

July 6, 2016

Via US Mail and Email

Palm Springs City Council
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
cityclerk@palmsprings-ca.gov

RE: July 6, 2016 City Council Agenda
Application for PDD 379,
and Approval of Tentative Tract Map 36914

Honorable Council Members,

I submit these comments on behalf of Advocates for Better Community Development (“ABCD”) in connection with your upcoming consideration of the proposed planned development district “PDD 379” for the Woodbridge Project (“Project”). Owing to numerous mistakes in the City’s processing and evaluation of this application, I urge you not to approve the Project at this time. Moreover, the Project in its current form is in violation of the City’s General Plan and the Staff Report is inaccurate and inadequate to the extent that it fails to adequately analyze the proposed PDD’s compliance with the General Plan and the City’s own zoning regulations. Finally, the PDD should be denied because Project does not substantially benefit the public, justifying the wholesale departures from the City’s established development standards.

The PPD should be denied because it is inconsistent with General Plan CD 14.6

The Palm Springs General Plan guides the physical development of the City and the Palm Springs Zoning Code is the primary tool used to implement the General Plan’s objectives. While planned development districts are a zoning tool to be used sparingly in extra-ordinary circumstances, PDDs must be consistent with the land use policies set forth in the General Plan. Under the General Plan CD14.6, gated community entries and perimeter walls around entire neighborhoods are strictly prohibited. The proposed Project is currently described as a residential development with gated vehicular entry. Therefore, the proposed project is in direct violation of the General Plan and the PDD should not be approved.

The applicant is very adamant about the inclusion of the gate, and has rejected Planning Commission's Condition of Approval #10 for removal of the gate. In its push for the inclusion of the gated entry, the applicant offers only one justification in its June 22, 2016 letter to the City Council for the necessity of the gate—to eliminate the alleged threat the surrounding area poses to residents of the project. Yet, as discussed further below, the applicant offers up the gate as a public benefit supporting the approval of the PDD, with no analysis as to how or why it would be beneficial to the public. The proposed gate would only benefit the developer and the future residents of the project. Even if the gates did benefit the public, the City Council may not waive the requirements of the General Plan unless the General Plan is amended to remove the prohibition against gated communities.

The PDD Does Not Substantially Benefit the Public

As the Staff Report explains, the City's regulations requires the benefits of a proposed PDD to be roughly proportional to the extent to which the project is allowed to deviate from existing zoning regulation and development standards. Here, the Staff Report fails to analyze the relationship between the alleged benefits of the project and the degree to which the PDD would allow the Project to be built without conformance to the basic development standards with which every other developer is expected to comply.

The applicant's proposal is completely deficient of any meaningful public benefits. Staff suggests the project meets the proportionality requirement by fulfilling the City General Plan's objective of supporting projects for "improved circulation" and "community beautification." See, staff report at p. 11. Yet the staff report does not explain how the proposed public benefits exceed the level of improvement required of any project, or why the public benefits are incidental to the Project itself. The applicant has failed to dedicate any significant public land or agree to incur any substantial expense to benefit the public.

Contrary to the claims made in the staff report, the Project completely lacks any proportionality between the benefits gained by the applicant and those alleged conferred on the public, as required by City policy. The PDD would allow the Project applicant to gain substantial financial benefit by squeezing additional units into the project site by reducing lot areas, setback requirements and reduced distances between units, while the "public benefits" proposed are hardly substantial or meaningful.

The applicant and Staff claim "enhanced landscaping," "pedestrian sensitive walkways," "beautifying the existing hiking/biking," and "an open space area open to the public" benefit the public, yet the Project seeks to prevent public access by placing it all behind a private gated entry. The applicant even goes so far to claim the private gated entry, that is contrary to the General Plan, is somehow in and of its self a public benefit while providing not explanation as to how or why. These so-called benefits, moreover, also enhance the project itself, thereby

enhancing the value of the Project the developer's bottom line. The public benefit actually benefits the Project.

The applicant also challenges Condition of Approval #8, which requires the creation of a park open to the public. The applicant cannot claim certain amenities are for the public benefit in order to get PDD approval, while simultaneously preventing the public access to the amenities.

Further, the applicant claims approval of the PDD will result in the public benefit of removing the use of the site by the homeless and as a location for illegal drug transactions. However, the staff report fails to acknowledge that any development on the project site without the approval of the PDD would likely have the exact same result. It should therefore not be considered an added benefit for the community that exceeds the level of improvement or is in direct proportion required for the approval of a PDD.

There is no demonstrable need for or public benefit of the PDD

The City Code provides that the intent of the PDD is "to insure compliance with the general plan and good zoning practices while **allowing certain desirable departures from the strict provisions of specific zone classifications**. The advantages which are intended to result from the application of the planned development district are to be insured by the adoption of a precise development plan with a specific time limit for commencement of construction." PSMC 94.03.00.

The applicant claims the PDD is necessary because the commercial and high density zoning designations do not allow for single family homes it proposes to build. This contention assumes, without any explanation, that single family homes are better for the city than multi-family residences, thereby making conversion of the parcel to single-family zone somehow "desirable." Yet, as we know, lately the City has approved a number of projects (such as Dakota I and II) that have converted multifamily parcels into single-family projects, thereby frustrating the General Plan policy of providing for a diversity of residential products to meet the needs of all residents of the City. As such, we fail to understand how the City could make a finding that further conversion of multifamily zoning to single-family would be consistent with the General Plan and in that context, desirable.

Even if the developer's claims that the zone change would be beneficial were true, it does not explain why the City should permit wholesale deviations from the underlying development standards regulating lot sizes, yard setbacks, and distances between buildings. These changes are transparently intended to maximize the number of single family residences and maximize the developer's profit, and not to accommodate the allegedly desired change in zoning to single family residential. These proposed changes are the functional equivalent of a variance (see PSMC 94.06.00) which can only be granted to avoid an extreme hardship to avoid a manifest injustice. Here, because there is no evidence that strict adherence to the development standards would cause any hardship, the applicant would not be entitled to a variance.

The PDD should be denied because it amounts to spot zoning

Finally, we object to the PDD on the grounds that it amounts to impermissible spot zoning. Foothill Communities Coalition v. County of Orange (2014) 222 Cal. App. 4th 1302, 1314 explained that

the creation of an island of property with less restrictive zoning in the middle of properties with more restrictive zoning is spot zoning. This conclusion does not end our analysis, however, as spot zoning may or may not be impermissible, depending on the circumstances. "The rezoning ordinance may be justified, however, if a substantial public need exists, and this is so even if the private owner of the tract will also benefit."

Under this ruling, the proposed PDD is an impermissible "spot zone" because the PDD would create an island of (nonconforming) single family residential housing in the midst of multi-family, high density residential and commercial zoning parcels that comply with the underlying land use and zoning designations.

Under Foothill Communities, a spot zone may be approved if it is "in the public interest and consistent with the County's general plan" and other applicable plans. Id., 1315. The spot-zoning here would not be justified because there is no evidence of any "substantial public need" for this type of project, or that the project is in the public interest. If the City Council believes otherwise, it should make a specific finding to that effect. Moreover, Project is inconsistent with the General Plan.

The Proposed Mitigated Negative Declaration ("MND") must be revised

Despite the MND's conclusion that the proposed onsite rock-crushing would not result in a significant noise impact, the Planning Commission overwhelmingly determined otherwise and adopted a condition of approval prohibiting rock-crushing. The applicant has refused to comply with this condition. While the City Council has the discretion to ignore the Planning Commission's finding and allow onsite rock-crushing, it may not do so without further environmental review. The Planning Commission's determination that rock-crushing would result in a significant impact amounts to substantial evidence supporting a fair argument that the Project as proposed would result in a significant environmental impact. As such, the City would be required to prepare a focused Environmental Impact Report to analyze the impacts caused by rock-crushing, and consider appropriate feasible mitigation measures and alternatives.

