMENT STANDARDS: WEST LOT		
Development Standards	R-1-C	Parcel 1 (west lot) Compliance w / R-1-C
Min. Lot Size	10,000 sf	9,995 square feet; yes with approval of variance
Min. Lot Width	100 feet	100 Feet (78 ft when measured perpendicular to side lot lines); yes w/apvl of variance.
Min. Lot Depth	100 feet	128 Feet
Min. Setbacks		
• Front		
• Side	25 feet	25 feet (existing)
• Side	10 feet	10 feet (existing)
• Rear	10 feet	10 feet (existing)
	15 feet	15 feet (existing)
Max. Lot Coverage	35%	existing
Maximum Density	1 du/lot w/accessory	1,135 sf / unit (existing)
Max. Building Height	12 ft at setback to 18 ft max	(existing)
Distance Bet. Bldgs	15 ft	N/A (1 existing SFR on site only at this time).
Mechanical Equipment	Screened	N/A
(Note, the existing SFR on the subject lot conforms to the development standards for the R-1-C zone)		

TABLE 4: ANALYSIS OF DEVELOPMENT STANDARDS – EAST LOT:		
Development Standards	RGA-6	Parcel 2 (east lot) Compliance w / RGA-6
Min. Lot Size	2 acres	9,996 square feet; yes, with approval of variance
Min. Lot Width	165 feet	100 feet (78 ft when measured perpendicular to side lot lines); yes, w/apvl. of variance
Min. Lot Depth	165 feet	128 feet; yes w/apvl of variance
Min. Setbacks		
• Front	25 feet	N/A (the TPM and variance does not include an architectural submittal at this time, thus setback evaluation is not applicable.)
• Side	10% of lot width / not less than 10 feet for sides.	
• Side	20 feet rear	
• Rear		
Max. Lot Coverage	50% of lot to be landscaped	N/A
Maximum Density	6 du/ac	Max. allowable of 1 du, (the TPM & variance does not include an architectural submittal at this time)
Max. Building Height	Single family subject to R-1-C standards	N/A (no buildings are proposed as part of the current application)
Distance Bet. Bldgs	15 ft	N/A
Mechanical Equipment	Screened	N/A

FINDINGS – TENTATIVE PARCEL MAP – (Case TPM 36958)

The Planning Commission shall evaluate the proposed map against the following findings pursuant to Section 66474 of the California Subdivision Map Act.

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

The proposed map establishes two parcels of roughly 10,000 square feet. The General Plan land use designation for this area is VLDM (Very Low Density Residential; 4du/ac). The size of the lots is consistent with the maximum allowable densities of the General Plan. There are no specific plans for this area. Thus the map is consistent with this finding.

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

The parcel has split zoning; R-1-C on the western half and RGA-6 on the eastern half. The subject parcel was originally comprised of two lots in the original tract map approved by the County of Riverside in 1937. The proposed parcel map re-establishes the same lot size and configuration as the original 1937 tract map for this area. The R-1-C zone requires minimum lot size of 10,000 square feet and the RGA-6 zone requires minimum lot size of two (2) acres. The applicant has submitted a variance application seeking approval of lots consistent with the original 1937 map, but smaller in size than the minimum allowable for the respective zone in which each lot is located. The western parcel (parcel 1) is 9,995 square feet and the eastern parcel (parcel 2) is proposed at 9,996 square feet. With approval of the variance the proposed map will be deemed consistent with the zone.

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

The Palm Springs Village Tract #2, approved in 1937, of which the subject site is a part, created lots of the same dimension and area as proposed in this parcel map. It is consistent with the other lots in this tract, and with other lots within the block bounded by Cardillo, Junipero, San Marco and Cabrillo roads within which the project is located. 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 map creates two lots of roughly 10,000 square feet each, which is consistent with the R-1-C zone. The applicant desires to construct a single family house on each parcel. Single family residences are permitted in the RGA-6 zone subject to the R-1-C standards. The site is therefore suitable for the proposed density of development.

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

The project is in a fully developed area of the City and is not near or adjacent to any designated conservation areas or sensitive habitat. The project has been reviewed under the California Environmental Quality Act, and subsequent to Section 15332 is considered Categorical Exempt as "Infill development". The land on which the project is located has been previously graded and

structures exist on both proposed parcels. The project will therefore not cause environmental 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 is in an area with available connections to all public utilities. Each parcel will be provided direct access to public streets and thus there are no known health problems that would be caused by the proposed map.

