



## CITY COUNCIL STAFF REPORT

DATE: NOVEMBER 16, 2016 PUBLIC HEARING

SUBJECT: SUNIA INVESTMENTS LLC., FOR A TENTATIVE TRACT MAP (TTM 37143) FOR THE CONSTRUCTION OF A TWENTY-FOUR (24) UNIT CONDOMINIUM PROJECT LOCATED AT 305 WEST SAN RAFAEL ROAD, ZONE R-2.

CASE: TTM 37143

FROM: David H. Ready, City Manager

BY: Department of Planning Services

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### SUMMARY

The City Council to review a request for a Tentative Tract Map resulting in one lot equaling 4.05 acres for the purpose of a twenty-four (24) unit condominium project consisting of four attached units in six buildings one-story in height.

### RECOMMENDATION:

- 1) Open the public hearing and receive public testimony;
- 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 37143 CREATING ONE (1) LOT EQUALING 4.05-ACRES FOR THE PURPOSE OF A TWENTY-FOUR (24) UNIT CONDOMINIUM PROJECT CONSISTING OF FOUR (4) ATTACHED CONDOMINIUM UNITS IN SIX (6) BUILDINGS ON COMMON GROUND LOCATED AT 305 WEST SAN RAFAEL ROAD, ZONE R-2, SECTION 4, APN 504-103-001,-106".

### PRIOR ACTIONS:

On October 26, 2016, the Planning Commission approved a Major Architectural Application to construct a twenty-four unit condominium complex with common outdoor areas, off-street parking, and landscaping (Case 3.3959 MAJ); and recommended approval to City Council of the associated Tentative Tract Map (TTM 37143).

ITEM NO. 2c

**BACKGROUND:**

<b>Most Recent Ownership</b>	
2/19/2016	Sunia Investments, LLC.

<b>Neighborhood Meeting / Notification</b>	
11/3/2016	Public Hearing notice sent to property owners within 500 feet.
11/3/2016	Email notification sent to Racquet Club West Organization; Racquet Club Estates; and Desert Highlands.

<b>Field Check</b>	
August 2016	Staff visited site to observe existing conditions

<b>Related Relevant City Actions</b>	
9/6/2016	<ul style="list-style-type: none"> <li>• Architectural Advisory Committee reviewed the project and approved as designed with the following comments:               <ol style="list-style-type: none"> <li>1. Provide design of the project presence on San Rafael.</li> <li>2. Temporary parking at interior of site.</li> <li>3. Additional security for the parking.</li> <li>4. Design the parking area to blend in with the residential portion of the site (interior courtyards – bring this concept in the parking).</li> <li>5. Subcommittee to review the wall design on San Rafael (Secoy-Jensen, Song, and Cassady)</li> </ol> </li> <li>• Subcommittee reviewed a revised perimeter wall design and recommended approval.</li> </ul>
10/26/2016	Planning Commission approved a Major Architectural Application (Case 3.3959) for the construction of a twenty-four (24) unit condominium complex and recommended approval of a Tentative Tract Map to the City Council.

<b>Field Check</b>	
July 2016	Staff visited site to observe existing conditions

**DETAILS OF APPLICATION REQUEST:**

<b>Site Area</b>	
Net Area	4.05-acres

<b>Surrounding Property</b>	<b>Existing General Plan Designations</b>	<b>Existing Land Use</b>	<b>Existing Zoning Designations</b>
Subject Property	MXD (Mixed-Use / Multi Use), 15 units per acre	Vacant	R-2 (Multi-Family Residential)

North	MXD (Mixed-Use / Multi Use), 15 units per acre	Industrial	M-1 (Industrial)
South	ER (Estate Residential), 2 Units per acre	Single-Family Residential	R-1-A (Single-Family Residential)
East	MXD (Mixed-Use / Multi Use), 15 units per acre	Vacant	R-2 (Multi-Family Residential)
West	MDR (Medium Density Residential), 15 units per acre	Condominium Complex	R-2 (Multi-Family Residential)

<b>Specific Plan Area</b>	<b>Compliance</b>
College Park Specific Plan	Yes

**DEVELOPMENT STANDARDS:**

Pursuant to Section 92.03.03 of the Palm Springs Zoning Code (PSZC) for the R-2 zone the following standards apply:

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Lot Area	20,000-square feet	176,545-square feet	Yes
Lot Width	160 feet	963 feet	Yes
Lot Depth	180 feet	496 feet	Yes
Front Yard	15 feet	15 feet	Yes
Side Yard	10 feet	15 feet	Yes
Rear Yard	15 feet backing on R-1	15 feet	Yes
Building Height (max.)	15 feet backing on R-1	12 feet	Yes
Bldg. Coverage	50% lot coverage	36%	Yes
Trash Enclosure	Required	2 Trash Enclosures	Yes
Mech. Equip.	Screened	Roof Top Screen	Yes
Parking	2.25 spaces per unit = 54 spaces + 6 guest = 60 required spaces	24 carports + 30 unit spaces + 6 guest spaces = 60 Total	Yes
Perimeter Wall	6 foot masonry	6 foot masonry	Yes

**ANALYSIS:**

The applicant is seeking approval for a Tentative Tract Map to create one (1) lot equaling 4.05-acres in size for the purpose of a twenty-four (24) unit condominium project.

**Site Plan:**

The proposed site consists of six vacant lots to be merged into one 4.05 acre parcel for the purpose of constructing twenty-four (24) condominium units. The site is located along West San Rafael Road between North Virginia Road and North Puerta Del Sol. West San Rafael Road is a semi-improved secondary thoroughfare and the project will require the half widening of the street, construction of curbs and gutters, and a sidewalk along the front of the parcel. In addition street improvements and installation of sidewalks will be required along North Virginia Road and North Puerta Del Sol.

**FINDINGS:**

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

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

The TTM proposes one (1) lot equaling 4.05-acres for the purpose of a twenty-four (24) unit condominium project. The proposed development consists of four attached condominium units in six buildings symmetrically placed around a center plaza or common area with off-street parking located at the ends of the development. The proposed use meets the density requirement for the Mixed Use/Multi-Use (MXD) land use designation consistent with the General Plan, in addition the proposed density meets the requirement in the College Park Specific Plan and this finding has been met.

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

The proposed subdivision is consistent with the R-2 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling 4.05-acres. The design of the proposed condominium development is consistent with the applicable zoning and the finding has been met.

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

The proposed development on a vacant flat lot will have access to a public street and will provide an appropriately scaled project that provides a transition from the industrial uses to north and the low-density residential neighborhood to the south and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6). 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 twenty-four (24) unit condominium project on a 4.05-acre lot is consistent

with the allowable density of 15 dwelling units per acre in the MXD General Plan designation. In addition, the R-2 zone requires 3,000-square feet per dwelling unit which is within the zone density requirement.

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

The proposed Tentative Tract Map for the development of a twenty-four (24) unit condominium complex is located on a flat semi graded lot surrounded by existing urban streets with adequate public utilities serving the lot. The surrounding development includes an industrial park, condominiums, and single-family residences. The proposed 4.05-acre site is not likely to cause environmental damage or substantially and unavoidably harm unique 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 condominium complex includes connections to all public utilities including water and sewer systems. Access to the site parking lots is from Virginia Road and Puerta Del Sol with emergency fire lanes providing pedestrian connections from the development interior to West San Rafael Road.

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

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

#### ENVIRONMENTAL DETERMINATION:

City Staff has evaluated the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project is categorically exempt from the requirements of CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. The proposed project is categorically exempt because:

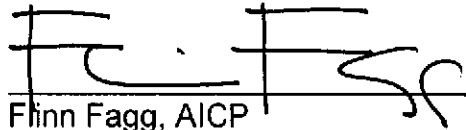
1. The project is consistent with the applicable general plan designation and applicable zoning designation;
2. The project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses;
3. The project is not located on sites that have value as habitat for endangered, rare or threatened species;

4. The project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The project can be adequately served by all required utilities and public services.

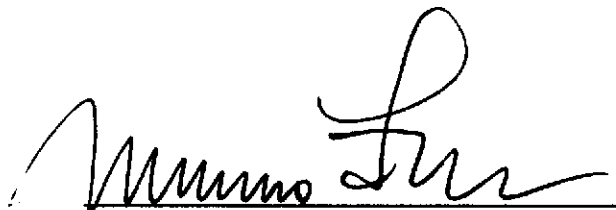
Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

FISCAL IMPACT:

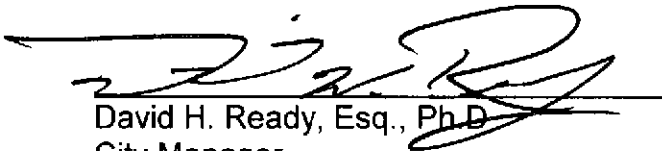
No fiscal impact.



Flinn Fagg, AICP  
Director of Planning Services



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



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

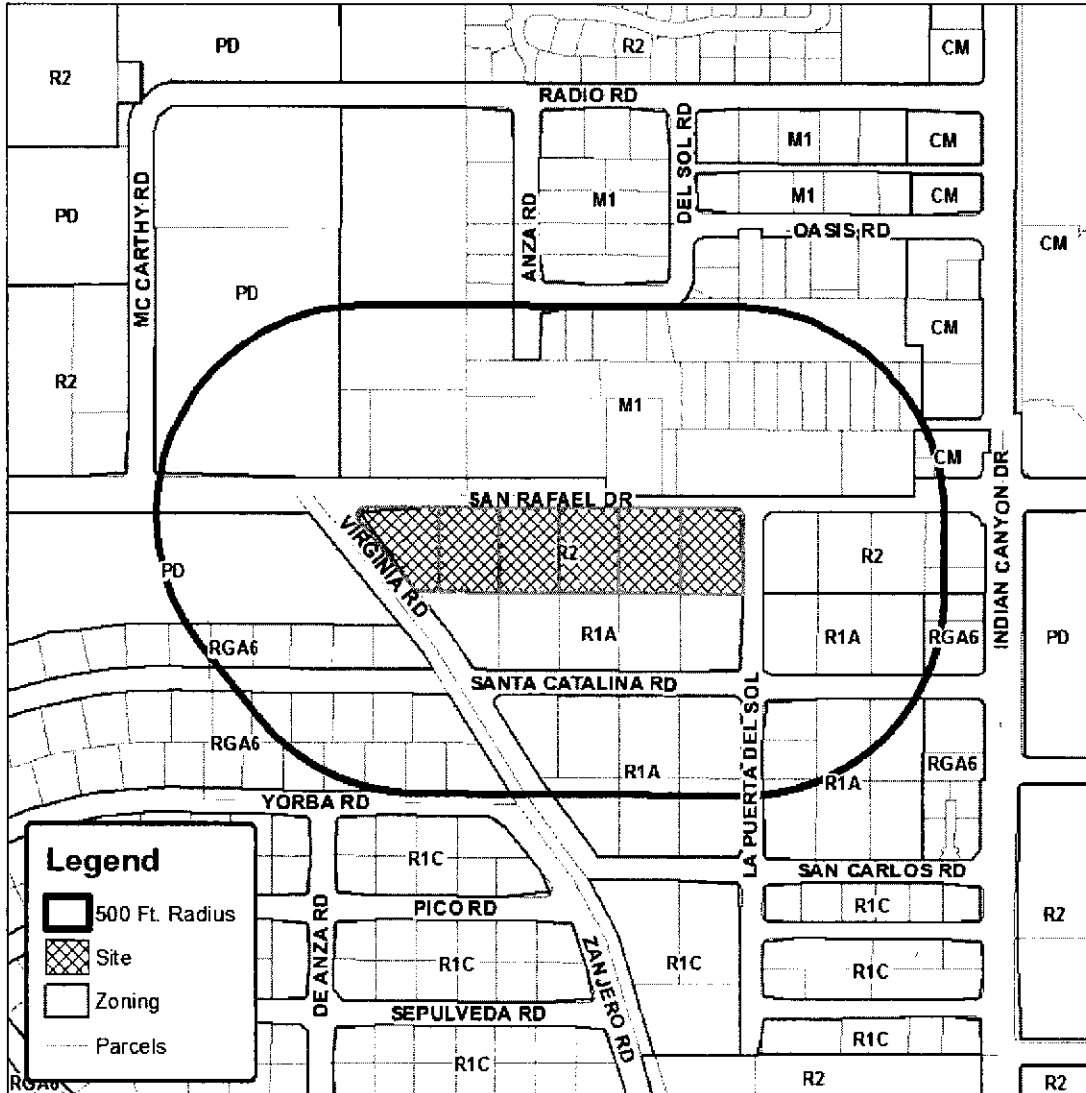
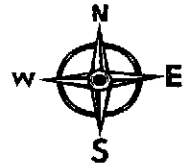
Attachments:

1. Vicinity Map
2. Draft Resolution
3. Planning Commission Resolutions 6592 & 6593
4. Conditions of Approval
5. Planning Commission Staff Report 10/26/2016
6. Site Photos
7. TTM 37143
8. Site Plan
9. Landscape Plan
10. Lighting Plan
11. Site Layout Details
12. Aerial Perspectives
13. Sections
14. Perimeter Wall Design
15. Carport Design
16. Image Boards/Materials
17. Building Elevations

- 18. Building Sections
- 19. Floor Plan
- 20. Roof Plan
- 21. 3-D Perspectives



# Department of Planning Services Vicinity Map



**Legend**

- 500 Ft. Radius
- Site
- Zoning
- Parcels

**CITY OF PALM SPRINGS**  
**Cases 3.3959 MAJ & TTM 37143**  
**305 W. San Rafael Road**



**CITY OF PALM SPRINGS  
PUBLIC NOTIFICATION**



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Date: November 16, 2016  
Subject: Sunia Investments  
TTM 37143

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**AFFIDAVIT OF PUBLICATION**

I, Kathleen D. 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 November 5, 2016.

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

Handwritten signature of Kathleen D. Hart in black ink.

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Kathleen D. Hart, MMC  
Chief Deputy City Clerk

**AFFIDAVIT OF POSTING**

I, Kathleen D. 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 November 2, 2016.

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

Handwritten signature of Kathleen D. Hart in black ink.

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Kathleen D. Hart, MMC  
Chief Deputy City Clerk

**AFFIDAVIT OF MAILING**

I, Kathleen D. 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 November 2, 2016, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.  
(424 notices)

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

Handwritten signature of Kathleen D. Hart in black ink.

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Kathleen D. Hart, MMC  
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

TENTATIVE PARCEL MAP 37143  
305 WEST SAN RAFAEL 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 November 16, 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 Sunia Investments LLC for a Tentative Tract Map to create a one lot condominium map of 24 units. The project is located at 305 West San Rafael Road, Zone R-2, Section 4.

**ENVIRONMENTAL DETERMINATION:** The City has evaluated the Project for compliance with the California Environmental Quality Act (CEQA) and has determined the Project is categorically exempt from the requirements of CEQA pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA guidelines.