Conclusion

As set forth above, the proposed PDD for the Project is inconsistent with the General Plan and therefore must be denied. The proposed alterations to the development standards are not necessary for the goal the applicant claims. For all the foregoing reasons, I urge you not to approve the application for PDD and not to further consider the project until the PDD and staff report are revised.

Sincerely,

Babak Naficy

Babak Naficy,

Counsel for Advocates for Better Community
Development

Dear Mayor and City Council,

I am writing you today to ask for your support of 1.B. primarily because the developer intends to fully implement the Tahquitz Creek Master Plan adjacent to this development. Please see the following pages to your staff report.

Page 7 – They comply with CD14.4 long monotonous walls are prevented with the undulating walls.....as well as along the Tahquitz Creek wash.

Page 12 - #9 Developer to landscape/improve south of Tahquitz Creek. Developer to provide cash bond for construction of Palm Canyon undercrossing consistent with Tahquitz Creek Master Plan.

This is great news! It is fantastic when a developer is willing to invest in our hiking and biking trails.

In addition, we also know piece of land has been problematic over a long period. While issues have improved somewhat, I believe the only true solution is development.

Thank you,

William Post

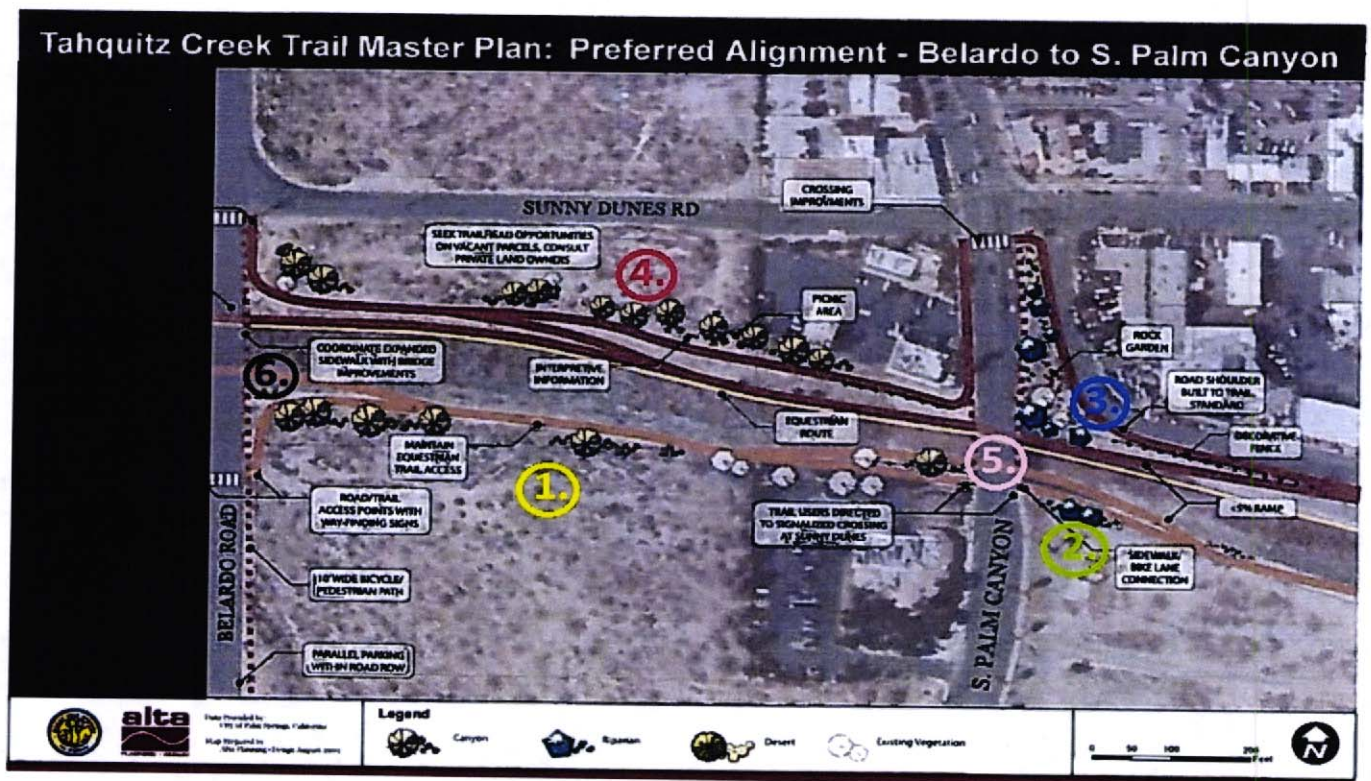
Resident of Palm Springs

07/06/2016
ITEM 1B.

TAHQUITZ CREEK MASTER PLAN (TCMP)

This map is page 92 of the staff report 1.B. of the July 6th City council meeting.

1. Proposed development #1.B. on the agenda – Woodbridge Group.
2. Davidson / Cameron Project - this developer is also willing to complete or set funds aside to complete the TCMP in this section.
3. Tahquitz Creek Gateway Trail Triangle Parcel – City Project #14-16 under construction now.
4. Beginning of CV Link ?
5. South Palm Canyon Bridge replacement will also allow us to move the trail under the bridge.
6. This is a 6 year old slide and before we became aware of the Tribe's desire to begin/end the trail at Belardo Road.



Jay Thompson

From: Judy Deertrack <judydeertrack@gmail.com>
Sent: Wednesday, July 06, 2016 1:46 PM
To: Jay Thompson
Subject: WOODBRIDGE PROJECT / AGENDA ITEM 1B / PD #379
Attachments: US Fish and Wildlife Report Woodbridge Project Area Prepared July 06, 2016.pdf

Mr. Jay Thompson
City Clerk
City of Palm Springs

Dear Mr. Thompson,

I have attached a US Fish and Wildlife Report of species that are designated at this site for inclusion on the record at tonight's hearing.

Thank you.

Judy Deertrack
760 325 4290

Woodbridge Project, Palm Springs, California

IPaC Trust Resources Report

Generated July 06, 2016 02:41 PM MDT, IPaC v3.0.8

This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.