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 access 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 area.

FINDINGS – VARIANCE (ZONING CODE SECTION 94.06)

The commission, before it may grant a variance, shall make a finding that in the evidence presented, all four of the following conditions as set forth in state law exist in reference to the property being considered:

1. Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

The proposed parcel map is 0.46 acres in size and is comprised of two lots (lot 60 and 69) that were merged some time in the 1990's. It is part of the Palm Springs Village Tract #2 approved by the county supervisors in 1937. The two parcels in the proposed parcel map are the same size and configuration as originally approved in the 1937 map and are constrained in size, shape and location by the existing lots immediately adjacent. The applicant desires to re-establish the two-lot configuration from the 1937 tract to build single family residences on the lots in a manner consistent with the existing single family development on the rest of the block and in the general vicinity.

2. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

The variance seeks to re-establish lot sizes consistent with other lots on the block and in the vicinity in terms of size, shape and use. Other lots in the same block with the same zone

designations have the same general dimensions as those proposed and thus granting the variance would not constitute a granting of special privilege or create a condition that is inconsistent with other properties in the vicinity.

3. *The granting of the variance will not be materially detrimental to the public health, safety, convenience or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The current merged lot has been the subject of numerous code complaints and violations in the past. Re-establishing the parcel as two legal lots of record will allow the current owner the ability to develop the proposed parcels with a single family residence on each lot - consistent with existing development patterns around it, and eliminate a blighted condition by removal of the existing abandoned garage / shop and by renovation of the existing dilapidated house.

4. *The granting of such variance will not adversely affect the general plan of the city.*

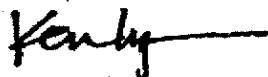
The proposed parcel map establishes two lots on which single family residences could be constructed at a density of 4 du/ac, which is consistent with the general plan.

ENVIRONMENTAL ANALYSIS

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). The City has evaluated the project and determined it to be Categorically Exempt from further analysis under CEQA as a Class 32 exemption (infill development). Upon completion of the action on this project, notice of exemption will be filed with the State.

NOTIFICATION

Posting of the agenda for this meeting was made to neighborhood organizations in accordance with PSZC 94.04. A public hearing notice was mailed to all property owners and occupants within 500 feet of the site and published in the local paper.



Ken Lyon, RA
Associate Planner

Flinn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolution and Exhibit "A" - Draft Conditions of Approval
3. Applicant Justification Letter
4. TPM 36958

RESOLUTION NO. 6535

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE TPM 36958 / 6.545 VAR; A SUBDIVISION OF A 0.46-ACRE PARCEL INTO TWO LOTS AND A VARIANCE TO ESTABLISH THE LOTS SMALLER THAN THE MINIMUM LOT SIZE FOR THE ZONES IN WHICH THEY ARE LOCATED AT 2732 NORTH CARDILLO ROAD, SUBJECT TO CONDITIONS, (ZONE R-1-C / RGA-6), (APN 504-054-017).

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. On June 20, 2015, the applicant submitted applications pursuant to Palm Springs Zoning Code (PSZC) Section 94.06 (variance), and Section 66963 of the State of California Subdivision Map Act (California Government Code § 66410 et seq.) for a two-lot parcel map and a variance.
- B. A notice of a public hearing of the Planning Commission was given in accordance with applicable law.
- C. On October 28, 2015, the Planning Commission held a public hearing in accordance with applicable law to consider the proposed parcel map and variance.
- D. The proposed development is considered a "project" pursuant to the guidelines of the California Environmental Quality Act ("CEQA"). The City has evaluated the proposal and determined the project to be exempt from further review under CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
- E. The Planning Commission evaluated the proposed parcel map against the findings of the Subdivision Map Act Section 66474 and finds as follows:

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

The proposed map establishes two parcels of roughly 10,000 square feet. The General Plan land use designation for this area is VLDM (Very Low Density Residential; 4du/ac). The size of the lots is consistent with the maximum allowable densities of the General Plan. There are no specific plans for this area. Thus the map is consistent with this finding.