**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.

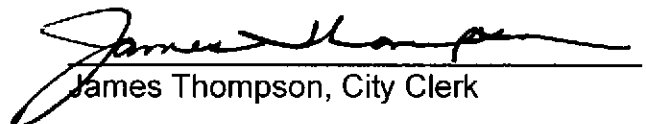
**COMMENT ON THIS APPLICATION:** Response to this notice can be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by email at [cityclerk@palmspringsca.gov](mailto:cityclerk@palmspringsca.gov), or letter (for mail or hand delivery) to:

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

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

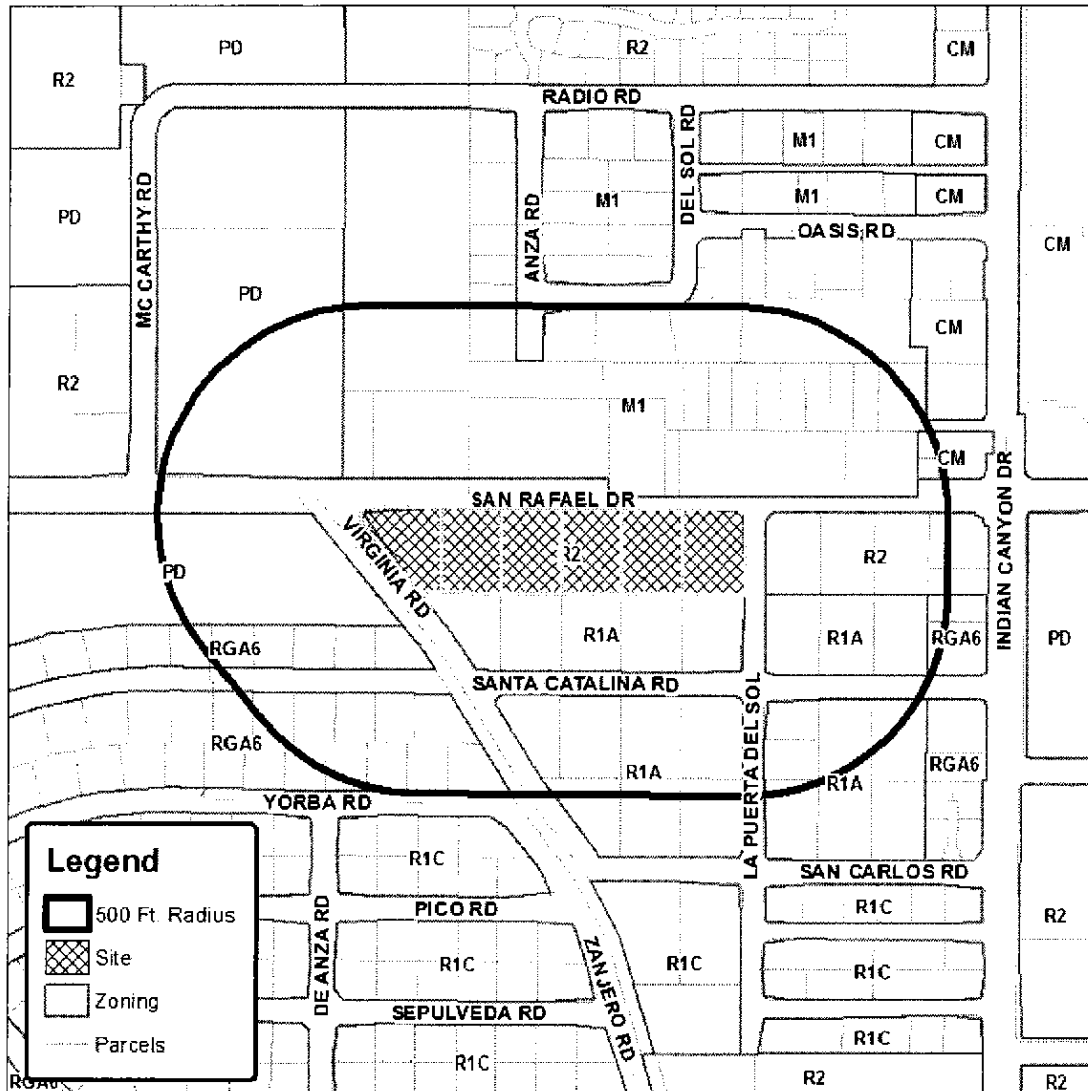
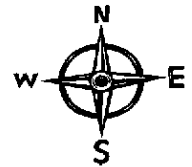
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Glenn Mlaker, Associate Planner, at (760) 323-8245 or [glenn.mlaker@palmspringsca.gov](mailto:glenn.mlaker@palmspringsca.gov).

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253 x 8742.

  
James Thompson, City Clerk



# Department of Planning Services Vicinity Map



**Legend**

- 500 Ft. Radius
- Site
- Zoning
- Parcels

## CITY OF PALM SPRINGS

TTM 37143

SUNIA HOMES

305 West Rafael Road

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING TENTATIVE TRACT MAP 37143, CREATING ONE (1) LOT EQUALING 4.05-ACRES FOR THE PURPOSE OF A TWENTY-FOUR (24) UNIT CONDOMINIUM PROJECT CONSISTING OF FOUR (4) ATTACHED CONDOMINIUM UNITS IN SIX (6) BUILDINGS ON COMMON GROUND LOCATED AT 305 WEST SAN RAFAEL ROAD, ZONE R-2, SECTION 4, APN 504-103-001,-106-.

THE CITY COUNCIL FINDS AND DETERMINES AS FOLLOWS:

A. Sunia Investments LLC, ("Applicant") has filed an application with the City pursuant to Chapter 9.62 of the City's Municipal Code (Maps) and Section 66426 of the State of California Subdivision Map Act, for a Tentative Tract Map for condominium purposes located at 305 West San Rafael Road, Zone R-2, Section 4 ("TTM 37143").

B. On October 26, 2016, the Planning Commission held a public hearing on the application to consider TTM 37143 in accordance with applicable law, and after carefully review and consideration of all evidence presented in connection with the hearing on the matter, including but limited to the staff report, and all written and oral testimony presented and voted 7-0 to recommend approval to the City Council.

C. A notice of public hearing of the City Council of the City of Palm Springs to consider TTM 37143 was given in accordance with applicable law.

D. On November 16, 2016, the City Council held a public hearing to consider TTM 37143 in accordance with applicable law.

E. The City Council has carefully reviewed and considered all of the evidence presented in connection with the meetings on the proposed project, including but not limited to the staff report, and all written and oral testimony presented and finds that the proposed project complies with the requirements of Chapter 9.62 of the City's Municipal Code (Maps) and Section 66426 of the State of California Subdivision Map Act.

F. Pursuant to Municipal Code Chapter 9.64 (Maps) and the State of California Subdivision Map Act Section 66474, the City Council finds as follows:

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

The TTM proposes one (1) lot equaling 4.05-acres for the purpose of a twenty-four (24) unit condominium project. The proposed development consists of four attached condominium units in six buildings symmetrically placed around a center plaza or common area with off-street parking located at the ends of the development. The proposed use meets the density requirement for the Mixed Use/Multi-Use (MXD) land use designation consistent with the General Plan, in addition the proposed density meets the requirement in the College Park Specific Plan.

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

The proposed subdivision is consistent with the R-2 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling 4.05-acres. The design of the proposed condominium development is consistent with the applicable zoning.

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

The proposed development on a vacant flat lot will have access to a public street and will provide an appropriately scaled project that provides a transition from the industrial uses to north and the low-density residential neighborhood to the south and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6). The site is physically suited for this type of development.

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

The proposed twenty-four (24) unit condominium project on a 4.05-acre lot is consistent with the allowable density of 15 dwelling units per acre in the MXD General Plan designation. In addition, the R-2 zone requires 3,000-square feet per dwelling unit which is within the zone density requirement.

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

The proposed Tentative Tract Map for the development of a twenty-four (24) unit condominium complex is located on a flat semi graded lot surrounded by existing urban streets with adequate public utilities serving the lot. The surrounding development includes an industrial park, condominiums, and single-family residences. The proposed 4.05-acre site is not likely to cause environmental damage or substantially and unavoidably harm unique 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 condominium complex includes connections to all public utilities including water and sewer systems. Access to the site parking lots is from Virginia Road and Puerta Del Sol with emergency fire lanes providing pedestrian connections from the development interior to West San Rafael Road.

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

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

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES AS FOLLOWS:

#### SECTION 1. CEQA

City Staff has evaluated the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project is categorically exempt from the requirements of CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. The proposed project is categorically exempt because:

1. The project is consistent with the applicable general plan designation and applicable zoning designation;
2. The project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses;
3. The project is not located on sites that have value as habitat for endangered, rare or threatened species;
4. The project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The project can be adequately served by all required utilities and public services.

Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

#### SECTION 2. Tentative Tract Map

The City Council hereby approves Tentative Tract Map 37143 for one (1) lot equaling 4.05-acres for the purpose of a twenty-four (24) unit condominium project consisting of four (4) attached condominium units in six (6) buildings on common ground located at 305 West San Rafael Road subject to the conditions of approval attached herein as Exhibit "A".

ADOPTED this 16th day of November, 2016.

\_\_\_\_\_  
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. 6592

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION (CASE NO. 3.3959 MAJ) FOR THE CONSTRUCTION OF A TWENTY-FOUR (24) UNIT CONDOMINIUM PROJECT LOCATED AT 305 WEST SAN RAFAEL DRIVE, ZONE R-2, SECTION 4.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. Sunia Investments LLC, ("Applicant") has filed an application with the City pursuant to Section 94.04.00 of the Zoning Ordinance for the construction of a twenty-four (24) unit condominium complex located at 305 West San Rafael Road, Zone R-2, Section 4 (Project).

B. On September 6, 2016, the Architectural Advisory Committee voted 6-0-2 to recommend approval of the Project subject to final review by a sub-committee with the following comments:

1. Provide design of the project presence on San Rafael.
2. Temporary parking at interior of site.
3. Additional security for the parking.
4. Design the parking are to blend in with the residential portion of the site (interior courtyards – bring this concept in the parking).
5. Subcommittee to review the wall design on San Rafael (Secoy-Jensen, Song, and Cassady)

C. A notice of public hearing of the Planning Commission of the City of Palm Springs to consider Cases 3.3959 MAJ and TTM 37143 was given in accordance with applicable law.

D. On October 26, 2016, the Planning Commission held a public hearing on the application to consider Cases 3.3959 MAJ and TTM 37143 in accordance with applicable law.

E. The City has evaluated the Project for compliance with the California Environmental Quality Act (\*CEQA) and has determined that the Project is categorically exempt from the requirements of CEQA pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA guidelines.

And,

The proposed Project is categorically exempt because:

1. The Project is consistent with the applicable general plan designation and applicable zoning designation,



2. The Project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses.
3. The Project is not located on sites that have value as habitat for endangered, rare or threatened species;
4. The Project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The Project can be adequately served by all required utilities and public services.

Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

F. The Planning Commission has 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.

G. Pursuant to Section 94.04.00 of the Palm Springs Zoning Code, the Planning Commission finds:

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

The proposed site consists of six vacant lots to be merged into one 4.05 acre parcel for the purpose of constructing twenty-four (24) condominium units. The proposed site consists of four attached condominium units in six buildings symmetrically placed around a center plaza or common area with off-street parking located at the ends of the development. The site is located along West San Rafael Road between North Virginia Road and North Puerta Del Sol. West San Rafael Road is a semi-improved secondary thoroughfare and the project will require the half widening of the street, construction of curbs and gutters, and a sidewalk along the front of the parcel.

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

The proposed project has street frontage on three sides with a single-family residential community to the south; industrial buildings to the north; and a condominium project to the west. The project backs up to R-1 zoned single-family residential one-story properties and the new development will be sympathetic to the surrounding residential uses by having a fifteen (15) foot

setback and one-story in height. The development will provide a transition from the industrial uses present along the north side of West San Rafael Drive and the low density residential properties to the south.

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

The proposed development will be one-story with a maximum height of twelve (12') feet to the top of the building parapet. The building setbacks are consistent and conform to the R-2 zone development standards. The adjacent properties immediately to the south are low density one-story single-family residences. The parcels across West San Rafael Drive are one-story industrial buildings containing a mix of auto related and warehouse uses. The development as proposed will provide an appropriately scaled project that provides a transition from the industrial uses to the low-density residential neighborhood and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6).

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

AND

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

AND

6. *Consistency of composition and treatment,*

Building materials to include smooth stucco walls painted "Omega White". The project consists of two unit types: "Unit J" which is 3 bedrooms - 2,034-square feet; and "Unit T" 3-bedrooms - 1,853-square feet. Each unit will have access to a large private outdoor patio area surrounded by a six (6') tall masonry wall. The building design is a series of flat vertical roof lines with wide window overhangs and interior courtyard steel patio covers. Carports are proposed in each parking lot consisting of a simple steel support post with corrugated metal roof painted tan.

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

The landscape plan includes the planting of Palo Verde street trees along West San Rafael Road and the side streets in 36" boxes along with water efficient plantings between the perimeter wall and sidewalk providing varying heights and color. The development interior plaza will contain a variety of plants and other hardscape pieces to provide amenities to the residents. A six (6') feet tall masonry stepped perimeter wall is proposed painted in subtly different tones of white and light grey that correspond to the placement of street trees.

THE PLANNING COMMISSION RESOLVES:

Based upon the foregoing, the Planning Commission hereby approves Case 3.3959 MAJ for a Major Architectural Application for the construction of an twenty-four (24) unit condominium complex located at 305 West San Rafael Road subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 28th day of October, 2016.

AYES: 7, Vice-Chair Weremiuk, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton, Chair Calderine

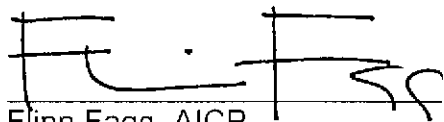
NOES: None.

ABSENT: None.

ABSTAIN: None.

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



Flinn Fagg, AICP  
Director of Planning Services

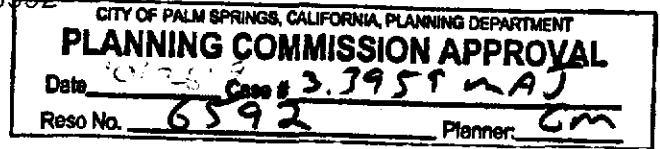


EXHIBIT A

Major Architectural 3.3959 MAJ  
Tentative Tract Map 37143 TTM

Twenty-Four Unit Condominium Complex located at  
305 West San Rafael Road

October 26, 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 3.3959 MAJ and TTM 37143;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped May 17, 2016, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division.
- 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. 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 3.3959 MAJ & TTM 37143. 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 6. 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 7. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts

Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 12. CC&R's The applicant prior to issuance of building permits shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. These CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances.
- ADM 13. CC&R's. Prior to recordation of a final Tentative Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:
- a. The document to convey title
  - b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.
  - c. Provisions for joint access to the proposed parcels, and any open space restrictions.
  - d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

- ADM 14. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A \$675 filing fee shall also be paid to the City Planning Department for administrative review purposes.
- ADM 15. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events, roadway closures for special events and other activities which may occur in the Central Business District, Desert Museum and Desert Fashion Plaza. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.
- ADM 16. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

#### **ENVIRONMENTAL ASSESSMENT CONDITIONS**

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at [www.dfg.ca.gov](http://www.dfg.ca.gov) for more information.
- ENV 3. 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 4. 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)

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. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.



- PLN 3. Notice to future buyers on views. All prospective buyers of units shall be notified that there are no written or implied rights to the preservation of scenic views from the parcel.
- PLN 4. 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 5. Pedestrian gates to be provided at all Fire Lane access points.
- PLN 6. Planning Commission recommends that additional carports be added in the parking areas through the Variance process.
- PLN 7. Interlocking pavers be used for Fire Lanes surface.
- PLN 8. Landscape plan to utilize similar plantings throughout the development.
- PLN 9. Pools/Spas water edge to be permitted within three (3) feet of property lines.
- PLN 10. CC&R's to restrict short term rental to no less than thirty (30) days.
- PLN 11. Recommendation to the Engineering Department to allow parking along West San Rafael Road.

**POLICE DEPARTMENT CONDITIONS**

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

**BUILDING DEPARTMENT CONDITIONS**

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

## **FIRE DEPARTMENT CONDITIONS**

- FID 1. These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received and dated May 11, 2016. Additional requirements may be required at that time based on revisions to site plans.
- FID 2. Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal. No deferred submittals accepted.

### **FID 3. PLANS AND PERMITS**

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs  
Building and Safety Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

FID 4. **Conditions of Approval** – “Conditions of Approval” received from the Palm Springs Planning Department must be submitted with each plan set. Failure to submit will result in a delay of plan approval.