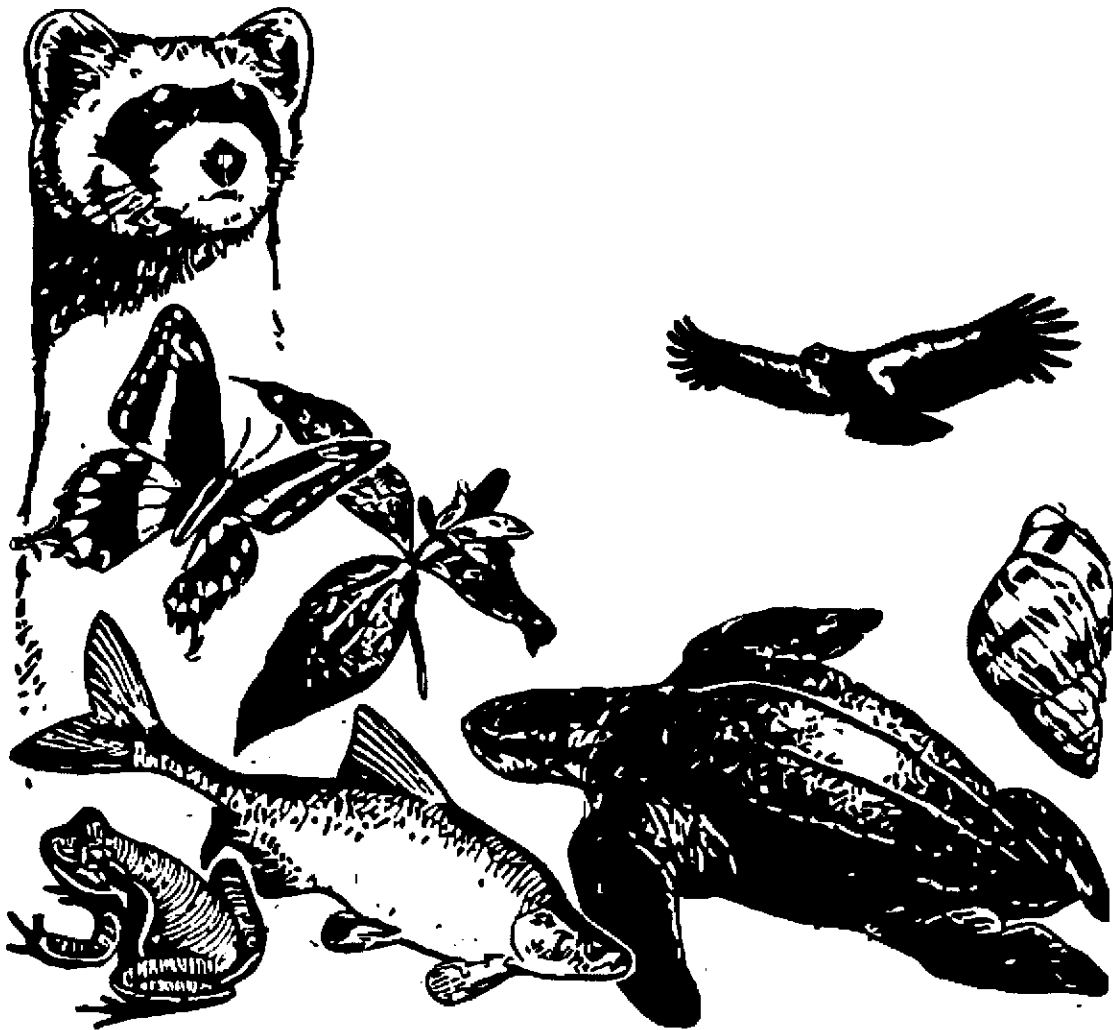


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U.S. Fish & Wildlife Service

IPaC Trust Resources Report



NAME

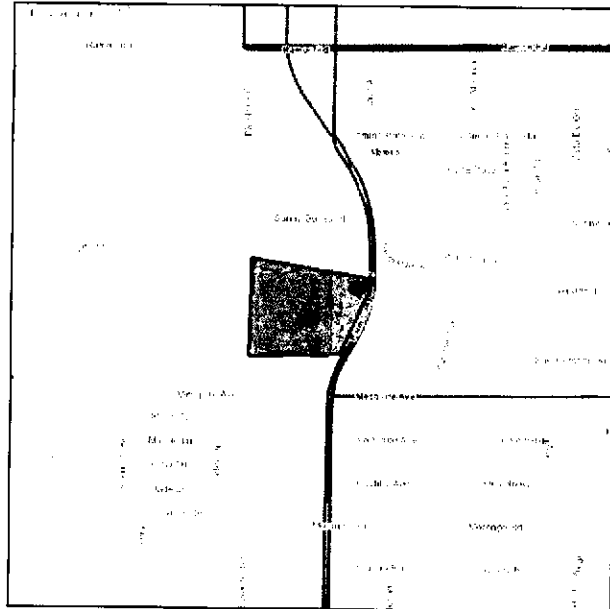
Woodbridge Project, Palm Springs,
California

LOCATION

Riverside County, California

DESCRIPTION

A residential development located on
12 acres consisting of 57 SFR and 25
two-story condo units (clusters of five)
with common open space at 777 S.
Palm Canyon Drive, Palm Springs



IPAC LINK

[https://ecos.fws.gov/ipac/project/
MY7QD-GJ7KV-DWFOP-FIVXK-TVBTWM](https://ecos.fws.gov/ipac/project/MY7QD-GJ7KV-DWFOP-FIVXK-TVBTWM)

U.S. Fish & Wildlife Service Contact Information

Trust resources in this location are managed by:

Carlsbad Fish And Wildlife Office

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

(760) 431-9440

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the Endangered Species Program of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list either from the Regulatory Documents section in IPaC or from the local field office directly.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Amphibians

Mountain Yellow-legged Frog *Rana muscosa* Endangered

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=D02H

Birds

Least Bell's Vireo *Vireo bellii pusillus* Endangered

CRITICAL HABITAT

There is final critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B067

Southwestern Willow Flycatcher *Empidonax traillii extimus* Endangered

CRITICAL HABITAT

There is final critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B094

Flowering Plants

Coachella Valley Milk-vetch *Astragalus lentiginosus* var. *coachellae* Endangered

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=Q25Y

Insects

Casey's June Beetle *Dinacoma caseyi* Endangered

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=I0TG

Mammals

Peninsular Bighorn Sheep *Ovis canadensis nelsoni* Endangered

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=A0DR

Reptiles

Coachella Valley Fringe-toed Lizard *Uma inornata* Threatened

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=C02I

Desert Tortoise *Gopherus agassizii* Threatened

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=C04L

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish & Wildlife Service.^[1] There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

1. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Additional information can be found using the following links:

- **Birds of Conservation Concern**
<http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- **Conservation measures for birds**
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- **Year-round bird occurrence data**
<http://www.birdscanada.org/birdmon/default/datasummaries.jsp>

The following species of migratory birds could potentially be affected by activities in this location:

Bald Eagle <i>Haliaeetus leucocephalus</i>	Bird of conservation concern
Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B008	
Bell's Sparrow <i>Amphispiza belli</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0HE	
Bell's Vireo <i>Vireo bellii</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0JX	
Black Swift <i>Cypseloides niger</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0FW	

Black-chinned Sparrow <i>Spizella atrogularis</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0IR	
Brewer's Sparrow <i>Spizella breweri</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HA	
Burrowing Owl <i>Athene cunicularia</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0NC	
Cactus Wren <i>Campylorhynchus brunneicapillus</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FZ	
California Spotted Owl <i>Strix occidentalis occidentalis</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B08L	
Calliope Hummingbird <i>Stellula calliope</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0K3	
Fox Sparrow <i>Passerella iliaca</i>	Bird of conservation concern
Season: Year-round	
Gray Vireo <i>Vireo vicinior</i>	Bird of conservation concern
Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0G5	
Green-tailed Towhee <i>Pipilo chlorurus</i>	Bird of conservation concern
Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0IQ	
Le Conte's Thrasher <i>toxostoma lecontei</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0GE	
Least Bittern <i>Ixobrychus exilis</i>	
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B092	
Lewis's Woodpecker <i>Melanerpes lewis</i>	Bird of conservation concern
Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HQ	
Loggerhead Shrike <i>Lanius ludovicianus</i>	Bird of conservation concern
Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FY	

Long-billed Curlew <i>Numenius americanus</i> Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B06S	Bird of conservation concern
Lucy's Warbler <i>Vermivora luciae</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0DL	Bird of conservation concern
Mountain Plover <i>Charadrius montanus</i> Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B078	Bird of conservation concern
Nuttall's Woodpecker <i>Picoides nuttallii</i> Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HT	Bird of conservation concern
Oak Titmouse <i>Baeolophus inornatus</i> Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0MJ	Bird of conservation concern
Olive-sided Flycatcher <i>Contopus cooperi</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0AN	Bird of conservation concern
Peregrine Falcon <i>Falco peregrinus</i> Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FU	Bird of conservation concern
Pinyon Jay <i>Gymnorhinus cyanocephalus</i> Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0IO	Bird of conservation concern
Prairie Falcon <i>Falco mexicanus</i> Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0ER	Bird of conservation concern
Rufous-crowned Sparrow <i>Aimophila ruficeps</i> Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0MX	Bird of conservation concern
Short-eared Owl <i>Asio flammeus</i> Season: Wintering http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HD	Bird of conservation concern
Sonoran Yellow Warbler <i>Dendroica petechia</i> ssp. <i>sonorana</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F7	Bird of conservation concern
Western Grebe <i>aechmophorus occidentalis</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0EA	Bird of conservation concern