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

The parcel has split zoning; R-1-C on the western half and RGA-6 on the eastern half. The subject parcel was originally comprised of two lots in the original tract map approved by the County of Riverside in 1937. The proposed parcel map re-establishes the same lot size and configuration as the original 1937 tract map for this area. The R-1-C zone requires minimum lot size of 10,000 square feet and the RGA-6 zone requires minimum lot size of two (2) acres. The applicant has submitted a variance application seeking approval of lots consistent with the original 1937 map, but smaller in size than the minimum allowable for the respective zone in which each lot is located. The western parcel (parcel 1) is 9,995 square feet and the eastern parcel (parcel 2) is proposed at 9,996 square feet. With approval of the variance the proposed map will be deemed consistent with the zone.

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

The Palm Springs Village Tract #2, approved in 1937, of which the subject site is a part, created lots of the same dimension and area as proposed in this parcel map. It is consistent with the other lots in this tract, and with other lots within the block bounded by Cardillo, Junipero, San Marco and Cabrillo roads within which the project is located. 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 map creates two lots of roughly 10,000 square feet each, which is consistent with the R-1-C zone. The applicant desires to construct a single family house on each parcel. Single family residences are permitted in the RGA-6 zone subject to the R-1-C standards. The site is therefore suitable for the proposed density of development.

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

The project is in a fully developed area of the City and is not near or adjacent to any designated conservation areas or sensitive habitat. The project has been reviewed under the California Environmental Quality Act, and in accordance with Section 15061(b)(3) of the CEQA Guidelines, is deemed exempt from CEQA, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The land on which the project is located has been previously graded and structures exist on both proposed parcels. The project will therefore not cause environmental 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 is in an area with available connections to all public utilities. Each parcel will be provided direct access to public streets and thus there are no known health problems that would be caused by the proposed map.

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 access 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 area.

F. The Planning Commission evaluated the proposed variance against the findings of Zoning Code Section 94.06 and finds as follows?

The commission, before it may grant a variance, shall make a finding that in the evidence presented, all four of the following conditions as set forth in state law exist in reference to the property being considered:

1. Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

The proposed parcel map is 0.46 acres in size and is comprised of two lots (lot 60 and 69) that were merged some time in the 1990's. It is part of the Palm Springs Village Tract #2 approved by the county supervisors in 1937. The two parcels in the proposed parcel map are the same size and configuration as originally approved in the 1937 map and are constrained in size, shape and location by the existing lots immediately adjacent. The applicant desires to re-establish the two-lot configuration from the 1937 tract to build single family residences on the lots in a manner consistent with the existing single family development on the rest of the block and in the general vicinity.

2. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

The variance seeks to re-establish lot sizes consistent with other lots on the block and in the vicinity in terms of size, shape and use. Other lots in the same block with the same zone designations have the same general dimensions as those proposed and thus granting the variance would not constitute a granting of special privilege or create a condition that is inconsistent with other properties in the vicinity.

3. The granting of the variance will not be materially detrimental to the public health, safety, convenience or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.

The current merged lot has been the subject of numerous code complaints and violations in the past. Re-establishing the parcel as two legal lots of record will allow the current owner to develop the proposed parcels with a single family residence on each lot – consistent with existing development patterns around it – and to eliminate a blighted condition by removal of the existing abandoned garage / shop and by renovation of the existing dilapidated house.

4. *The granting of such variance will not adversely affect the general plan of the city.*

The proposed parcel map establishes two lots on which single family residences could be constructed at a density of 4 du/ac, which is consistent with the general plan.

THE PLANNING COMMISSION RESOLVES:

Based upon the foregoing, the Planning Commission hereby approves Case TPM 36958 and 6.656 VAR; a tentative parcel map for the subdivision of a 0.46-acre parcel into two lots and a variance to establish the resultant lots at a size smaller than the minimum required for the zone in which each lot is located; at 2732 North Cardillo Road, subject to conditions as outlined in Exhibit "A" attached hereto.

ADOPTED this 28th day of October, 2015.

AYES: 7, Middleton, Donenfeld, Calerdine, Lowe, Weremiuk, Vice-Chair Roberts and Chair Klatchko
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

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

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

Chair Klatchko re-entered the Council Chamber at 2:31 pm.