FID 5. **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

- Fire Lanes – signage and/or curb markings required.
- Fire Lanes – shall be secured with gates meeting fire department requirements.
- Fire Lanes – no other vehicle access allowed.

FID 6. **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

- FID 7. **Key Box Required (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.
- FID 8. **NFPA 13R Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13R, 2013 Edition, as modified by local ordinance. Shall comply with Palm Springs Fire Code Appendix L.
- FID 9
- FID 9 **Require Fire Flow (CFC B101.0):** Fire flow requirements for this project = 1,500 GPM; 2-hour duration.
- FID 10 **Operational Fire Hydrant(s) (CFC 507.1, 507.5 & C105.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided.  
Maximum distance from any point on street frontage to a public hydrant – 200 feet (reduced from 250' due to dead-end street).  
Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction and shall be serviceable prior to and during construction
- FID 11 **Fire Extinguisher Requirements (CFC 906):** Provide one (1) 2A-10B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 12 **Smoke & Carbon Monoxide Alarms – Required.** Hardwired, interconnected battery backup.

#### **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

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit. All improvements are subject to inspection and a 24 to 48 hour inspection notification is required.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. The applicant shall be required to construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete, as may be determined by the City Engineer. Paving of streets in one lift prior to completion of on-site construction will not be allowed, unless prior authorization has been obtained from the City Engineer. Completion of asphalt concrete paving for streets prior to completion of on-site construction activities, if authorized by the City Engineer, will require additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as required by the City Engineer.

## SAN RAFAEL DRIVE

- ENG 4. Dedicate an additional 4' feet to provide the ultimate half street right-of-way width of 44' feet along the entire frontage, together with a property line - corner cut-back at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and the southwest corner of the intersection of Puerta Del Sol and San Rafael Drive, in accordance with City of Palm Springs Standard Drawing No. 105. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A right-of-way plan check fee shall be paid by the applicant per the latest fee schedule at time of application.
- ENG 5. Construct a 6 inch curb and gutter, 32 feet south of centerline along the entire frontage, with a 35 feet radius curb return and spandrel at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and the southwest corner of the intersection of Puerta Del Sol and San Rafael Drive in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 6. Construct the east half of a 6 feet wide cross gutter at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and west half of a 6 feet wide cross gutter at the southwest corner of the

intersection of Pureta Del Sol and San Rafael Drive with a flow line parallel with and located 32 feet south of the centerline of San Rafael Drive in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 7. Construct a minimum 24 feet wide emergency access driveway approaches. First approach located 475' feet east of the centerline of Virginia Road and second approach located 336' west of the centerline of Pureta Del Sol in accordance with City of Palm Springs Standard Drawing No. 201. The access shall be gated and locked; and lock box key provided to the Fire Department for emergency access.
- ENG 8. Construct a 5 feet wide sidewalk separated by a 2' to 3' wide landscape strip behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 9. Construct a Type A curb ramp meeting current California State Accessibility standards at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and the southwest corner of the intersection of Pureta Del Sol and San Rafael Drive accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 10. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 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 San Rafael Drive 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.) 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 11. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### VIRGINIA ROAD

- ENG 12. Construct a 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 13. Construct a 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- 517.
- ENG 14. Dedicate an easement 4 feet wide along the back of the driveway approach for sidewalk purposes. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A right-of-way plan check fee shall be paid by the applicant per the latest fee schedule at time of application.
- ENG 15. Construct a 5 feet wide sidewalk separated by a 2' to 3' wide landscape strip behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 16. 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 centerline along the entire Virginia 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.) 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 17. All broken or off grade street improvements along the project frontage shall be repaired or replaced

#### PURETA DEL SOL

- ENG 18. Construct a 6 inch curb and gutter, 18 feet west of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 19. Construct a 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 20. Construct a 5 feet wide sidewalk separated by a 2' to 3' wide landscape strip behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 21. 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 centerline along the entire Pureta Del Sol 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.) 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 22. All broken or off grade street improvements along the project frontage shall be repaired or replaced

#### ON-SITE

ENG 23. The minimum pavement section for all on-site pavement (drive aisles, parking spaces) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. 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.

#### SANITARY SEWER

ENG 24. All sanitary facilities shall be connected to the public sewer system (via the proposed on-site private sewer system). New laterals shall not be connected at manholes.

ENG 25. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

#### GRADING

ENG 26. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code,



and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that has completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.

ENG 27. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist ( a copy of the written approval must be provided to the City) . The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at [ACBCI-THPO@aguacaliente.net](mailto:ACBCI-THPO@aguacaliente.net) to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 28. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 29. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the

perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

- ENG 30. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 31. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 32. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 33. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 34. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 35. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is

located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

## WATER QUALITY MANAGEMENT PLAN

- ENG 36. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 37. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 38. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-

Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

- ENG 39. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

#### DRAINAGE

- ENG 40. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.
- ENG 41. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to San Rafael Drive, Virginia Road or Pureta Del Sol. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
- ENG 42. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is

advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

ENG 43. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$ 6511.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

ENG 44. The proposed underground retention system(s) shall be installed on-site and not within the public right-of-way. The underground stormwater retention system shall be sized to have a sufficient capacity equal to the volume of increased stormwater runoff due to development of the site, as identified in a final hydrology study approved by the City Engineer. A decrease to the required retention volume may be allowed for percolation of the stormwater runoff into the underlying gravel and soil, not to exceed 2 inches per hour. Provisions for maintenance of the underground stormwater retention system(s) shall be included in Covenants, Conditions, and Restrictions (CC&R's) for the Home Owners Association (HOA), including reference to the fact that maintenance and/or replacement of the system may require removal of existing landscaping improvements within the landscape parkway at the sole expense of the HOA. The CC&R's shall reserve the right of the City to inspect and ensure that the underground retention system is operable, and in the event of its failure, shall provide the City the right to advise the HOA and require its repair or replacement to the satisfaction of the City Engineer.

#### GENERAL

ENG 45. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made

by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 46. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.

ENG 47. All proposed utility lines shall be installed underground.

ENG 48. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities across the East and South property lines meet the requirement to be installed underground. The applicant is advised to investigate the nature of these utilities, the availability of undergrounding these utilities with respect to adjacent and off-site properties, and to present its case for a waiver of the Municipal Code requirement, if appropriate, to the Planning Commission and/or City Council as part of its review and approval of this project.

If utility undergrounding is deferred in accordance with specific direction by the Planning Commission and/or City Council, the record property owner shall enter into a covenant agreeing to underground all of the existing overhead utilities required by the Municipal Code in the future upon request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner and submitted to the City Engineer prior to issuance of a grading permit. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the developer prior to issuance of any grading or building permits.

- ENG 49. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 50. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.
- ENG 51. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

- ENG 52. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 53. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 54. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

#### MAP

- ENG 55. The developer shall apply for an annexation to the City of Palm Springs Community Facilities District established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a final map. Payment of an annexation fee (\$7,500) and shall be made at the time of the application.
- ENG 56. A Final 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 Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.
- ENG 57. In accordance with Government Code 66426 (c), an application for a Tentative Tract Map shall be submitted to the Planning Department if the subject property is proposed to be subdivided for purposes of sale, lease, or financing of commercial parcels (and/or residential condominium units) within the proposed development. No building permit shall be issued until a Final Map for condominium purposes has been approved by the City Council.
- ENG 58. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations.



The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

- ENG 59. Acceptance of public improvements required of this development shall be completed by resolution of the City Council to release the faithful performance bond and acceptance of replacement maintenance bond to be held for one year. An inspection will be performed nine months after said acceptance as part of the notice of completion process, a notice of completion will be filed certifying the improvements are complete.

#### TRAFFIC

- ENG 60. A minimum of 48 inches of clearance for ADA accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 61. 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 62. 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.

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

**END OF CONDITIONS**

RESOLUTION NO.

EXHIBIT A

Tentative Tract Map 37143 TTM

Twenty-Four Unit Condominium Complex located at  
305 West San Rafael Road

November 16, 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 3.3959 MAJ and TTM 37143;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped May 17, 2016, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division.
- 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. 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 3.3959 MAJ & TTM 37143. 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 6. 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 7. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts

Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 12. CC&R's The applicant prior to issuance of building permits shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. These CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances.
- ADM 13. CC&R's. Prior to recordation of a final Tentative Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:
- a. The document to convey title
  - b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.
  - c. Provisions for joint access to the proposed parcels, and any open space restrictions.
  - d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

- ADM 14. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A \$675 filing fee shall also be paid to the City Planning Department for administrative review purposes.
- ADM 15. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events, roadway closures for special events and other activities which may occur in the Central Business District, Desert Museum and Desert Fashion Plaza. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.
- ADM 16. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

#### **ENVIRONMENTAL ASSESSMENT CONDITIONS**

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at [www.dfg.ca.gov](http://www.dfg.ca.gov) for more information.
- ENV 3. 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 4. 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)

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. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.

- PLN 3. Notice to future buyers on views. All prospective buyers of units shall be notified that there are no written or implied rights to the preservation of scenic views from the parcel.
- PLN 4. 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 5. Pedestrian gates to be provided at all Fire Lane access points.
- PLN 6. Planning Commission recommends that additional carports be added in the parking areas through the Variance process.
- PLN 7. Interlocking pavers be used for Fire Lanes surface.
- PLN 8. Landscape plan to utilize similar plantings throughout the development.
- PLN 9. Pools/Spas water edge to be permitted within three (3) feet of property lines.
- PLN 10. CC&R's to restrict short term rental to no less than thirty (30) days.
- PLN 11. Recommendation to the Engineering Department to allow parking along West San Rafael Road.

#### **POLICE DEPARTMENT CONDITIONS**

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

#### **BUILDING DEPARTMENT CONDITIONS**

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

## **FIRE DEPARTMENT CONDITIONS**

- FID 1. These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received and dated May 11, 2016. Additional requirements may be required at that time based on revisions to site plans.
- FID 2. Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal. No deferred submittals accepted.

### **FID 3. PLANS AND PERMITS**

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs  
Building and Safety Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.



FID 4. **Conditions of Approval** – “Conditions of Approval” received from the Palm Springs Planning Department must be submitted with each plan set. Failure to submit will result in a delay of plan approval.

FID 5. **Surface (CFC 503.2.3)**: Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

- Fire Lanes – signage and/or curb markings required.
- Fire Lanes – shall be secured with gates meeting fire department requirements.
- Fire Lanes – no other vehicle access allowed.

FID 6. **Security Gates (CFC 503.6)**: The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

- FID 7. **Key Box Required (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.
- FID 8. **NFPA 13R Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13R, 2013 Edition, as modified by local ordinance. Shall comply with Palm Springs Fire Code Appendix L.
- FID 9
- FID 9 **Require Fire Flow (CFC B101.0):** Fire flow requirements for this project = 1,500 GPM; 2-hour duration.
- FID 10 **Operational Fire Hydrant(s) (CFC 507.1, 507.5 & C105.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided.  
Maximum distance from any point on street frontage to a public hydrant – 200 feet (reduced from 250' due to dead-end street).  
Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction and shall be serviceable prior to and during construction
- FID 11 **Fire Extinguisher Requirements (CFC 906):** Provide one (1) 2A-10B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 12 **Smoke & Carbon Monoxide Alarms – Required.** Hardwired, interconnected battery backup.

## 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

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit. All improvements are subject to inspection and a 24 to 48 hour inspection notification is required.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. The applicant shall be required to construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete, as may be determined by the City Engineer. Paving of streets in one lift prior to completion of on-site construction will not be allowed, unless prior authorization has been obtained from the City Engineer. Completion of asphalt concrete paving for streets prior to completion of on-site construction activities, if authorized by the City Engineer, will require additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as required by the City Engineer.

## SAN RAFAEL DRIVE

- ENG 4. Dedicate an additional 4' feet to provide the ultimate half street right-of-way width of 44' feet along the entire frontage, together with a property line - corner cut-back at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and the southwest corner of the intersection of Puerta Del Sol and San Rafael Drive, in accordance with City of Palm Springs Standard Drawing No. 105. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A right-of-way plan check fee shall be paid by the applicant per the latest fee schedule at time of application.
- ENG 5. Construct a 6 inch curb and gutter, 32 feet south of centerline along the entire frontage, with a 35 feet radius curb return and spandrel at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and the southwest corner of the intersection of Puerta Del Sol and San Rafael Drive in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 6. Construct the east half of a 6 feet wide cross gutter at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and west half of a 6 feet wide cross gutter at the southwest corner of the

intersection of Pureta Del Sol and San Rafael Drive with a flow line parallel with and located 32 feet south of the centerline of San Rafael Drive in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 7. Construct a minimum 24 feet wide emergency access driveway approaches. First approach located 475' feet east of the centerline of Virginia Road and second approach located 336' west of the centerline of Pureta Del Sol in accordance with City of Palm Springs Standard Drawing No. 201. The access shall be gated and locked; and lock box key provided to the Fire Department for emergency access.
- ENG 8. Construct a 5 feet wide sidewalk separated by a 2' to 3' wide landscape strip behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 9. Construct a Type A curb ramp meeting current California State Accessibility standards at the southeast corner of the intersection of Virginia Road and San Rafael Drive, and the southwest corner of the intersection of Pureta Del Sol and San Rafael Drive accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 10. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 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 San Rafael Drive 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.) 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 11. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### VIRGINIA ROAD

- ENG 12. Construct a 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 13. Construct a 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- 517.
- ENG 14. Dedicate an easement 4 feet wide along the back of the driveway approach for sidewalk purposes. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A right-of-way plan check fee shall be paid by the applicant per the latest fee schedule at time of application.
- ENG 15. Construct a 5 feet wide sidewalk separated by a 2' to 3' wide landscape strip behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 16. 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 centerline along the entire Virginia 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.) 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 17. All broken or off grade street improvements along the project frontage shall be repaired or replaced

#### PURETA DEL SOL

- ENG 18. Construct a 6 inch curb and gutter, 18 feet west of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 19. Construct a 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 20. Construct a 5 feet wide sidewalk separated by a 2' to 3' wide landscape strip behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 21. 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 centerline along the entire Pureta Del Sol 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.) 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 22. All broken or off grade street improvements along the project frontage shall be repaired or replaced

#### ON-SITE

- ENG 23. The minimum pavement section for all on-site pavement (drive aisles, parking spaces) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. 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.

#### SANITARY SEWER

- ENG 24. All sanitary facilities shall be connected to the public sewer system (via the proposed on-site private sewer system). New laterals shall not be connected at manholes.
- ENG 25. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

#### GRADING

- ENG 26. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.
- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code,

and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.

ENG 27. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist ( a copy of the written approval must be provided to the City) . The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at [ACBCI-THPO@aguacaliente.net](mailto:ACBCI-THPO@aguacaliente.net) to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 28. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 29. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the

perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

- ENG 30. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 31. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 32. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 33. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 34. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 35. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is



located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

## WATER QUALITY MANAGEMENT PLAN

- ENG 36. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 37. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 38. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-

Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

- ENG 39. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

#### DRAINAGE

- ENG 40. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.
- ENG 41. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to San Rafael Drive, Virginia Road or Pureta Del Sol. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
- ENG 42. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is

advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

ENG 43. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$ 6511.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

ENG 44. The proposed underground retention system(s) shall be installed on-site and not within the public right-of-way. The underground stormwater retention system shall be sized to have a sufficient capacity equal to the volume of increased stormwater runoff due to development of the site, as identified in a final hydrology study approved by the City Engineer. A decrease to the required retention volume may be allowed for percolation of the stormwater runoff into the underlying gravel and soil, not to exceed 2 inches per hour. Provisions for maintenance of the underground stormwater retention system(s) shall be included in Covenants, Conditions, and Restrictions (CC&R's) for the Home Owners Association (HOA), including reference to the fact that maintenance and/or replacement of the system may require removal of existing landscaping improvements within the landscape parkway at the sole expense of the HOA. The CC&R's shall reserve the right of the City to inspect and ensure that the underground retention system is operable, and in the event of its failure, shall provide the City the right to advise the HOA and require its repair or replacement to the satisfaction of the City Engineer.