Williamson's Sapsucker *Sphyrapicus thyroideus*

Bird of conservation concern

Season: Wintering

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FX

Wildlife refuges and fish hatcheries

There are no refuges or fish hatcheries in this location

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

There are no wetlands in this location

Judy Deertrack
1333 South Belardo Road, Apt 510
Palm Springs, CA 92264

Wednesday, July 7 2016

To the Honorable Members of the
Palm Springs Planning Commission
City of Palm Springs, California

1.B. WOODBRIDGE PACIFIC GROUP ON BEHALF OF PALM CANYON 65, LLC. FOR A PLANNED DEVELOPMENT IN LIEU OF ZONE CHANGE, TENTATIVE TRACT MAP AND MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A RESIDENTIAL PROJECT CONSISTING OF 57 SINGLE-FAMILY RESIDENCES AND 25 MULTI-FAMILY RESIDENTIAL CONDOMINIUMS ON A 12.38-ACRE SITE LOCATED AT 777 SOUTH PALM CANYON DRIVE, ZONE C-1 & R-3 (CASE NOS. 5.1378 PD-379 ZC, 3.3876 MAJ AND TTM 36914):

To Whom It May Concern:

I am once again distressed to see the considerable overuse and abuse of the Planned Development District in order for the City to bypass its obligations of remaining in conformance with its laws, regulations, and implementing mechanisms for the General Plan. In this case, the General Plan itself is violated, because the land use designation of Mixed-Use (MU/MU) has clearly intended for this lot to be developed with a preferred mix of uses, including recommended 30-50 percent commercial; 30-50 percent office; and 15-20 per cent residential. This project does not conform; it doesn't even pretend to conform to those standards, so how did it make it this far to the City Council agenda? Has the City completely abandoned its consistency requirements? Historically, yes! And the City has been severely criticized over a series of projects in the last few years, so there is not a lack of notice of the non-compliance. We have a new City Council. That occurred because people are beginning to notice the height, the density, the massing, and non-compliance over time with incremental and serious planning results. What is the problem?

This project not only ignores the commercial mix, but then plows right in to crowd the resultant residential monoculture into the "teeny lot" syndrome. The lot requirement is 20,000 sf (1/2 acre lots); these are between 5,000 – 7,700. Because of it, the next degradation occurs. The yards and open space are reduced or virtually eliminated radically with non-compliance with the minimum area of the lot; the minimum width of the lot; the minimum depth of the lot; the substantially reduced garage setbacks, front setbacks; side and rear setbacks; and distance between buildings. I did not get a chance to check transportation, but I can bet that the fire department has been asked to service this development on teeny tiny streets! Because that is what Palm Springs has been doing.

And the public benefit justification? Non-existent, and insulting. Enhancement of the frontage is already a requirement of all development, and certainly is not the criteria in your Public Benefit Policy. Removing the site as a home base for the homeless is an insult to the intelligence of this entire City. It is the developer's pre-existing obligation to maintain his lot in a manner that it is not a public nuisance. Is he, in fact, maintaining that he is doing us a favor by converting this from a public nuisance to a project? The third "public benefit" is a gated community, which is against our ordinances.

The early city council comments from previous PDD's has made it clear there is to be a rough proportionality between the public benefits and the loss of benefits from following the normal development standards. That requirement is abysmally absent.

On the CEQA analysis, I believe an EIR is required because of this non-compliance. The assessment under Land Use and Planning in the Initial Study has a classification for (b) Conflict with any applicable land use plan, policy or regulation. This is in profound conflict, and the conclusion is "No Impact" in the Initial Study, with no other discussion than to say the entire rationale for vacating the public benefits of regulated land use, massing, density, open space, and setbacks is the fact it was ALL COVERED by the use of a PDD. What I have always called the Lamborghini of Palm Springs Planning – the PDD! It is a God of itself; it makes Gods of the decision-makers; it is accountable to no one or nothing.

The loss of aesthetics and viewshed from the internal massing is not evaluated in the EA. There is no proposed mitigation; there is no alternative analysis. Air Quality Review ignores the fact the developer plans to either transport or crush thousands of tons of rock form on-site. The quantity is not mentioned, evaluated, or quantified. No methodology is mentioned; no transportation, noise, or air quality impacts are discussed. Biological resources are significant, and I do not know if the City contacted Aqua Caliente Band of Cahuilla Indians on the cultural impacts or biological impacts of their Tribal Conservation Habitat Plan. The same is true of the US Fish and Wildlife, and California Fish and Wildlife. We are guessing at superficial analysis of what will and will not happen.

Please read the findings of Mandatory Significance. What I find sadly amiss is any true cumulative impact study of the relentless loss of open space, vegetation, and wildlife corridors, as one PDD after another has so completely emphasized massing and elimination of setbacks and open space, that nothing of nature is left, and our skyline is disappearing. Tragic!