2C. THE PALMS HOA FOR A VARIANCE REQUEST TO REDUCE THE SIDE YARD SETBACK ON THE STREET SIDE FACING THERESA DRIVE FROM THE REQUIRED TWENTY-FIVE (25) FEET TO 4'-6" FOR THE CONSTRUCTION OF NEW CARPORTS AT THE PALMS CONDOMINIUM COMPLEX LOCATED AT 3155 EAST RAMON ROAD, ZONE R-3 (CASE 6.544 VAR). (GM)

Associate Planner Mlaker presented the proposed request for a reduction in setbacks as outlined in the staff report.

Chair Klatchko opened the public hearing:

RONNIE THOMPSON, chair, Carport Committee, was available for questions from the Commission.

DEAN SHORRS, owner, spoke in support of staff's recommendations and urged approval.

KEVIN JOHNSON, long-range planning committee, said they have been dreaming of having carports for all of their owners for years.

There being no further appearances the public hearing was closed.

ACTION: Approve with conditions subject to:

- Return to the AAC for review of the carport design.

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

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

2D. AIC CAPITAL, LLC FOR A TENTATIVE PARCEL MAP (TPM) TO SUBDIVIDE A 0.46-ACRE PARCEL INTO TWO PARCELS AND A VARIANCE APPLICATION FOR APPROVAL OF THE RESULTANT LOTS TO BE SMALLER THAN THE MINIMUM

LOT SIZE FOR THE ZONES IN WHICH THEY ARE LOCATED AT 2732 NORTH CARDILLO ROAD; ZONE R-1-C / RGA-6, (CASE TPM 36958 AND 6.545 VAR). (KL)

Associate Planner Lyon provided an overview of the proposed project.

Chair Klatchko opened the public hearing:

MARVIN ROOS, MSA Consulting, provided background history of the property and requested approval.

There being no further appearances the public hearing was closed.

Commissioner Calerdine requested clarification with regard to the curb and gutter.

ACTION: Approve Case TPM 36958 and 6.545 VAR, subject to Conditions.

Motion: Commissioner Middleton, seconded by Commissioner Donenfeld and unanimously carried on a roll call vote.

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

~~A recess was taken at 2:46 pm.~~

The meeting reconvened at 2:52 pm.

2E. APPLICATION BY THE CITY OF PALM SPRINGS TO UPDATE AND AMEND THE MUSEUM MARKET PLAZA SPECIFIC PLAN TO REFLECT PREVIOUS APPROVALS AND MODIFICATIONS, INCLUDING CHANGES TO PERMITTED USES FOR CERTAIN BLOCKS WITHIN THE DEVELOPMENT, CHANGES TO THE MAXIMUM PERMITTED HEIGHT FOR CERTAIN BLOCKS WITHIN THE DEVELOPMENT, REDUCTIONS IN THE OVERALL DEVELOPABLE SQUARE FOOTAGE AND PERMITTED NUMBER OF UNITS, AND OTHER VARIOUS ADMINISTRATIVE CHANGES AND CORRECTIONS (CASE NO. 5.1204 SP A-1). (FF)

Planning Director Fagg provided background information as outlined in the staff report and introduced the City's consultant to describe the traffic study and environmental documents.

Nicole Criste, Terra Nova Planning, provided an overview on the EIR addendum and traffic study update.



July 20, 2015

Mr. Flinn Fagg, AICP
Director of Planning Services
CITY OF PALM SPRINGS
3200 E. Tahquitz Canyon Way
Palm Springs CA 92264

Subject: Justification Letter for PS Cardillo, Tentative Parcel Map and Variance Applications

Dear Mr. Fagg,

On behalf of PS Team, LLC, MSA Consulting, Inc. is providing the City with this justification letter as required by the entitlement applications.

The project proposal involves a Tentative Parcel Map (TPM) and Variance application for the property located on at 2732 N. Cardillo Ave. Currently, the property has a large merged parcel facing N. Junipero Ave that houses an abandoned detached garage built by previous owners. The new property owner would like rehab the existing home on Cardillo Ave and process a TPM in order to reinstate the original lot line for the future development of two single family residential homes on the remaining lot.