#### GENERAL

ENG 45. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made

by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 46. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.

ENG 47. All proposed utility lines shall be installed underground.

ENG 48. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities across the East and South property lines meet the requirement to be installed underground. The applicant is advised to investigate the nature of these utilities, the availability of undergrounding these utilities with respect to adjacent and off-site properties, and to present its case for a waiver of the Municipal Code requirement, if appropriate, to the Planning Commission and/or City Council as part of its review and approval of this project.

If utility undergrounding is deferred in accordance with specific direction by the Planning Commission and/or City Council, the record property owner shall enter into a covenant agreeing to underground all of the existing overhead utilities required by the Municipal Code in the future upon request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner and submitted to the City Engineer prior to issuance of a grading permit. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the developer prior to issuance of any grading or building permits.

- ENG 49. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 50. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.
- ENG 51. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 52. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 53. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

ENG 54. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

#### MAP

ENG 55. The developer shall apply for an annexation to the City of Palm Springs Community Facilities District established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a final map. Payment of an annexation fee (\$7,500) and shall be made at the time of the application.

ENG 56. A Final 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 Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.

ENG 57. In accordance with Government Code 66426 (c), an application for a Tentative Tract Map shall be submitted to the Planning Department if the subject property is proposed to be subdivided for purposes of sale, lease, or financing of commercial parcels (and/or residential condominium units) within the proposed development. No building permit shall be issued until a Final Map for condominium purposes has been approved by the City Council.

ENG 58. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations.

The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 59. Acceptance of public improvements required of this development shall be completed by resolution of the City Council to release the faithful performance bond and acceptance of replacement maintenance bond to be held for one year. An inspection will be performed nine months after said acceptance as part of the notice of completion process, a notice of completion will be filed certifying the improvements are complete.

**TRAFFIC**

ENG 60. A minimum of 48 inches of clearance for ADA accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

ENG 61. 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 62. 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.

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

**END OF CONDITIONS**



## PLANNING COMMISSION STAFF REPORT

DATE: OCTOBER 26, 2016

SUBJECT: SUNIA INVESTMENTS LLC., FOR A MAJOR ARCHITECTURAL APPLICATION CASE 3.3959 MAJ; AND A TENTATIVE TRACT MAP (TTM 37143) FOR THE CONSTRUCTION OF A TWENTY-FOUR (24) UNIT CONDOMINIUM PROJECT LOCATED AT 305 WEST SAN RAFAEL ROAD, ZONE R-2. (CASES 3.3959 MAJ; 37143 TTM)

FROM: Flinn Fagg, AICP, Director of Planning Services

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### SUMMARY

The Planning Commission to conduct a public hearing for a Tentative Tract Map and review of a Major Architectural Application for the construction of a twenty-four (24) unit condominium project consisting of two unit types which are one-story in height.

### RECOMMENDATION:

Staff recommends approval of the application, subject to conditions.

### ISSUES:

- Architectural Advisory Committee reviewed the project and approved as designed with the following comments:
  1. Provide design of the project presence on San Rafael.
  2. Temporary parking at interior of site.
  3. Additional security for the parking.
  4. Design the parking area to blend in with the residential portion of the site (interior courtyards – bring this concept in the parking).
  5. Subcommittee to review the wall design on San Rafael (Secoy-Jensen, Song, and Cassady)
- Subcommittee reviewed a revised perimeter wall design and recommended approval.

### BACKGROUND INFORMATION:

<b><i>Most Recent Ownership</i></b>	
2/19/2016	Sunia Investments, LLC.
<b><i>Neighborhood Meeting / Notification</i></b>	
10/13/2016	Public Hearing notice sent to property owners within 500 feet.



10/22/2016	Email notification sent to Racquet Club West Organization; Racquet Club Estates; and Desert Highlands.
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<b>Field Check</b>	
August 2016	Staff visited site to observe existing conditions

DETAILS OF APPLICATION REQUEST:

<b>Site Area</b>	
Net Area	4.05-acres

<b>Surrounding Property</b>	<b>Existing General Plan Designations</b>	<b>Existing Land Use</b>	<b>Existing Zoning Designations</b>
Subject Property	MXD (Mixed-Use / Multi Use), 15 units per acre	Vacant	R-2 (Multi-Family Residential)
North	MXD (Mixed-Use / Multi Use), 15 units per acre	Industrial	M-1 (Industrial)
South	ER (Estate Residential), 2 Units per acre	Single-Family Residential	R-1-A (Single-Family Residential)
East	MXD (Mixed-Use / Multi Use), 15 units per acre	Vacant	R-2 (Multi-Family Residential)
West	MDR (Medium Density Residential), 15 units per acre	Condominium Complex	R-2 (Multi-Family Residential)

<b>Specific Plan Area</b>	<b>Compliance</b>
College Park Specific Plan	Yes (see discussion below)

DEVELOPMENT STANDARDS:

Development standards for the project are to be evaluated by the Planning Commission pursuant to the Palm Springs Zoning Code (PSZC) Section 92.03.03 for the R-2 zone relative to architectural review as follows:

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Lot Area	20,000-square feet	176,545-square feet	Yes
Lot Width	160 feet	963 feet	Yes
Lot Depth	180 feet	496 feet	Yes
Front Yard	15 feet	15 feet	Yes
Side Yard	10 feet	15 feet	Yes
Rear Yard	15 feet backing on R-1	15 feet	Yes
Building Height (max.)	15 feet backing on R-1	12 feet	Yes

Bldg. Coverage	50% lot coverage	36%	Yes
Trash Enclosure	Required	2 Trash Enclosures	Yes
Mech. Equip.	Screened	Roof Top Screen	Yes
Parking	2.25 spaces per unit = 54 spaces + 6 guest = 60 required spaces	24 carports + 30 unit spaces + 6 guest spaces = 60 Total	Yes
Perimeter Wall	6 foot masonry	6 foot masonry	Yes

**ANALYSIS:**

**Site Plan:**

The proposed site consists of six vacant lots to be merged into one 4.05 acre parcel for the purpose of constructing twenty-four (24) condominium units. The site is located along West San Rafael Road between North Virginia Road and North Puerta Del Sol. West San Rafael Road is a semi-improved secondary thoroughfare and the project will require the half widening of the street, construction of curbs and gutters, and a sidewalk along the front of the parcel. In addition street improvements and installation of sidewalks will be required along North Virginia Road and North Puerta Del Sol.

The site can be described as a long rectangle with 963 feet of frontage along West San Rafael Road. The site slopes downward from west to east with a fifteen (15) foot grade difference as shown in provided site cross-sections. The proposed condominiums will be built as four attached units in six buildings symmetrically placed around a center plaza or common area. The plaza will contain several community amenities to include one pool, an orchard, communal tables, fire pit, two pergolas, walkthrough sculptures, and community building. The project consists of two unit types: "Unit J" which is 3 bedrooms - 2,034-square feet; and "Unit T" which is 3-bedrooms - 1,853-square feet. The communal building is proposed to be 1,142-square feet in size.

The proposed project has street frontage on three sides with a single-family residential community to the south; industrial buildings to the north; and a condominium project to the west. The project backs up to R-1 zoned single-family residential one-story properties and the new development will be sympathetic to the surrounding residential uses by having a fifteen (15) foot setback and one-story in height. The development will provide a transition from the industrial uses present along the north side of West San Rafael Drive and the low density residential properties to the south.

The off-street parking for the project is located at both ends of the development with access from North Virginia Road and North Puerta Del Sol. The Zoning Code requires 2.25 parking spaces per unit with one space covered. A row of carports is proposed in

each parking lot and meets the requirement with a total number of sixty (60) parking spaces required and six (6) guest spaces. Two fire lane access points are required from West San Rafael Road and will separate the building groupings. Pedestrian access is proposed as part of the fire lane access gates. Two trash enclosures are incorporated into the off-street parking lots and will service the development.

**Mass and Scale:**

The proposed development will be one-story with a maximum height of twelve (12') feet to the top of the building parapet. The adjacent properties immediately to the south are low density one-story single-family residences and the parcels across West San Rafael Drive are one-story industrial buildings containing a mix of auto related and warehouse uses. The proposed 24-unit condominium complex as proposed will provide an appropriately scaled project that provides a transition from the industrial uses to the low-density residential neighborhood.

**Building Design and Detailing:**

The proposed project will consist of four attached condominium units in six buildings symmetrically placed around a center plaza or common area with off-street parking located at the ends of the development. Unit J will be a 2,034-square foot 3 bedroom condo; and Unit T will be a 1,853-square feet 3 bedroom condo. Each unit will have access to a large private outdoor patio area surrounded by a six (6') tall masonry wall. The building design is a series of flat vertical roof lines with wide window overhangs and interior courtyard steel patio covers. Building materials to include smooth stucco walls painted "Omega White".

**Landscaping and Buffers:**

The proposed landscape plan includes the planting of Palo Verde trees along West San Rafael Road and the side streets in 36" boxes along with water efficient plantings providing varying heights and color. The interior plaza which runs the length of the complex will contain the greatest variety of plants and other accent pieces. A six (6') foot tall masonry perimeter wall is proposed painted in subtly different tones of white and light grey that correspond to the placement of street trees. The goal is to connect the wall movement to objects in the landscaping. The wall is to be constructed of CMU block in an alternating pattern painted light grey or white in a stacked pattern.

The interior landscaping is broken into three parts and each section having a distinct theme: the Orchard; the Pool Area; and Native Pollinator Plantings. The Orchard area will utilize fruit trees neatly planted adjacent to acid etched concrete walkways. Other plantings include specimen Olive trees, accent succulents and agaves. Hardscape

elements will include a black steel pergola shade structure, several community tables constructed of concrete and planting beds for seasonal vegetable growing.

The pool area will include a large pool and deck with several small community buildings serving as gathering spaces. Steel shade structures will also be attached to the accessory buildings. Minimal ground plantings are proposed with larger Olive and Mesquite trees providing shade.

The Native Pollinator Planting area will utilize Palo Verde trees, specimen Olives, large succulents, and agaves. Hardscape elements include two walk through sculptures, a steel pergola, and community fire pit. The design of this area is to provide native plantings with sand groundcover tying the area into the surrounding desert landscape.

The parking lot planting will include Palo Verde trees and ground cover to provide shade and meet the requirements of the Palm Springs Zoning Code.

**College Park Specific Plan:**

The subject site is located within the College Park Specific Plan which provides design guidelines for Planning Area 6 (PA-6). While these guidelines are not firm development standards, they were devised to help in the future planning of West San Rafael Drive. A stated goal of these guidelines is to provide quality housing that is well integrated with surrounding neighborhoods and the local street system. The following is a comparison of the stated specific plan guidelines with relative to the proposed development:

1. Development should be limited to one-story multi-family units that are clustered to form interior courtyards that provide protection from the prevailing northerly winds.

Proposed buildings to be one-story with a maximum height of twelve (12) feet. The project consists of four attached condominium units in six buildings symmetrically placed around a center plaza or common area with off-street parking located at the ends of the development. Plan meets this goal.

2. Residential units shall be designed to optimize season-appropriate shade and solar gain, and shall use roof designs that facilitate the use of rooftop solar.

Building elevations show appropriately sized roof overhangs and pergola's to act as patio covers. All buildings will be wired for photovoltaic panels and the project meets the goal.

3. Access and circulation for this development shall rely on a single main access

drive off San Rafael Drive with a secondary access from North Virginia Road.

The proposed development provides access to off-street parking lots from North Virginia Road and North Puerta Del Sol with emergency access from West San Rafael Road. Staff believes that due to the site layout the intent of this goal has been met by directing vehicular access to the local servicing streets and eliminating direct access to the secondary thoroughfare.

4. Covered and uncovered parking shall be provided in accordance with parking standards set forth in Section II of the Specific Plan. Parking areas and landscaping shall be located along the southern site boundary to buffer residences to the south.

Plan provides twenty-four (24) covered carport parking spaces with an overall space count of sixty (60) meeting the requirements of the Specific Plan. The parking lots and the perimeter lot line to the south will be fully landscaped to provide a buffer to adjacent neighborhoods.

5. Open space amenities shall include thoughtfully conceived desert themed gardens.

The project open space is broken into three parts with each section having a distinct theme: the Orchard; the Pool Area; and Native Pollinator Plantings. Proposed open space will be landscaped utilizing fruit trees neatly planted adjacent to acid etched concrete walkways specimen Olive trees, accent succulents and agaves. Hardscape elements to include a black steel pergola shade structure, several community tables constructed of concrete and planting beds for seasonal vegetable growing. Based upon these design elements the project meets this goal.

6. The streetscape along San Rafael Drive and North Indian Canyon Drive should include a six foot masonry wall or serpentine comparable design.

The project perimeter wall along West San Rafael Road, Virginia Road and Puerta Del Sol will be six (6') feet tall stepped masonry wall painted in subtly color tones of white and light grey that correspond to the placement of street trees and the plan meets this goal.

### **Architectural Advisory Committee**

The Architectural Advisory Committee (AAC) reviewed the project at the September 6, 2016 meeting and voted to recommend approval to the Planning Commission with the following comments:

1. Provide design of the project presence on San Rafael.
2. Temporary parking at interior of site.
3. Additional security for the parking.
4. Design the parking area to blend in with the residential portion of the site (interior courtyards – bring this concept in the parking).
5. Subcommittee to review the wall design on San Rafael (Secoy-Jensen, Song, and Cassady)

The applicant revised the perimeter wall design as a stepped CMU masonry block structure that is off-set by 1'-4" providing relief along the streetscape. The paint scheme for the wall will be white for the forward panel and light gray for the recessed sections. The area between the perimeter wall and sidewalk will be landscaped along with large street trees will help soften the street presence.

The revised wall design was reviewed by an AAC subcommittee and has recommend approval.

**Architectural Review Criteria:**

PSZC Section 94.04.00(D) requires an evaluation of the proposed development to determine if it will provide a desirable environment for its occupants, be compatible with the character of the adjacent and surrounding developments, and whether it is good composition, material, textures, and colors. Conformance shall be evaluated based on the following criteria:

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

The proposed site consists of six vacant lots to be merged into one 4.05 acre parcel for the purpose of constructing twenty-four (24) condominium units. The proposed site consists of four attached condominium units in six buildings symmetrically placed around a center plaza or common area with off-street parking located at the ends of the development. The site is located along West San Rafael Road between North Virginia Road and North Puerta Del Sol. West San Rafael Road is a semi-improved secondary thoroughfare and the project will require the half widening of the street, construction of curbs and gutters, and a sidewalk along the front of the parcel.

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

The proposed project has street frontage on three sides with a single-family residential community to the south; industrial buildings to the north; and a condominium project to the west. The project backs up to R-1 zoned single-family residential one-story properties and the new development will be sympathetic to the surrounding residential uses by having a fifteen (15) foot setback and one-story in height. The development will provide a transition from the industrial uses present along the north side of West San Rafael Drive and the low density residential properties to the south.

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

The proposed development will be one-story with a maximum height of twelve (12') feet to the top of the building parapet. The building setbacks are consistent and conform to the R-2 zone development standards. The adjacent properties immediately to the south are low density one-story single-family residences. The parcels across West San Rafael Drive are one-story industrial buildings containing a mix of auto related and warehouse uses. The development as proposed will provide an appropriately scaled project that provides a transition from the industrial uses to the low-density residential neighborhood and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6).

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

AND

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

AND

6. *Consistency of composition and treatment,*

Building materials to include smooth stucco walls painted "Omega White". The project consists of two unit types: "Unit J" which is 3 bedrooms - 2,034-square feet; and "Unit T" 3-bedrooms - 1,853-square feet. Each unit will have access to a large private outdoor patio area surrounded by a six (6') tall masonry wall. The building design is a series of flat vertical roof lines with wide window overhangs and interior courtyard steel patio covers. Carports are proposed in each parking lot consisting of a simple steel support post with corrugated metal roof painted tan.