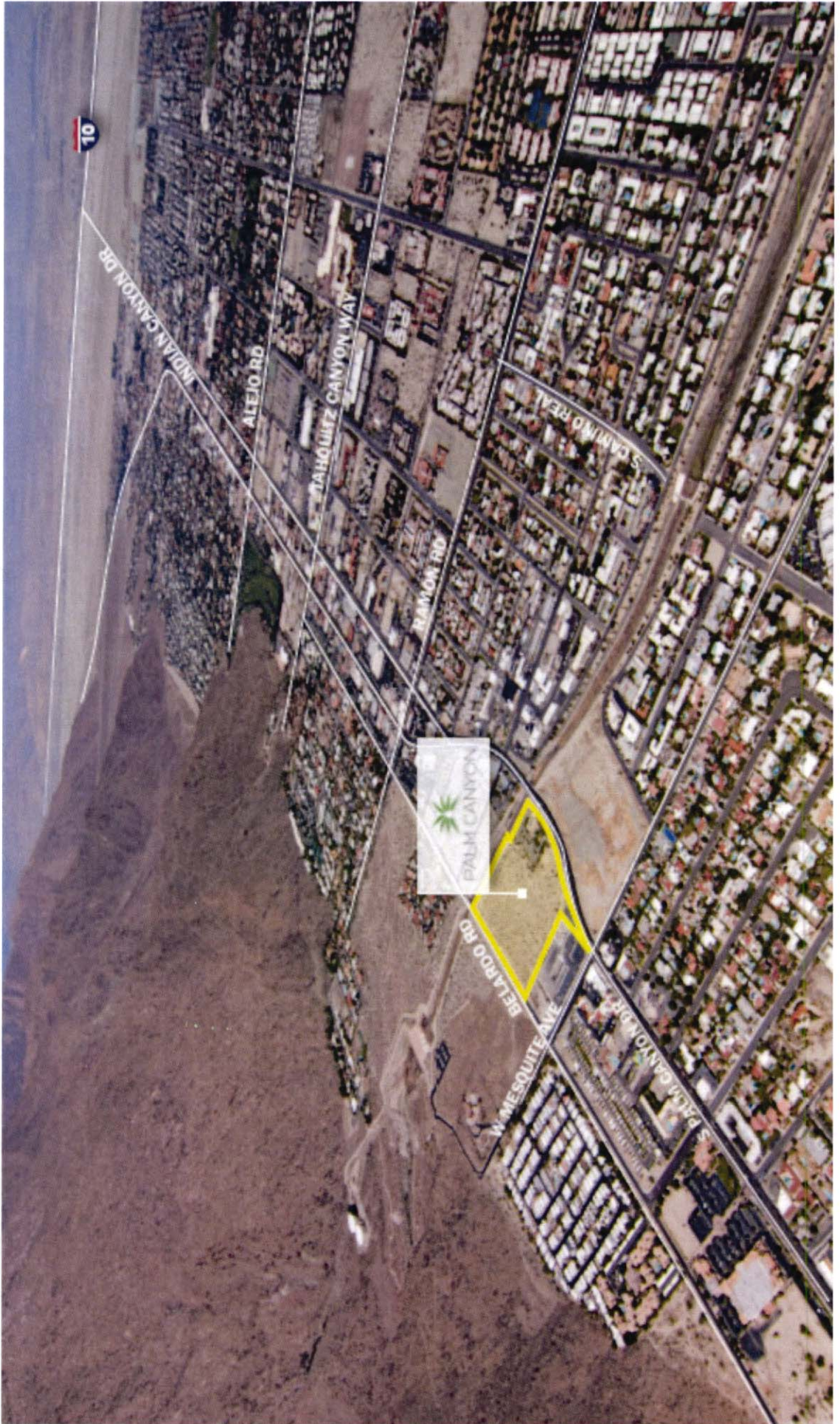
With regard,

Judy Deertrack

07/06/2016
ITEM 1B



PALM CANYON



07/06/2016
ITEM 1.B



PALM CANYON

CHANGES IN CURRENT PLAN

Added a 12' Open Space Buffer
Between the Homes and the Trail
To be Maintained by the HOA





Eliminated 2 lots to create more open space
and add pedestrian paseos

Replaced Live Work units with attached residential



Increased Single family Building separations from 7' to 10'



Changed Configuration from Zero Lot Line to Trade Easement to Allow for Windows Penetrations





Added Dog Park Adjacent to Recreation Facility

Waypoint Open Space Design at Trailhead of Tahquitz Trail and South Palm Canyon Drive