The property is located in a developed neighborhood with very low density residential lots. The lot is irregularly shaped but large enough for a single family lot and equal to other lots in the area. However, it falls under the 2-acre minimum lot size for the RGA-6 zone. The applicant is requesting a Variance from the lot size in order to allow the new property owner to develop the lot consistent with the other surrounding homes. Additionally, approval of this application leading to development of the property would have a positive impact to the aesthetics and fabric of the neighborhood and could increase real estate values.

The proposed entitlements for the project site represent a development solution to allow the property to revert back to the previously approved & recorded configuration, which would be consistent with the other parcels in the neighborhood. The size and shape of the property, which abuts and surrounds existing single family development is well suited for the addition of infill residential lots. Therefore, approval of the variance will not constitute a special privilege or adversely affect the City's General Plan.

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

Very truly yours,

Nicole Vann
Planner

RECEIVED

JUL 20 2015

PLANNING SERVICES
DEPARTMENT

36958



PHOTOGRAPH 1



PHOTOGRAPH 2



PHOTOGRAPH 3



PHOTOGRAPH 4



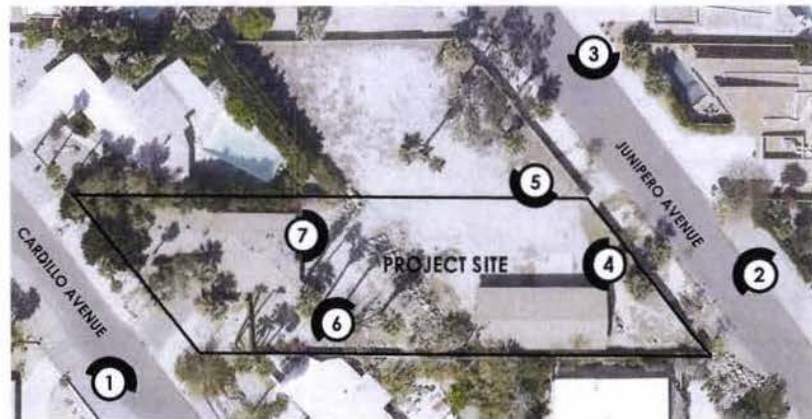
PHOTOGRAPH 5



PHOTOGRAPH 6



PHOTOGRAPH 7



Legend:
4 PHOTOGRAPH ID, LOCATION,
AND DIRECTION SYMBOL

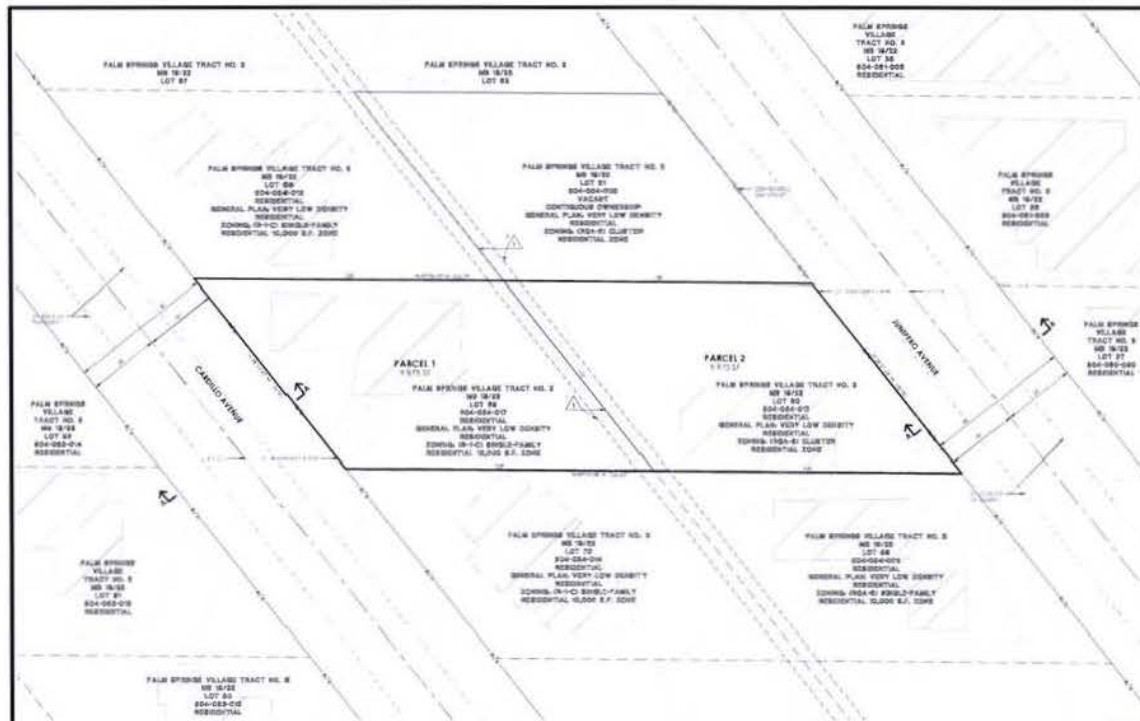
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JUL 20 2015
PLANNING SERVICES
DEPARTMENT