7. *Location and type of planting, with regard for desert climate conditions.*

*Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The landscape plan includes the planting of Palo Verde street trees along West San Rafael Road and the side streets in 36" boxes along with water efficient plantings between the perimeter wall and sidewalk providing varying heights and color. The development interior plaza will contain a variety of plants and other hardscape pieces to provide amenities to the residents. A six (6') feet tall masonry stepped perimeter wall is proposed painted in subtly different tones of white and light grey that correspond to the placement of street trees.

### **Tentative Tract Map**

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

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

The TTM proposes one (1) lot equaling 4.05-acres for the purpose of a twenty-four (24) unit condominium project. The proposed development consists of four attached condominium units in six buildings symmetrically placed around a center plaza or common area with off-street parking located at the ends of the development. The proposed use meets the density requirement for the Mixed Use/Multi-Use (MXD) land use designation consistent with the General Plan, in addition the proposed density meets the requirement in the College Park Specific Plan and this finding has been met.

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

The proposed subdivision is consistent with the R-2 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling 4.05-acres. The design of the proposed condominium development is consistent with the applicable zoning and the finding has been met.

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

The proposed development on a vacant flat lot will have access to a public street and will provide an appropriately scaled project that provides a transition from the industrial uses to north and the low-density residential neighborhood to the south and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6). 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 twenty-four (24) unit condominium project on a 4.05-acre lot is consistent with the allowable density of 6.1 – 15 dwelling units per acre in the MXD General Plan designation. In addition, the R-2 zone requires 3,000-square feet per dwelling unit which is within the zone density requirement.

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

The proposed Tentative Tract Map for the development of a twenty-four (24) unit condominium complex is located on a flat semi graded lot surrounded by existing urban streets with adequate public utilities serving the lot. The surrounding development includes an industrial park, condominiums, and single-family residences. The proposed 4.05-acre site is not likely to cause environmental damage or substantially and unavoidably harm unique 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 condominium complex includes connections to all public utilities including water and sewer systems. Access to the site parking lots is from Virginia Road and Puerta Del Sol with emergency fire lanes providing pedestrian connections from the development interior to West San Rafael Road.

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

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

## ENVIRONMENTAL ANALYSIS

City Staff has evaluated the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project is categorically exempt from the requirements of CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. The proposed project is categorically exempt because:

1. The project is consistent with the applicable general plan designation and applicable zoning designation;

2. The project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses;
3. The project is not located on sites that have value as habitat for endangered, rare or threatened species;
4. The project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The project can be adequately served by all required utilities and public services.

Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

FINDINGS:

The project as proposed conforms to the development standards for the R-2 zone and is a by-right project. The College Park Specific Plan provides general guidelines for site layout, access, open space, streetscape design and building massing which are met by the proposed development. Based upon this determination, Staff recommends approval of the project subject to Conditions of Approval.



Glenn Mlaker, AICP  
Associate Planner

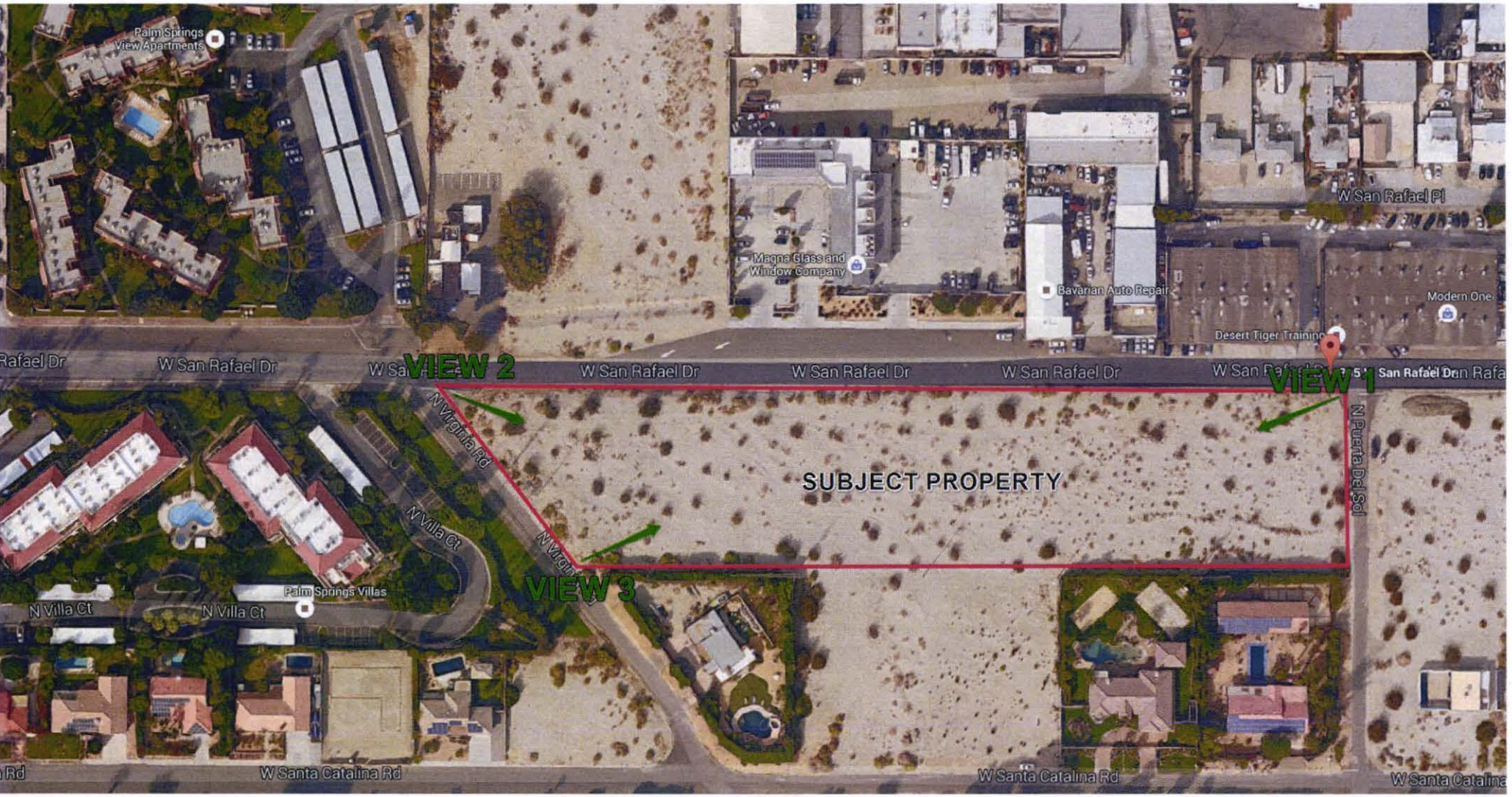


Flinn Fagg, AICP  
Director of Planning Service

Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Justification Letter
5. Minutes of the September 6, 2016 AAC Meeting
6. Site Photos
7. Site Plan
8. Landscape Plan
9. Lighting Plan
10. Site Layout Details
11. Aerial Perspectives
12. Sections
13. Carport Design
14. Image Boards/Materials

- 15. Building Elevations
- 16. Building Sections
- 17. Floor Plan
- 18. Roof Plan
- 19. Community Building Elevation
- 20. Grading Plan
- 21. 3-D Perspectives



**VIEW 1**



**VIEW 2**



**VIEW 3**



# TENTATIVE TRACT MAP NO. 37143 IN THE CITY OF PALM SPRINGS, RIVERSIDE COUNTY FOR CONDOMINIUM PURPOSES

**PROJECT:**  
24 APARTMENT CONDOMINIUMS  
CITY OF PALM SPRINGS, CA

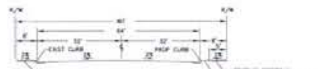
**OWNER:**  
SANA INVESTMENTS  
2024 CORRAL CANYON RD  
MIRALTA, CA 92550  
TEL: 415-328-7445

**LEGAL DESCRIPTION:**  
LOTS 1 THROUGH 8 OF AREA DEL MONTE, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED IN BOOK 16, PAGE 27 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**APN:** 064-19-007-0000-000

**GENERAL NOTES:**

- EXISTING LANE USED AS VACANT
- PROPOSED LANE VAC. AND UNLAWFULLY RESIDENTIAL
- EXISTING ZONING: R2 (MAY 1990)
- PROPOSED ZONING: R2
- GENERAL PLAN LAND USE: MIXED USE (MAY 1990) USE SUBJECT TO COLLECTIVE PARK SPECIFIC PLAN
- LAND IS LOCATED IN ZONING "C" PER FORM MAP NO. 18000000000



**LOT AREA:**  
(EXISTING) 176,345 SF (4.05 AC)  
(LOTS 1 THROUGH 8 OF AREA DEL MONTE, M.S. 18777)

**PROPOSED UNIT AREAS:**

UNIT	AREA (SQ FT)	UNIT	AREA (SQ FT)
1	2024	13	2024
2	1863	14	1863
3	1863	15	1863
4	2024	16	2024
5	1863	17	1863
6	1863	18	1863
7	1863	19	1863
8	2024	20	2024
9	2024	21	2024
10	1863	22	1863
11	1863	23	1863
12	2024	24	2024

**PARKING:**  
46 PARKING SPACES PROPOSED  
STANDARD 3 SPACES  
COMPACT 3 SPACES

**NOTES:**

- UNIT:  
A UNIT CONSISTS OF THE AREA BOUNDED BY THE INTERNAL UNFINISHED SURFACES OF ITS PERIMETER WALLS, CEILING, FLOOR, CEILING, WOODING AND INTERIOR PORTIONS OF WINDOW FRAMES AND TRIM DOORS INCLUDING WOODING, PLUMBING AND INTERIOR PORTIONS OF DOOR FRAMES AND TRIM INCLUDING BOTH THE PORTIONS OF THE BUILDING TO BE DEMOLISHED, AND THE AREA TO BE ENCOMPASSED.
- COMMON AREA:  
THE COMMON AREA CONSISTS OF THE ENTIRE PROPERTY EXCEPT FOR THE UNITS (AS DEFINED ABOVE), AND THE EXCLUSIVE USE COMMON AREAS DESCRIBED BELOW.
- EXCLUSIVE USE COMMON AREAS:  
THOSE PORTIONS OF THE COMMON AREA ENCLOSED BY FENCED AND/OR WALLS WITH ACCESS TO/FROM THE UNITS. DEMONSTRATED ON THIS MAP AND INCLUDES USE COMMON AREAS AND SHALL BE SHOWN AS AN APPROPRIATE TO THE CONVEYANCE ONLY.

**EASEMENT NOTES:**

- AN EASEMENT FOR WATER RELIANT TO PALM VALLEY WATER COMPANY INCORPORATED TO-20-1024 IN PM 100, PG 361, D.R. IS NOT FEASIBLE FROM THE DOCUMENT, AND IS NOT SHOWN HEREON.
- AN EASEMENT FOR PUBLIC UTILITIES, WATERS AND TENDERS TO SOUTHERN CALIFORNIA POWER COMPANY INCORPORATED TO-20-1024 IN PM 100, PG 361, D.R. IS NOT FEASIBLE FROM THE DOCUMENT, AND IS NOT SHOWN HEREON.

**ABBREVIATIONS:**

AC	APPROXIMATE CONCRETE
AD	AREA DRAIN
BM	BOUNDARY MARK
CB	CATCH BASIN
CL	CEILING LIGHT
DN	DRAIN WAY
EX	EXISTING DRIVE
FP	EDGE OF PARKING LOT
FF	FRESH FLOOR
FL	FLOOR LINE
FS	FRESH SURFACE
P/L	PROPERTY LINE
PR	PROPOSED FENCE
SDR	LANDSCAPE DESIGN
TL	TOP OF CURB
TR	TOP OF DRIVE
WW	WALKWAY WIDTH

**BASIS OF BEARINGS:**  
THE COURSE OF SAN RAFAEL ROAD SHOWN AS HEREON ON MAP OF AREA DEL MONTE, RECORDED IN BOOK 16, PAGE 27 OF MAPS, RIVERSIDE COUNTY RECORDS.

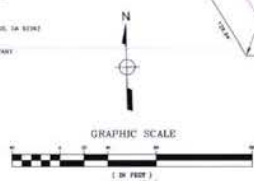
**BENCH MARK:**  
DESIGNED AS A 2" BENCH (SEE STAMPED "TOPS RESET 1987" IN THE SOUTH CORNER OF SAN RAFAEL DRIVE, 147 FT EAST OF TYPICAL SECTION 1).

**UTILITIES:**

- WATER SERVICE PROVIDED BY: DEWET WATER  
1088 S. GLEN AVENUE TRAIL, PALM SPRINGS, CA  
TEL: 760-322-4671
- ELECTRIC SERVICE PROVIDED BY: SOUTHERN CALIFORNIA Edison COMPANY  
TEL: 800-580-7383
- SEWER SERVICE PROVIDED BY: CITY OF PALM SPRINGS  
2008 E. SHERIDAN CIRCLE W, PALM SPRINGS, CA 92262  
TEL: 760-322-6252
- NATURAL GAS SERVICE PROVIDED BY: SOUTHERN CALIFORNIA GAS COMPANY  
2008 E. SHERIDAN CIRCLE W, PALM SPRINGS, CA 92262  
TEL: 800-421-2222
- TELEPHONE SERVICE PROVIDED BY: SOUTHERN CALIFORNIA INC  
TEL: 800-463-3030
- CABLE SERVICE PROVIDED BY: THE WIRELESS CABLE  
TEL: 760-360-7092