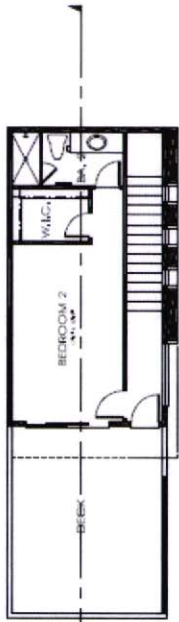


**Gated Properties
Belardo Road Area**

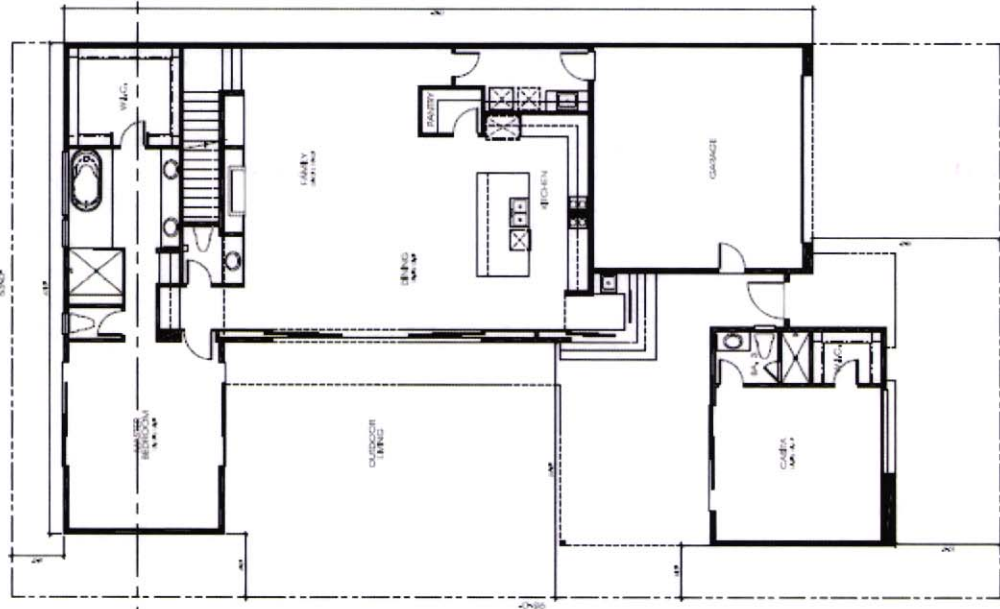




PALM CANYON



SECOND FLOOR PLAN



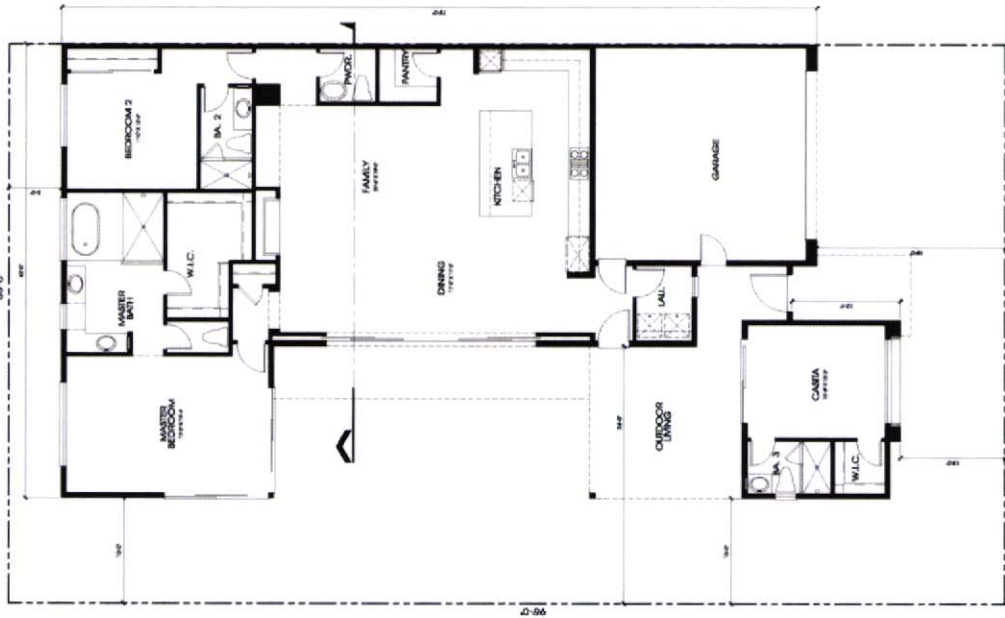
PLAN 3

FIRST FLOOR PLAN

PALM CANYON
PALM SPRINGS, CA

WOODBRIDGE PACIFIC GROUP, LLC
27000 WOODBRIDGE BLVD, SUITE 100
PALM SPRINGS, CA 92262
760.326.1000





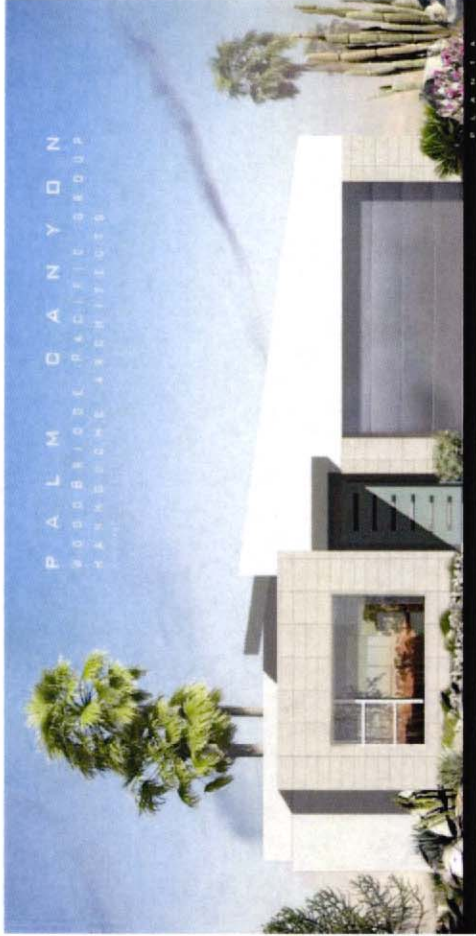
FLOOR PLAN 100313

PLAN 1

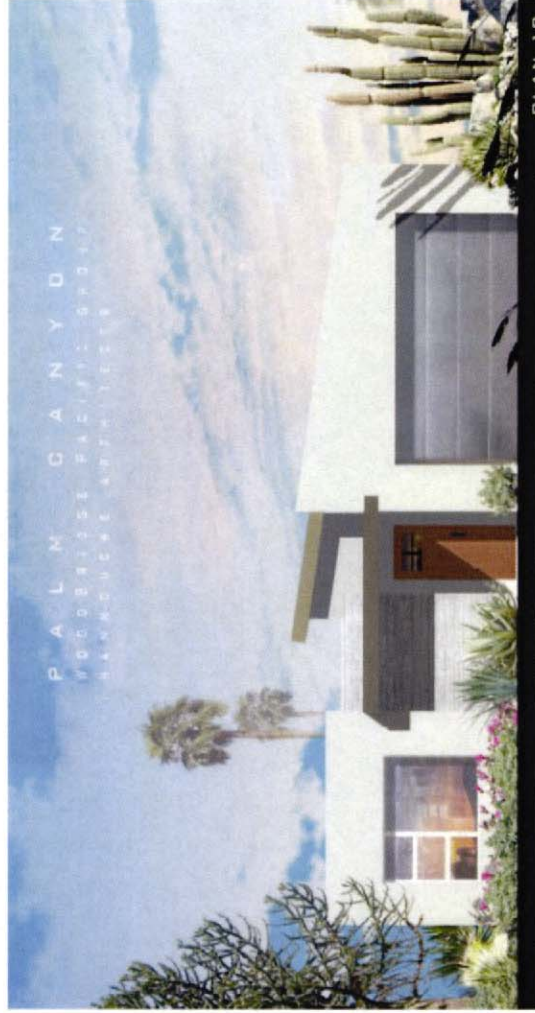


HANNOUCHE
ARCHITECTURE
& INTERIOR DESIGN
1000 N. GARDEN ST.
SUITE 100
PALM SPRINGS, CA 92260
TEL: 951.346.8162

PALM CANYON
PALM SPRINGS, CA WoodBridge Pacific Group, LLC
27771 LAS ANGELES DR #100
MISSION VIE, CA 92682
949.346.8162

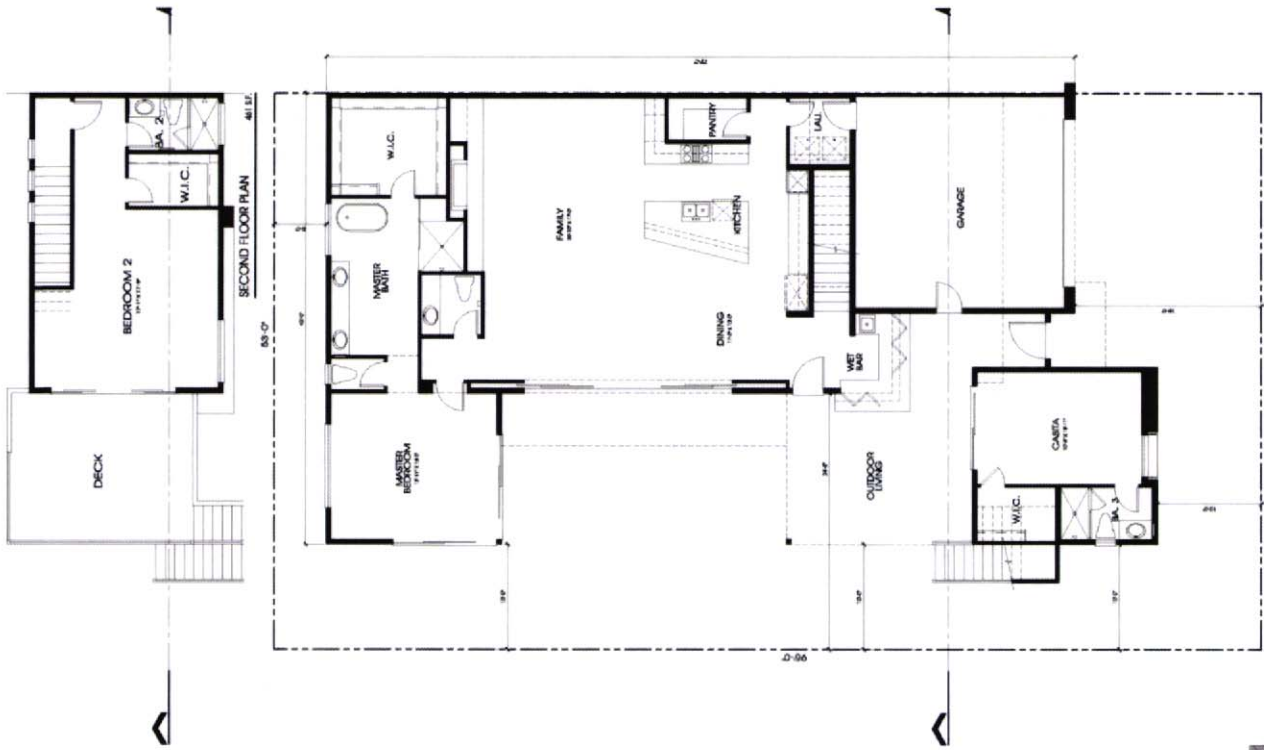


Elevation "A"



Elevation "B"





PLAN 2

FIRST FLOOR PLAN
2,683 SF

SECOND FLOOR PLAN
461 SF

PALM CANYON
PALM SPRINGS, CA

WOODBRIDGE PACIFIC GROUP, LLC
27271 LAND DAMBLING, SITE # 100
MISSION VILLAGE, CA 91755

HANNOUCHE
ARCHITECTS
1414 N. GARDEN
SUITE 200
PALM SPRINGS, CA 91768
TEL: 951.261.1111
WWW.HANNOUCHEARCHITECTS.COM



Elevation "A"



Elevation "B"