856958



MSA CONSULTING, INC.
msaconsultinginc.com

Existing Site Photographs Exhibit
Cardillo Property



IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
TENTATIVE PARCEL MAP NO. 36958
 EXHIBIT DATED JULY 26, 2019 (REVISED EXHIBIT)

DATA TABLE

LANDOWNER:	PT TRACT LLC
OWNER:	PT TRACT LLC
ADDRESS:	25515 WINDHOLM ST, SUITE 211 MONTCLAIR, CALIFORNIA 92525
CONTACT:	ALAN WATSON TELEPHONE (760) 371-2520
EXHIBIT PREPARED BY:	MSA CONSULTING, INC.
ADDRESS:	5845 BOULDER BLVD, SUITE 100 SANTA ANA, CALIFORNIA 92705
CONTACT:	ALAN W. WATSON TELEPHONE (714) 382-9911
RESIDENTIAL PARCEL NUMBER:	00000000
LEGAL DESCRIPTION:	PORTION OF EIGHT SECTIONS NORTHWY 1/4 OF PALM SPRINGS VILLAGE TRACT NO. 2, BEING 20% OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN IN PARCEL MAP NO. 36958, IN PLACE OF WHICH IS THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. A PORTION OF 21% OF PALM SPRINGS VILLAGE TRACT NO. 3, BEING 21% OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN IN PARCEL MAP NO. 36958, IN PLACE OF WHICH IS THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LAND USE DESCRIPTION:	ACRES
OFFICE BUILDING	2.86 AC
PARCEL 1	0.25 AC
PARCEL 2	0.25 AC
ZONING DESIGNATION:	INDUSTRIAL-GENERAL (I-G) (CLUSTER RECREATION ZONE B) 363-A-16
PROPOSED ZONING:	SINGLE-FAMILY RESIDENTIAL (R-1) (CLUSTER RECREATION ZONE B) 363-A-16
EXISTING GENERAL PLAN LAND USE:	VERY LOW DENSITY RESIDENTIAL
PROPOSED GENERAL PLAN LAND USE:	VERY LOW DENSITY RESIDENTIAL
PUBLIC UTILITY FUNCTIONS:	UTILITY: SOUTHWEST CALIFORNIA Edison 748074491 GAS: THE GAS COMPANY 884242220 TELEPHONE: WIRELESS COMMUNICATIONS 452403380 WIRELESS TELEPHONE SERVICE: T-Mobile 736525477 CABLE: TIME WARNER CABLE 746435122 POWER: CITY OF PALM SPRINGS 748538454 SANITATION: WASTE MANAGEMENT 884273340

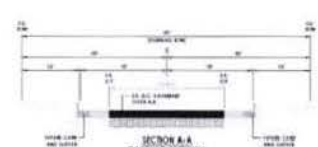
TITLE RECORD STATE REQUIREMENTS:
 ZONE 2, AREA 2 OF THIS MAP IS TO BE SUBMITTED TO THE CLERK OF SUPERIOR COURT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FOR RECORDATION AND FILING. THIS MAP IS SUBJECT TO THE RECORDATION ACT, PUBLIC LAW 86-363.

RECORDING INFORMATION:
 THIS MAP IS SUBJECT TO RECORDATION FOR PALM SPRINGS ALlocated IN ACTIVITY 2, ZONE 2, RECORDATION ACT, PUBLIC LAW 86-363.

NOTES:
 1. EXISTING LINES, TOWNSHIPS AND PLACEMENTS LOCATED OUTSIDE COUNTY RECORDATION ACT, PUBLIC LAW 86-363, ARE NOT TO BE RECORDED.