**SCHOOL DISTRICT:**

PALM SPRINGS UNIFIED SCHOOL DISTRICT  
TEL: 760-476-8100

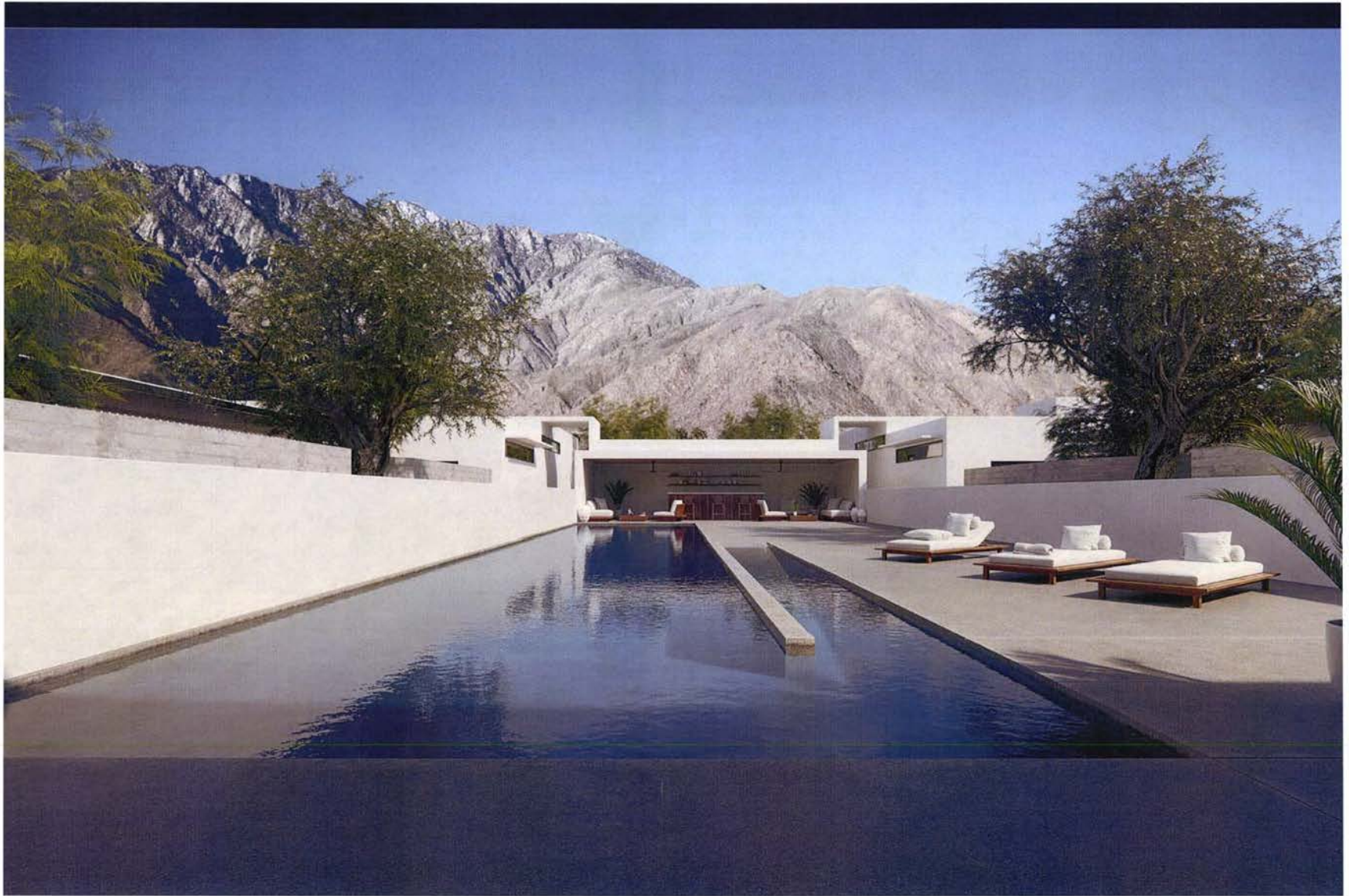


TENTATIVE TRACT MAP NO. 37143  
CITY OF PALM SPRINGS  
FOR CONDOMINIUM PURPOSES  
RIVERSIDE COUNTY, CALIFORNIA  
SHEET 1 OF 1  
SCALE: 1"=40'  
DATE: 4-10-18  
DRAWN BY: JH  
REVISION: JH  
JOB NO.: 18-10



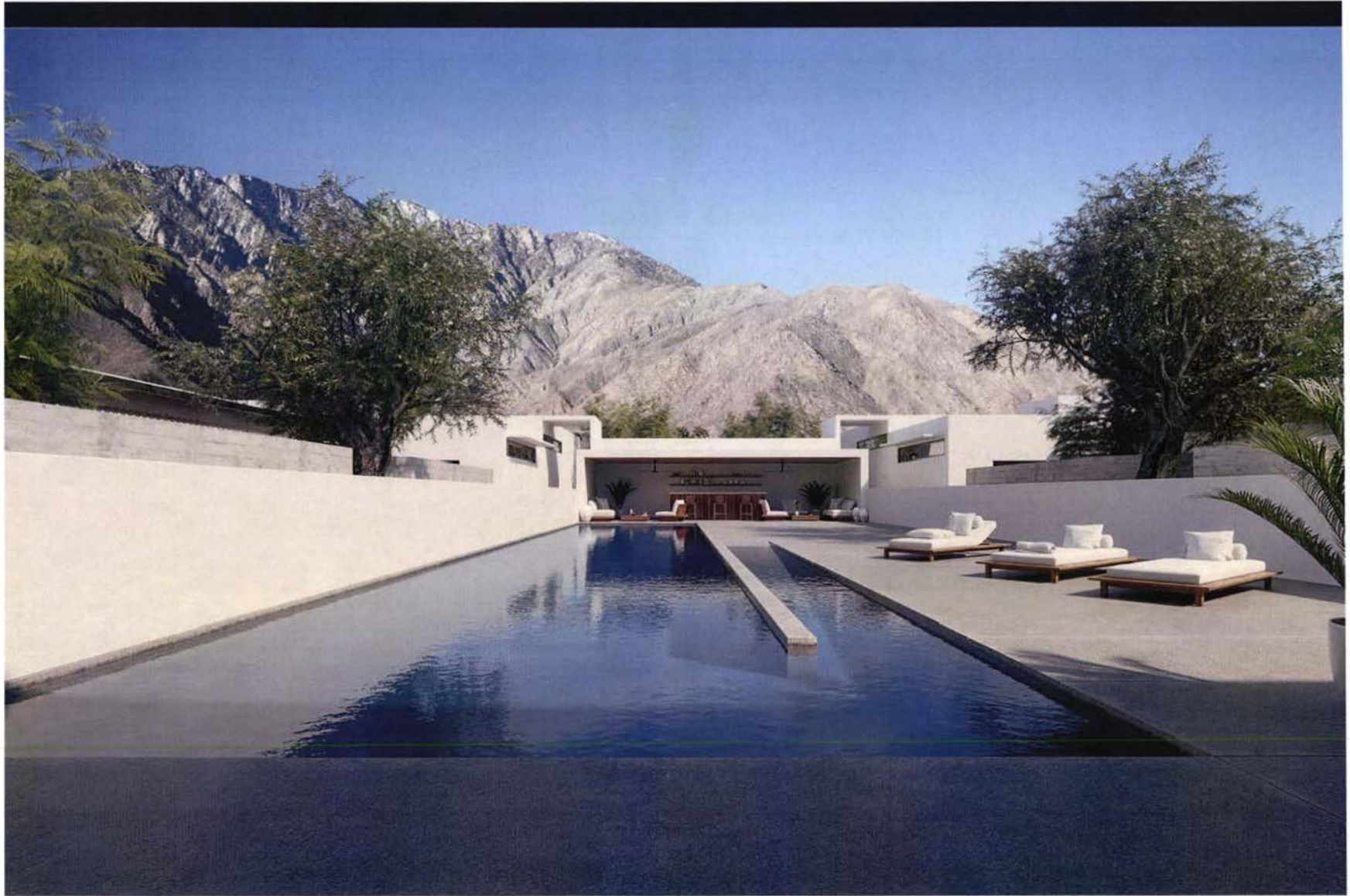




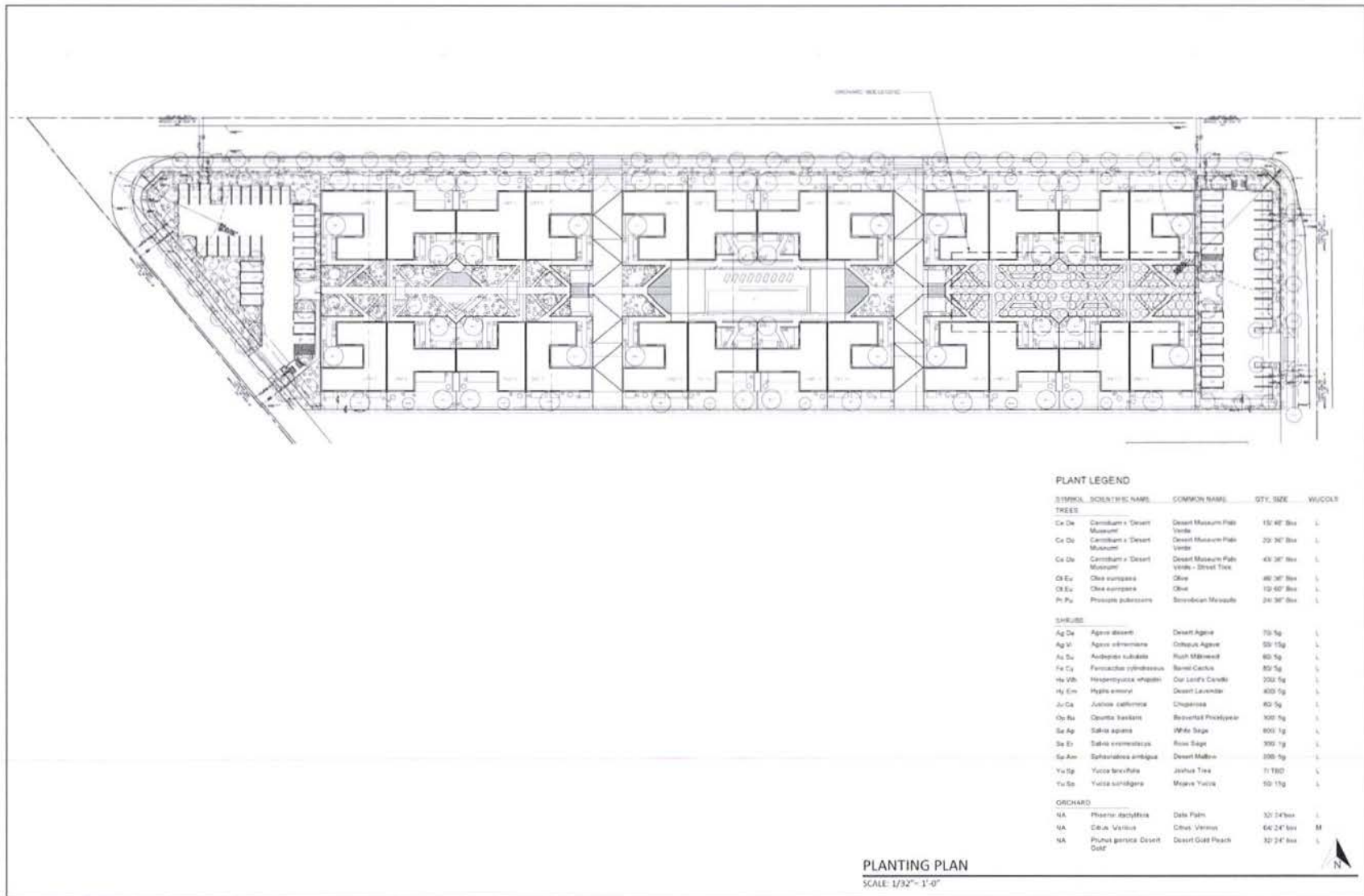










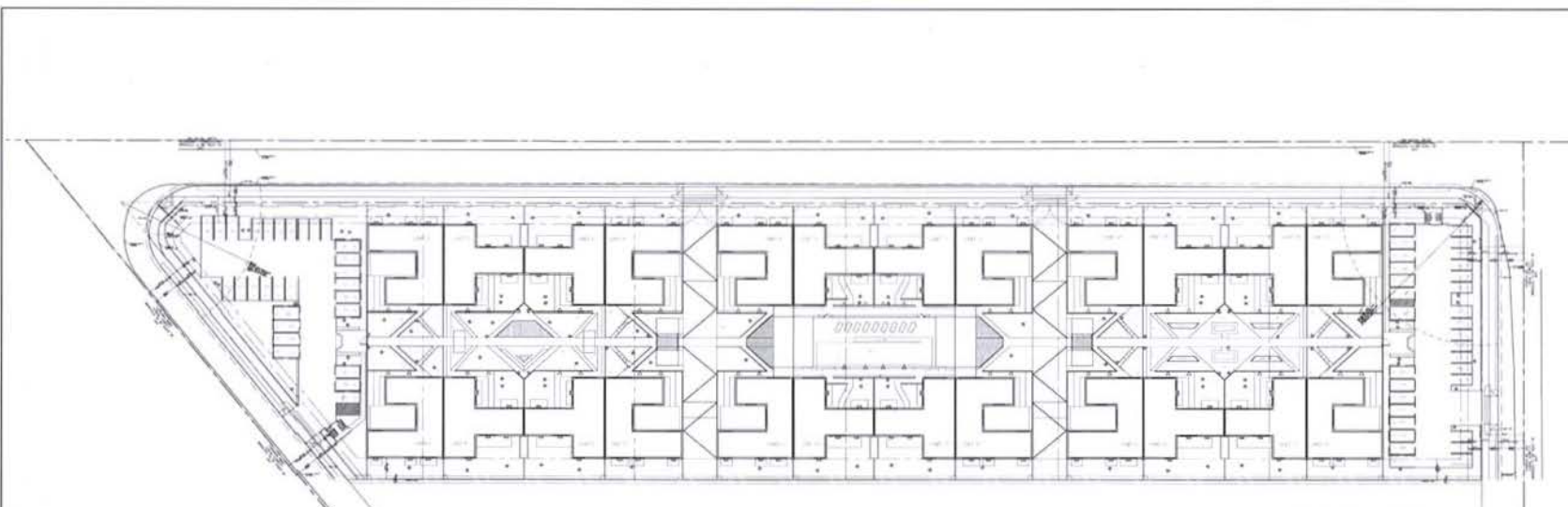


**PLANT LEGEND**

SYMBOL	SCIENTIFIC NAME	COMMON NAME	QTY.	SIZE	WOODS
<b>TREES</b>					
Ce De	Carotium + Desert Museum	Desert Museum Palo Verde	15'	48" Dia	L
Ce De	Carotium + Desert Museum	Desert Museum Palo Verde	29	36" Dia	L
Ce De	Carotium + Desert Museum	Desert Museum Palo Verde - Street Tree	45	36" Dia	L
Ol Eu	Olea europaea	Olive	46	36" Dia	L
Ol Eu	Olea europaea	Olive	12	48" Dia	L
Pr Pa	Prosopis juliflora	Sonoran Mesquite	24	36" Dia	L
<b>SHRUBS</b>					
Ag De	Agave deserti	Desert Agave	75	5g	L
Ag W	Agave schottlandii	Century Agave	55	15g	L
Az Su	Artemisia tridentata	Rush Milkweed	80	5g	L
Fe Cy	Ferocactus cylindricus	Barrel Cactus	85	5g	L
He Wb	Hesperoyucca whipplei	Our Lord's Candle	250	5g	L
Hg Em	Hydrig. emeryi	Desert Lavender	400	5g	L
Ju Ca	Jatropha caryocarpa	Chuparosa	40	5g	L
Os Pa	Opuntia basilaris	Balsamroot Pricklypear	100	5g	L
Sa Ap	Salsola arbuscula	White Sage	400	1g	L
Sa Et	Salsola elaeagnifolia	Rock Sage	300	1g	L
Sa Am	Sphaeralcea ambigua	Desert Maline	350	5g	L
Yu Sp	Yucca brevifolia	Joshua Tree	11	180"	L
Yu Sp	Yucca elaeagnifolia	Moapa Yucca	50	15g	L
<b>ORCHARD</b>					
NA	Phoenix dactyloides	Date Palm	10	24" Dia	L
NA	Citrus aurantium	Citrus Vermo	64	24" Dia	M
NA	Prunus germanica Desert Gold	Desert Gold Peach	32	24" Dia	L

**PLANTING PLAN**  
SCALE: 1/32" = 1'-0"





**3500 K OUTDOOR LANTERN**

**3500 K OUTDOOR LANTERN**

Model: 11200A230

Material: Textured Arch Bronze

LED Lamp: 10W

Voltage: 120V/277V

Lumens: 300

**KICHLER**

**Highlight Outdoor Illumination**

**Highlight Outdoor Illumination**

Model: PS-5023-MH-11218

Material: Satin Brass

LED Lamp: 7W

Voltage: 120V/15V

Lumens: 210

**KICHLER**

**Architect's Path Up Light**

**Architect's Path Up Light**

Model: PS-5023-MH-11218

Material: Satin Brass

LED Lamp: 12V AC

Light Spread: 48"