HANNOUCHE
ARCHITECTS
6000 W. WILLOW
AVENUE, SUITE 100
MIRAMONTE, CA 91302
TEL: 626-256-1111
WWW.HANNOUCHEARCHITECTS.COM

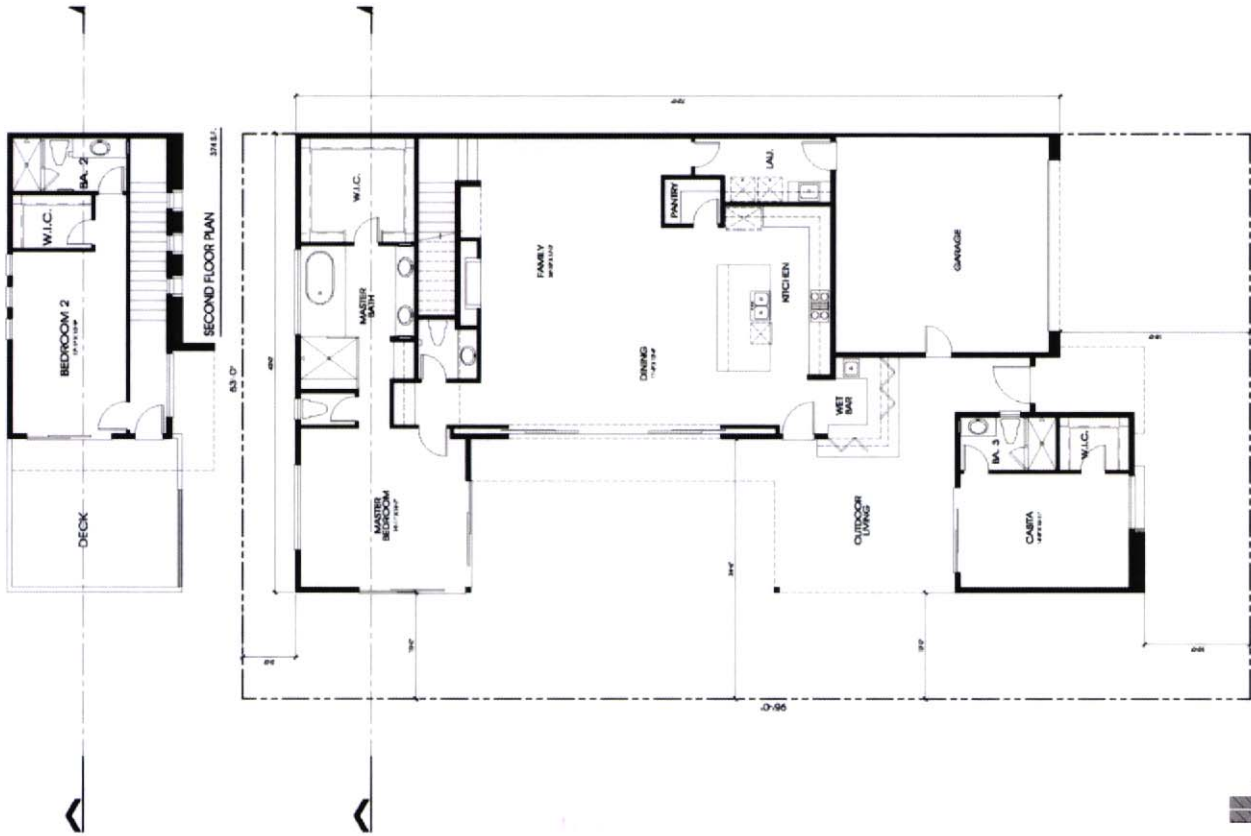
PALM CANYON

PALM SPRINGS, CA

PLAN 2
Elevations



WoodBridge Pacific Group, LLC
27285 HANBELL
MISSION VILLAGE, CA 92690
WOOD BRIDGE PACIFIC GROUP



SECOND FLOOR PLAN

PLAN 3

3011 LF
2,386 SF

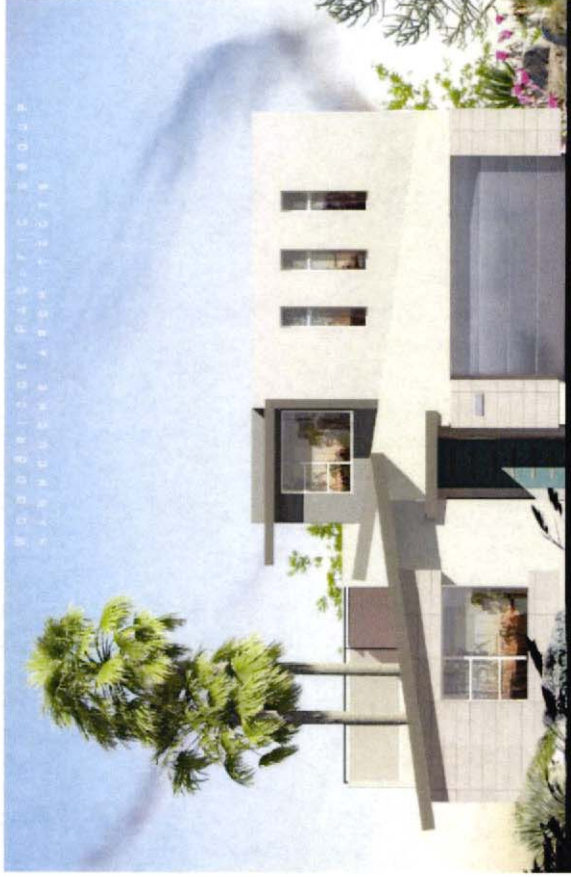
FIRST FLOOR PLAN

PALM CANYON

PALM SPRINGS, CA

WoodBridge Pacific Group, LLC
2777 AUBURN VILLAGE, CA 92407
949-348-8102

**HANNOUCHE
ARCHITECTS**
2777 AUBURN VILLAGE, CA 92407
949-348-8102



Elevation "A"



Elevation "B"





PALM CANYON

View from Belardo

P A L M C A N Y O N
W O O D B R I D G E P A C I F I C G R O U P
H A N N O U C H E A R C H I T E C T S
.....