ABBREVIATIONS

AS	As Shown
BL	Block
CL	Center Line
CS	City Street
CR	County Road
CV	County Verge
DA	Designated Area
DE	Designation
DI	Designation Interval
DL	Designation Line
DM	Designation Method
DO	Designation Ordinance
DP	Designation Point
DR	Designation Range
DS	Designation Station
DT	Designation Time
DU	Designation Unit
EV	Existing
GA	General Average
GC	General Condition
GE	General Elevation
GL	General Location
GN	General Name
GP	General Plan
GR	General Range
GS	General Station
GT	General Time
GU	General Unit
HA	Horizontal Angle
HC	Horizontal Curve
HE	Horizontal Elevation
HL	Horizontal Location
HN	Horizontal Name
HP	Horizontal Point
HR	Horizontal Range
HS	Horizontal Station
HT	Horizontal Time
HU	Horizontal Unit
IA	Intersection
IC	Intersection Condition
IE	Intersection Elevation
IL	Intersection Location
IN	Intersection Name
IP	Intersection Point
IR	Intersection Range
IS	Intersection Station
IT	Intersection Time
IU	Intersection Unit
LA	Local Average
LC	Local Condition
LE	Local Elevation
LL	Local Location
LN	Local Name
LP	Local Point
LR	Local Range
LS	Local Station
LT	Local Time
LU	Local Unit
MA	Main Average
MC	Main Condition
ME	Main Elevation
ML	Main Location
MN	Main Name
MP	Main Point
MR	Main Range
MS	Main Station
MT	Main Time
MU	Main Unit
NA	North Arrow
NC	North Condition
NE	North Elevation
NL	North Location
NN	North Name
NP	North Point
NR	North Range
NS	North Station
NT	North Time
NU	North Unit
OA	Official Average
OC	Official Condition
OE	Official Elevation
OL	Official Location
ON	Official Name
OP	Official Point
OR	Official Range
OS	Official Station
OT	Official Time
OU	Official Unit
PA	Plan Average
PC	Plan Condition
PE	Plan Elevation
PL	Plan Location
PN	Plan Name
PP	Plan Point
PR	Plan Range
PS	Plan Station
PT	Plan Time
PU	Plan Unit
RA	Right Angle
RC	Right Condition
RE	Right Elevation
RL	Right Location
RN	Right Name
RP	Right Point
RR	Right Range
RS	Right Station
RT	Right Time
RU	Right Unit
SA	State Average
SC	State Condition
SE	State Elevation
SL	State Location
SN	State Name
SP	State Point
SR	State Range
SS	State Station
ST	State Time
SU	State Unit
TA	Township Average
TC	Township Condition
TE	Township Elevation
TL	Township Location
TN	Township Name
TP	Township Point
TR	Township Range
TS	Township Station
TT	Township Time
TU	Township Unit
UA	Utility Average
UC	Utility Condition
UE	Utility Elevation
UL	Utility Location
UN	Utility Name
UP	Utility Point
UR	Utility Range
US	Utility Station
UT	Utility Time
UU	Utility Unit
VA	Vertical Average
VC	Vertical Condition
VE	Vertical Elevation
VL	Vertical Location
VN	Vertical Name
VP	Vertical Point
VR	Vertical Range
VS	Vertical Station
VT	Vertical Time
VU	Vertical Unit
WA	Water Average
WC	Water Condition
WE	Water Elevation
WL	Water Location
WN	Water Name
WP	Water Point
WR	Water Range
WS	Water Station
WT	Water Time
WU	Water Unit
XA	Axis Average
XC	Axis Condition
XE	Axis Elevation
XL	Axis Location
XN	Axis Name
XP	Axis Point
XR	Axis Range
XS	Axis Station
XT	Axis Time
XU	Axis Unit



MSA CONSULTING, INC.
 PLANNING & CIVIL ENGINEERING & LAND SERVICES
 5800 BOULEVARD DRIVE • RANCHO MIRAGE • CA 92703
 TELEPHONE (714) 339-9800 • FAX (714) 339-7891

SCALE 1"=20'

LEGEND
 NORTH
 Scale bar showing 0, 10, 20, 30 feet.

DATE SHEET
 1 1
 1 1