Lumens: 40

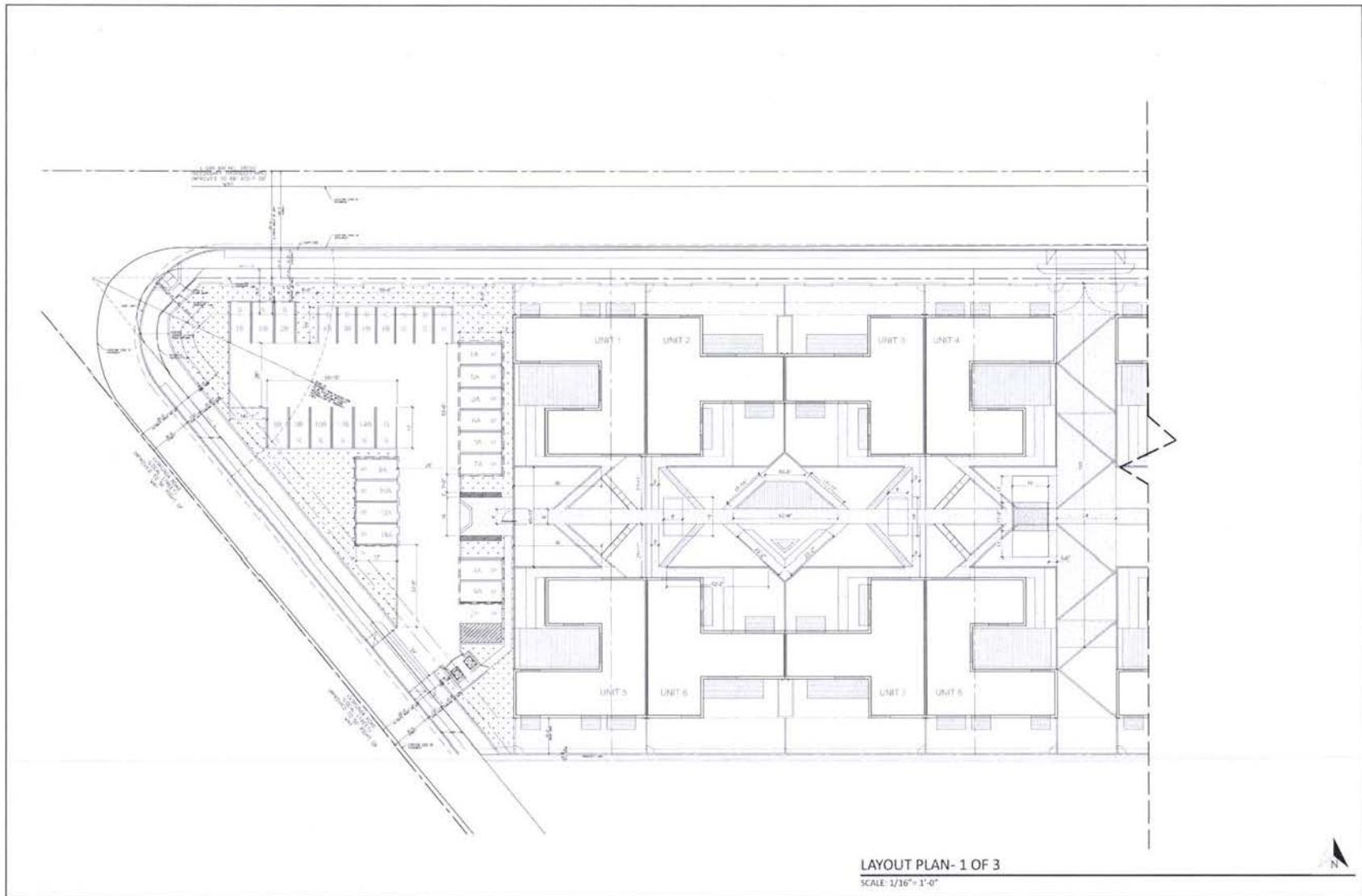
**KICHLER**

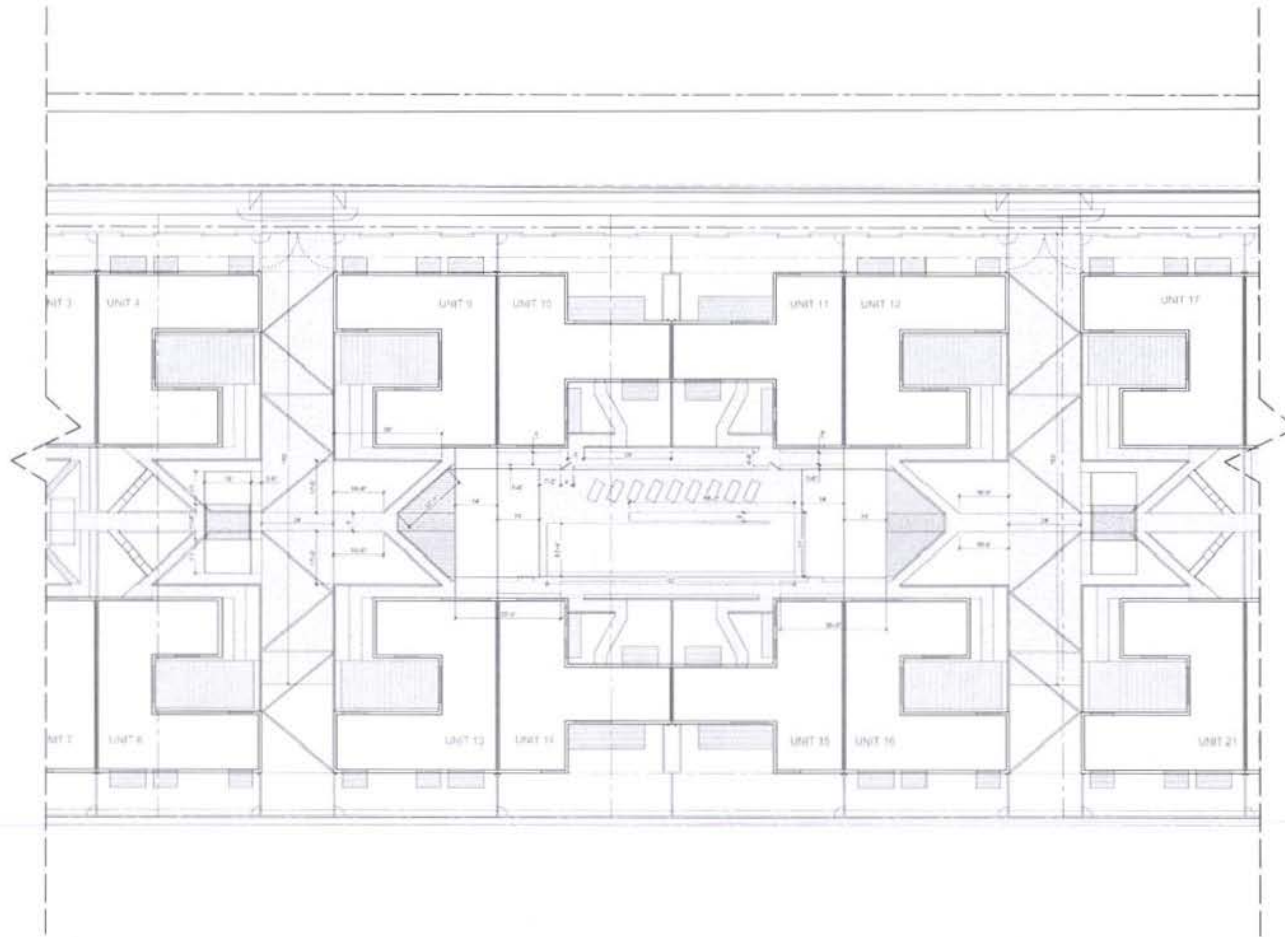
**LIGHTING LEGEND**

SYMBOL	LIGHT FEATURE INFORMATION	QTY.
■	KICHLER 3500 K OUTDOOR LANTERN MODEL: 11200A230 MATERIAL: TEXTURED ARCH BRONZE LED LAMP: 10W VOLTAGE: 120V/277V LUMENS: 300	34
●	ARCHITECT'S PATH UP LIGHT MODEL: PS-5023-MH-11218 MATERIAL: SATIN BRASS LED: 12V AC ELECTRICAL: 12V AC LIGHT SPREAD: 48" LUMENS: 40	135
△	SP/IN-GROUND LIGHTS MODEL: PS-5023-MH-11218 ENGINE: # PS-5023-MH-11218 MATERIAL: SATIN BRASS LED: 7W ELECTRICAL: 12V-15V LUMENS: 210	48

**LIGHTING PLAN**  
SCALE: 1/32" = 1'-0"

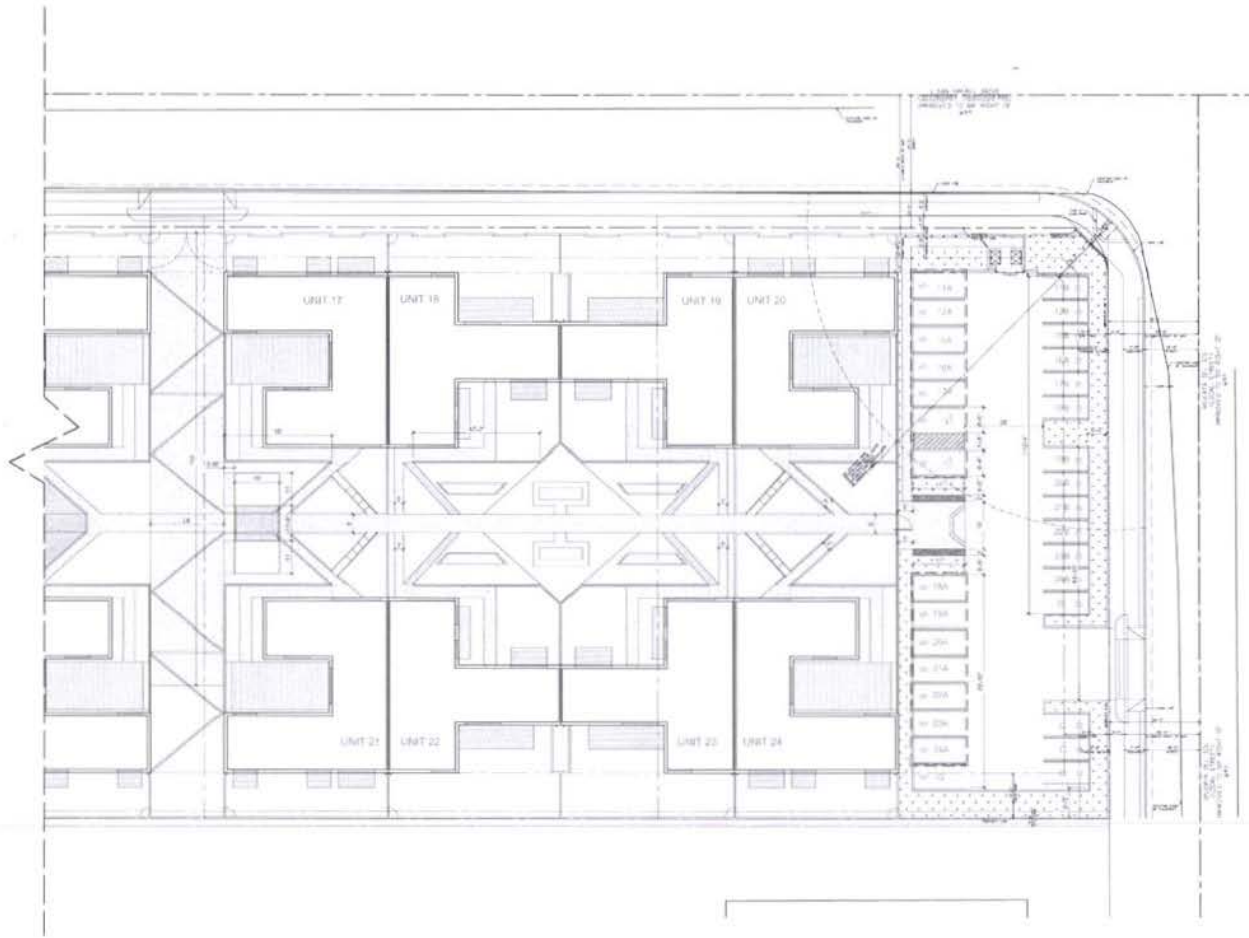






LAYOUT PLAN- 2 OF 3  
SCALE: 1/16" = 1'-0"





LAYOUT PLAN- 3 OF 3  
SCALE: 1/16" = 1' 0"



N VIRGINIA RD

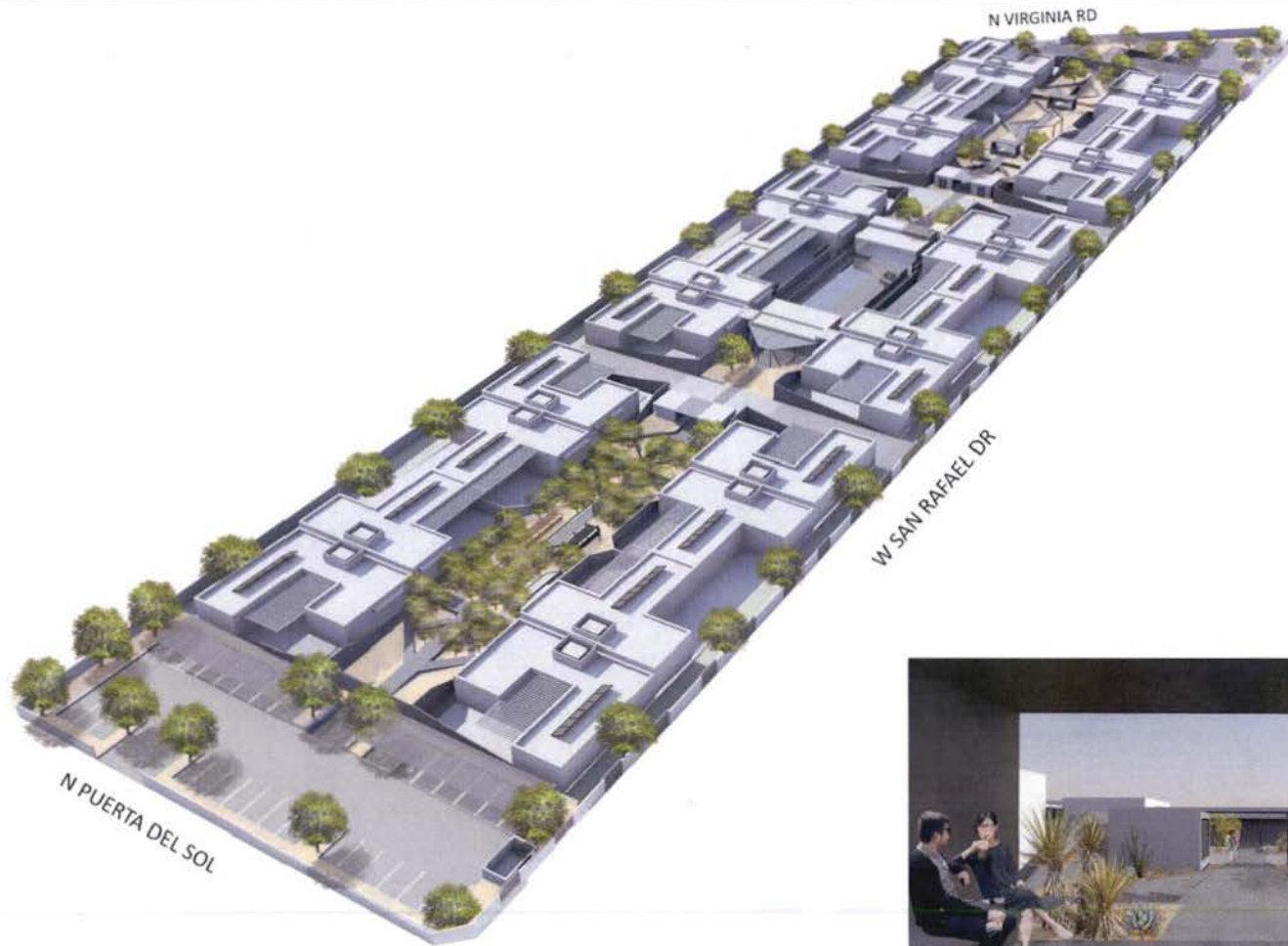
AERIAL PERSPECTIVE LOOKING NORTH EAST



PERSPECTIVE AT MAIN PATHWAY

**VIEWS**

NOTE: RENDERING IS FOR VISUAL REFERENCE ONLY. RENDERING MAY NOT REFLECT UPDATED DESIGN.