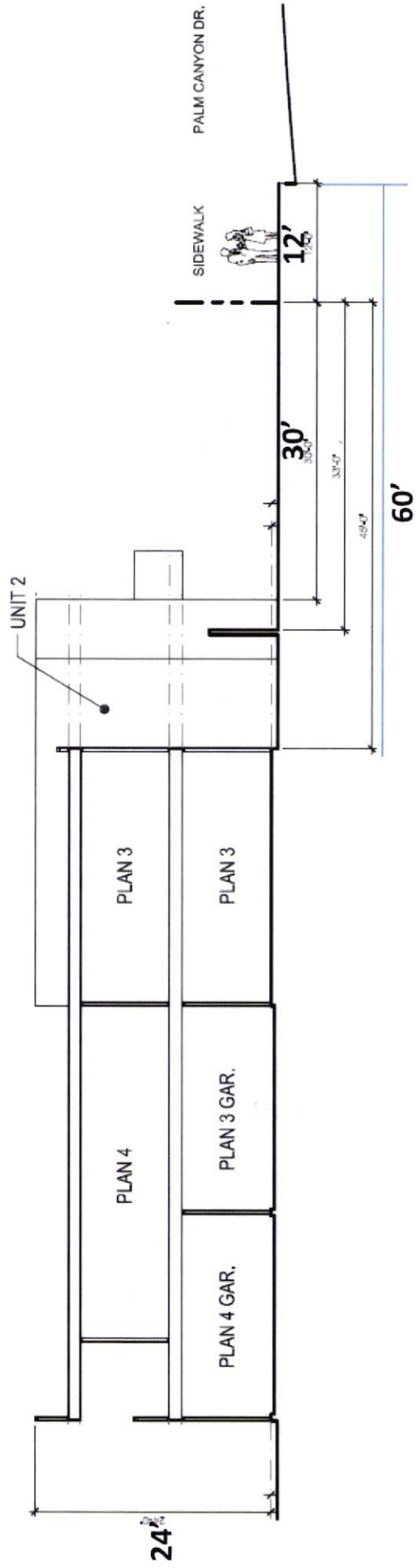
PALM CANYON

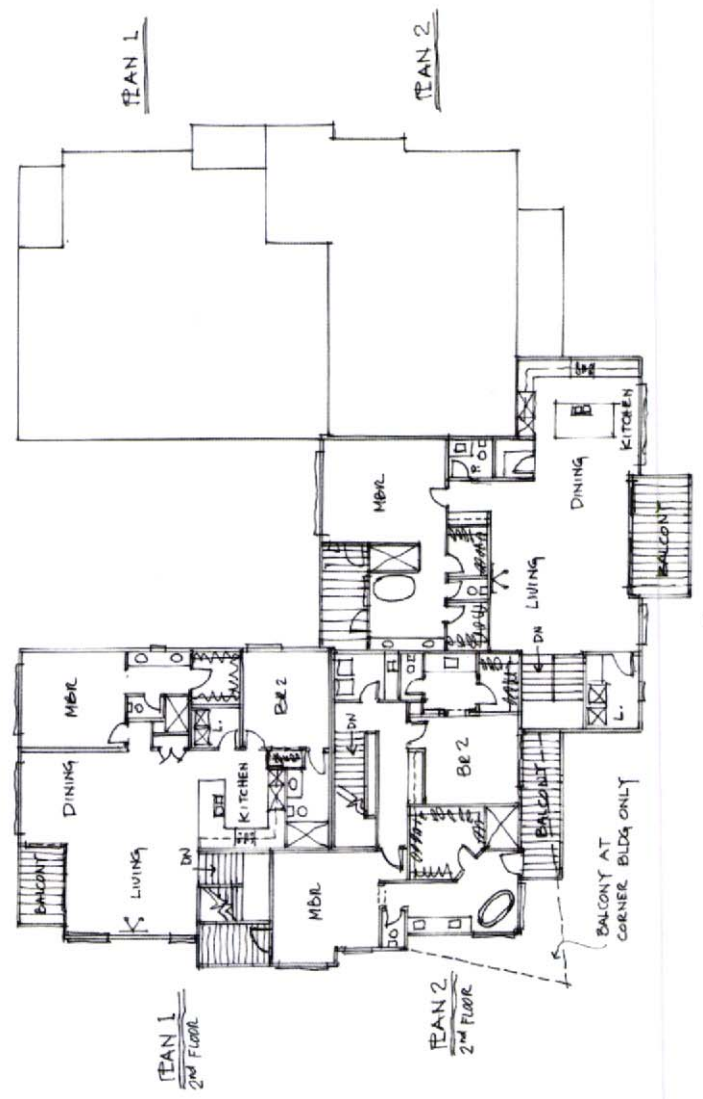
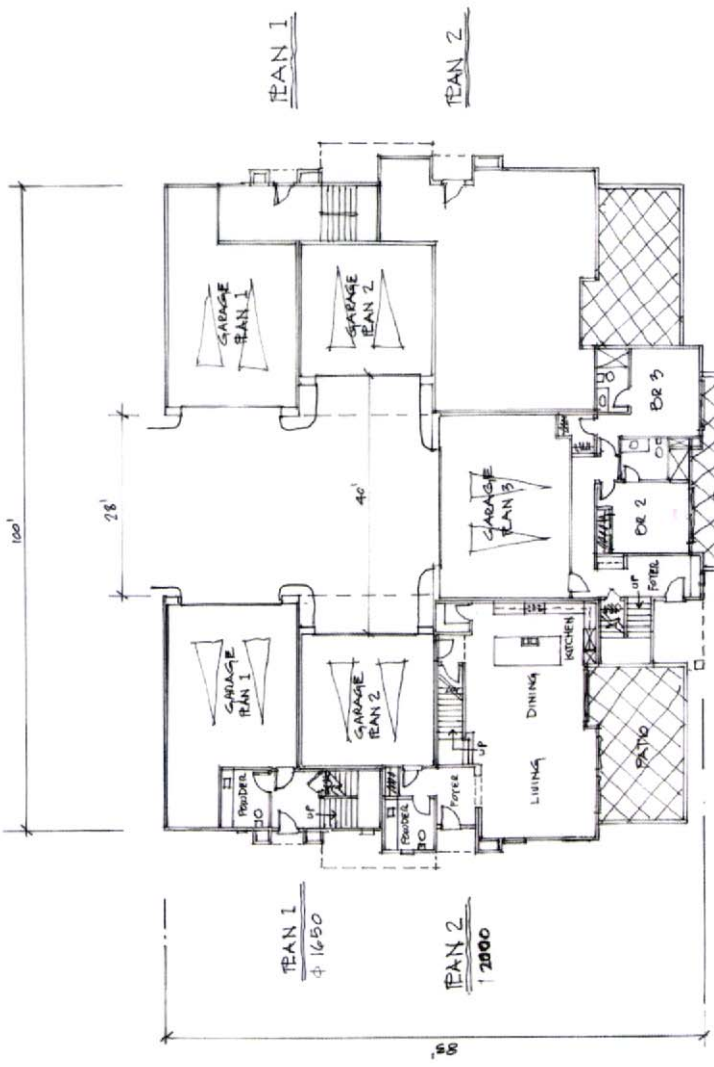
View from Belardo

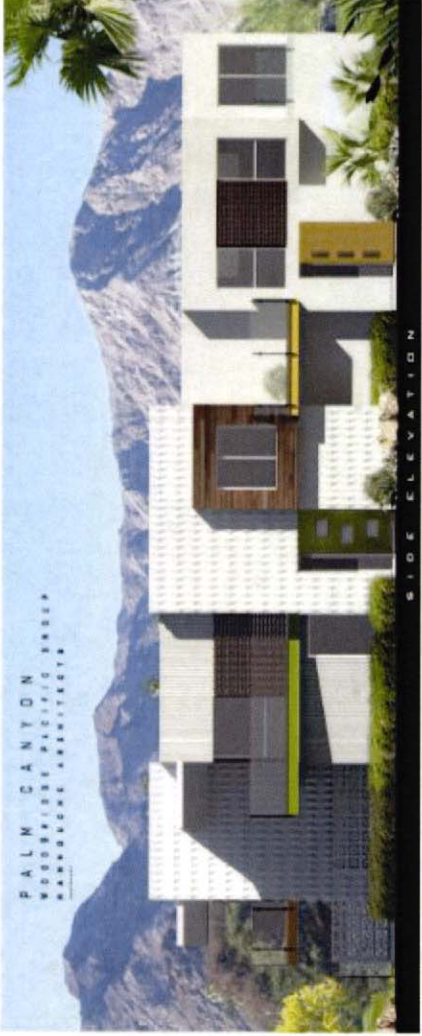




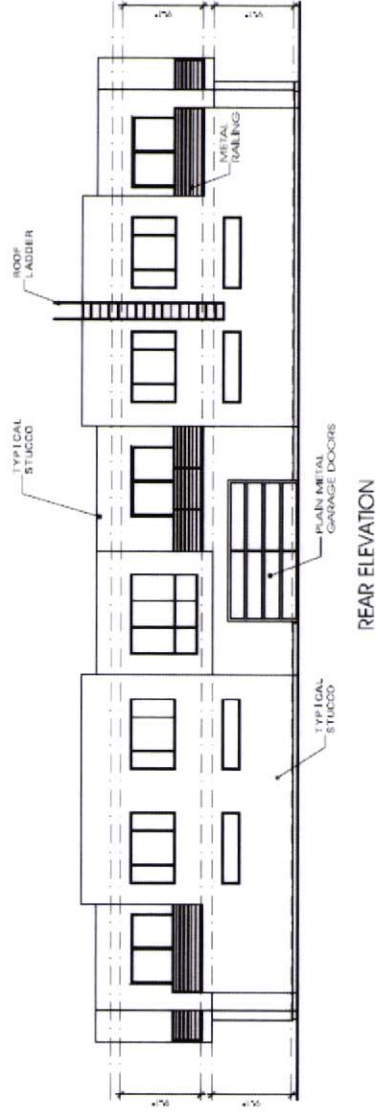
Condominium Building Elevation at Northeast Corner of Project (on South Palm Canyon)







STANDARD SIDE ELEVATION





PALM CANYON

END