AERIAL PERSPECTIVE LOOKING SOUTH WEST



PERSPECTIVE AT WALKTHROUGH SCULPTURE

VIEWS

NOTE: RENDERINGS ARE FOR VISUAL REFERENCE ONLY. RENDERINGS MAY NOT REFLECT EXACT DESIGN.



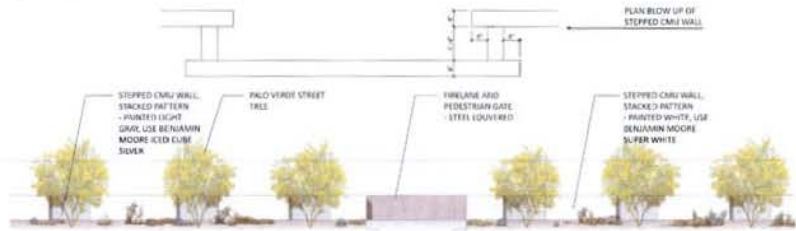
A PERSPECTIVE AT N VIRGINIA RD



C PERSPECTIVE AT W SAN RAFAEL DR



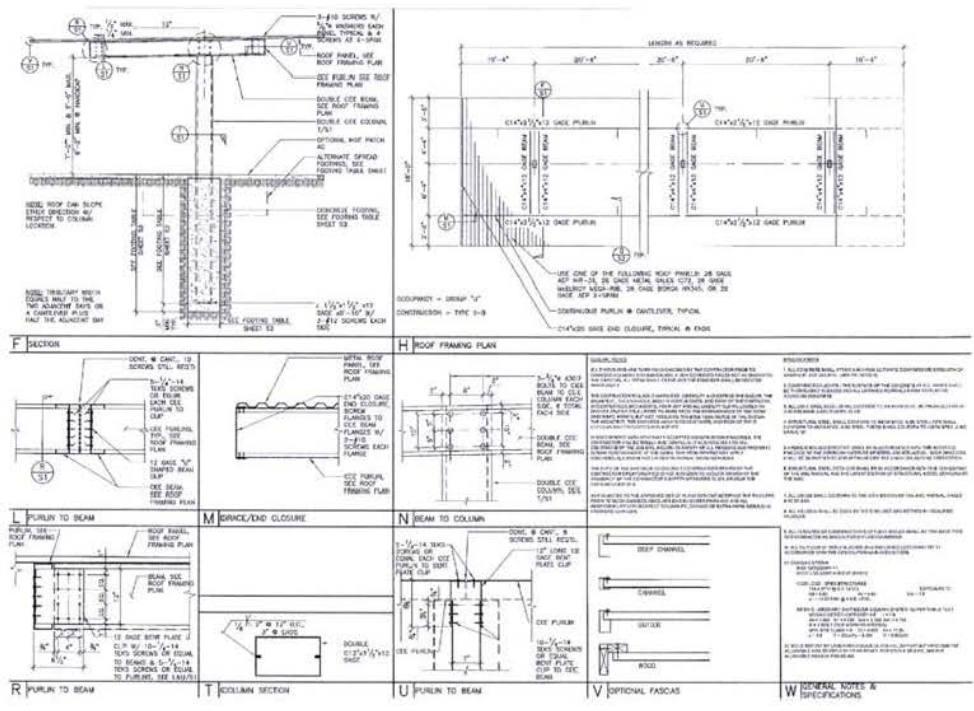
B PERSPECTIVE AT PUERTA DEL SOL



D ELEVATION OF WALL AT SAN RAFAEL

**STREET VIEWS**

NOTE: RENDERINGS ARE FOR VISUAL REFERENCE ONLY. RENDERINGS MAY NOT REFLECT UPDATED DESIGN



CARPOT SPECS

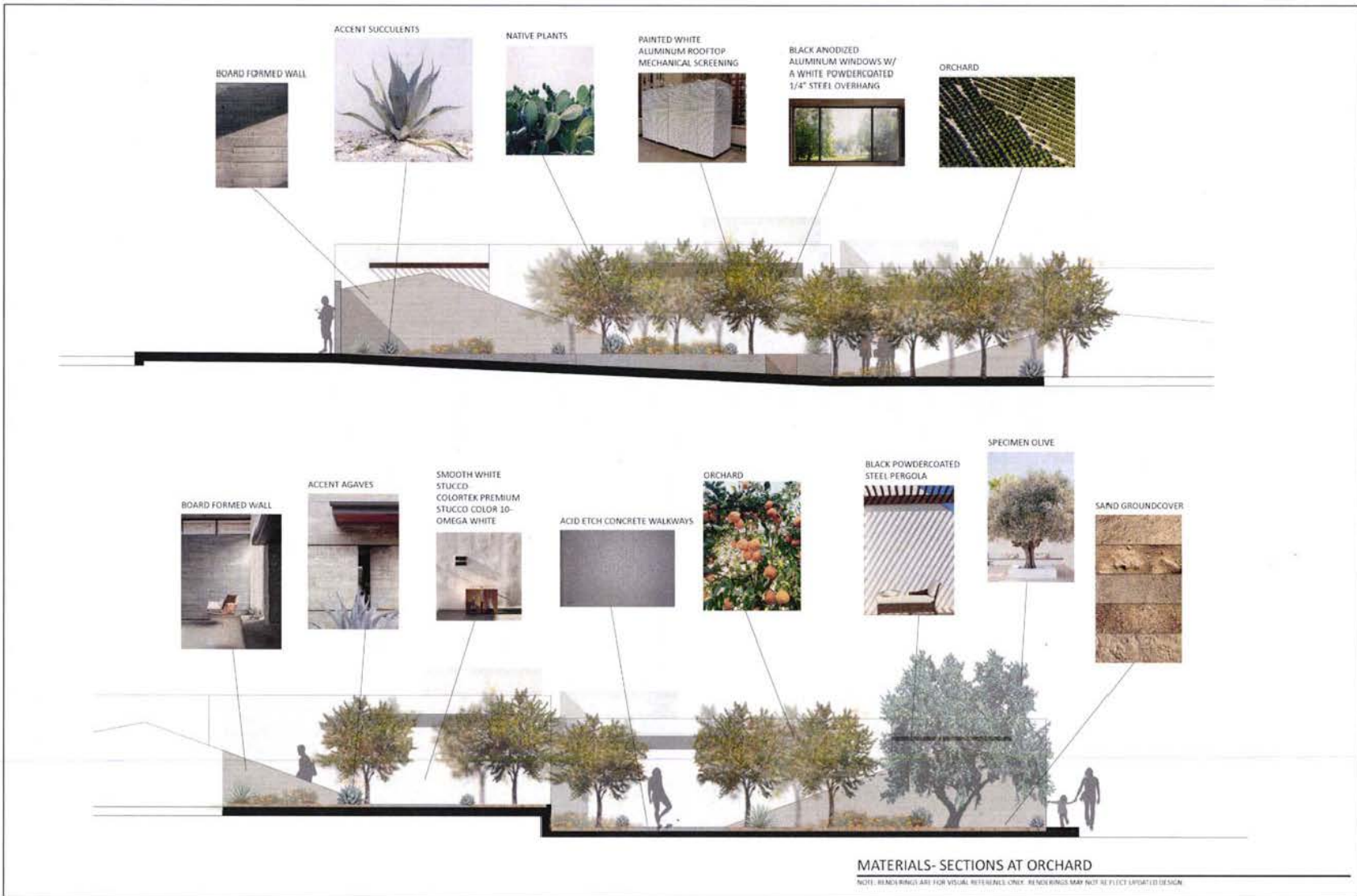


CARPOT REFERENCE IMAGES

CARPOTS FROM VALLEY CARPOTS- SINGLE POST DESIGN





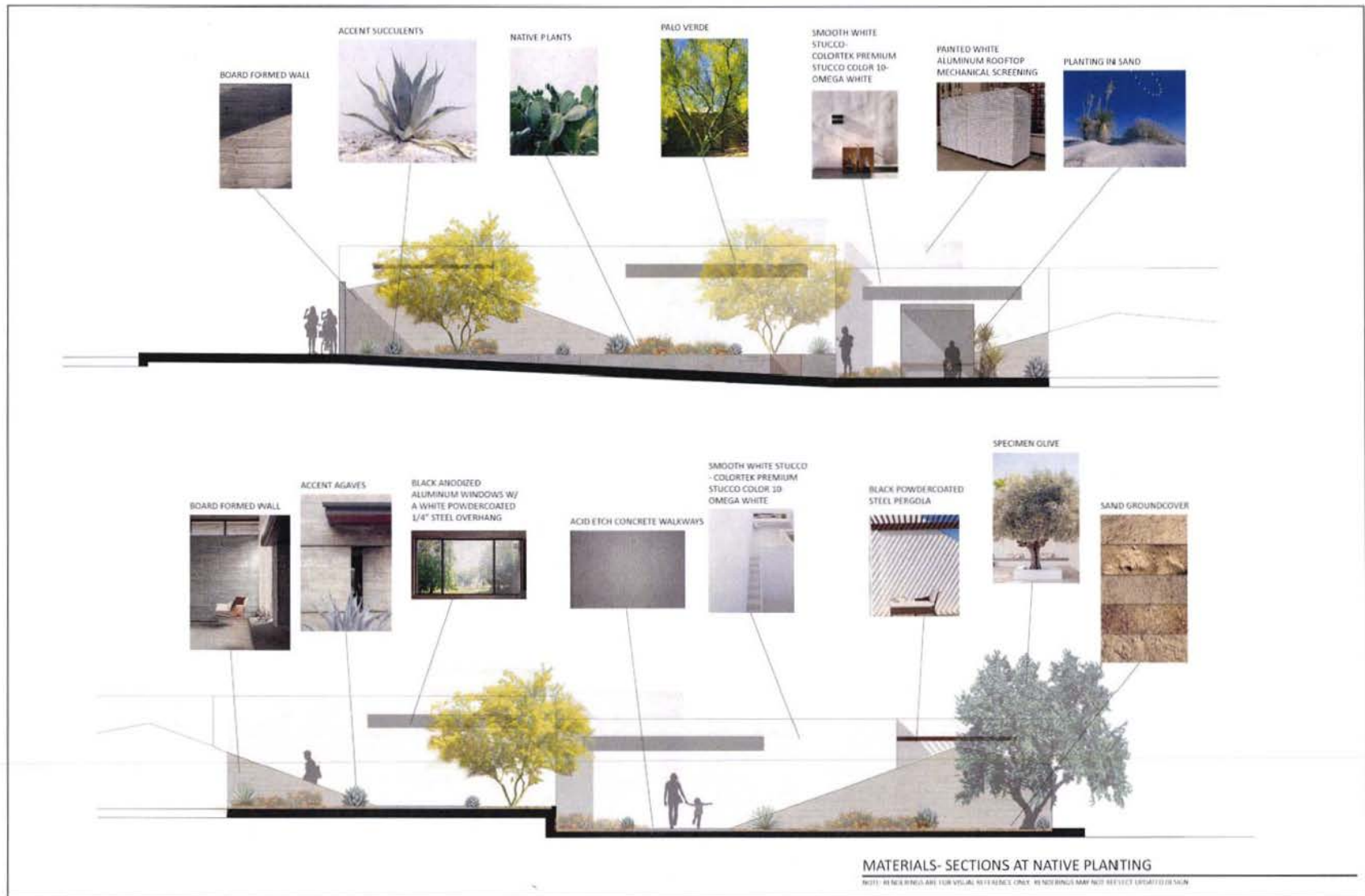


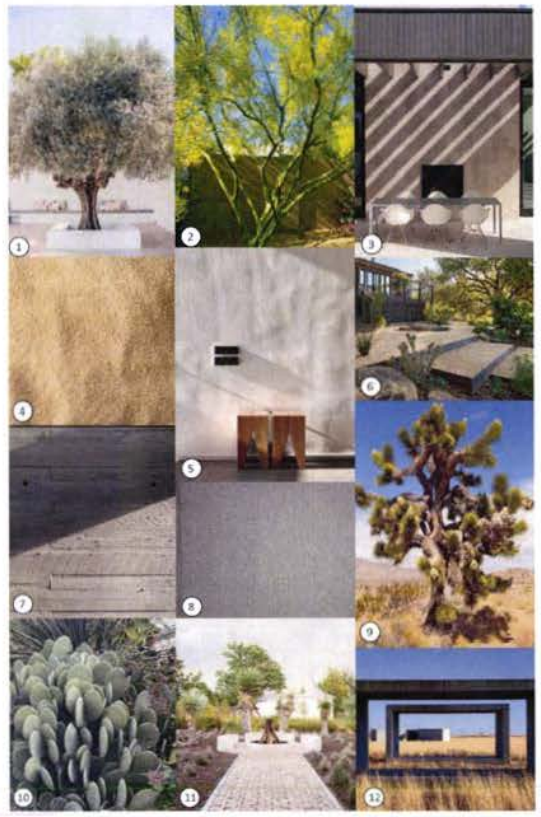
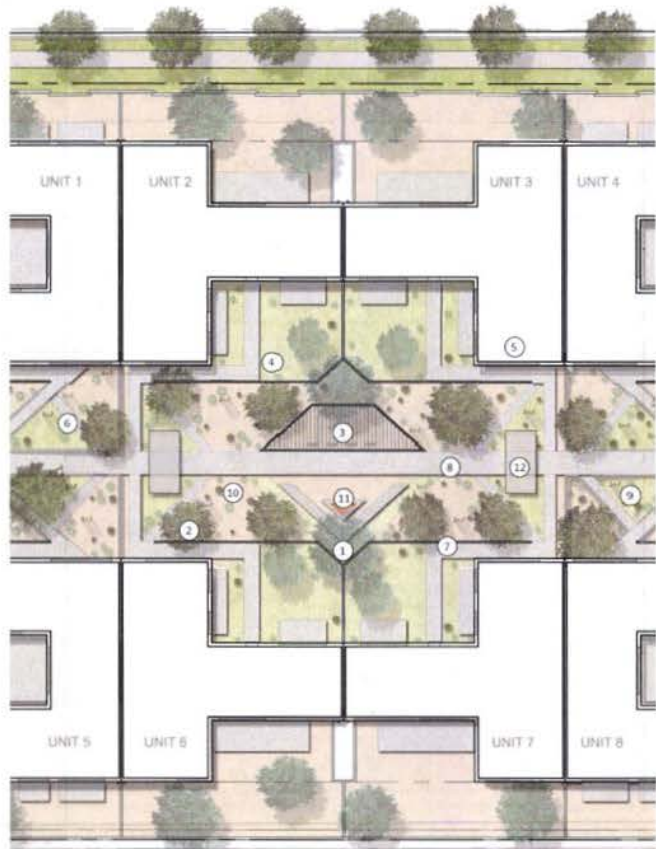


1. SPECIMEN OLIVES
2. SPECIMEN PALO VERDE
3. LARGE COMMUNAL TABLE
4. SAND GROUNDCOVER
5. SMOOTH WHITE STUCCO BUILDINGS- COLORTEK PREMIUM STUCCO COLOR 10 OMEGA WHITE
6. STEEL RETAINING STEPS
7. BOARD FORM SCREEN WALLS
8. ACID ETCH CONCRETE WALKWAYS
9. JOSHUA TREE
10. NATIVE PLANTING
11. RAISED VEGETABLE BEDS
12. PRODUCTIVE ORCHARD

**LANDSCAPE MATERIALS- PLAN**

NOTE: RENDERINGS ARE FOR VISUAL REFERENCE ONLY. RENDERINGS MAY NOT REFLECT LIMITED DESIGN.

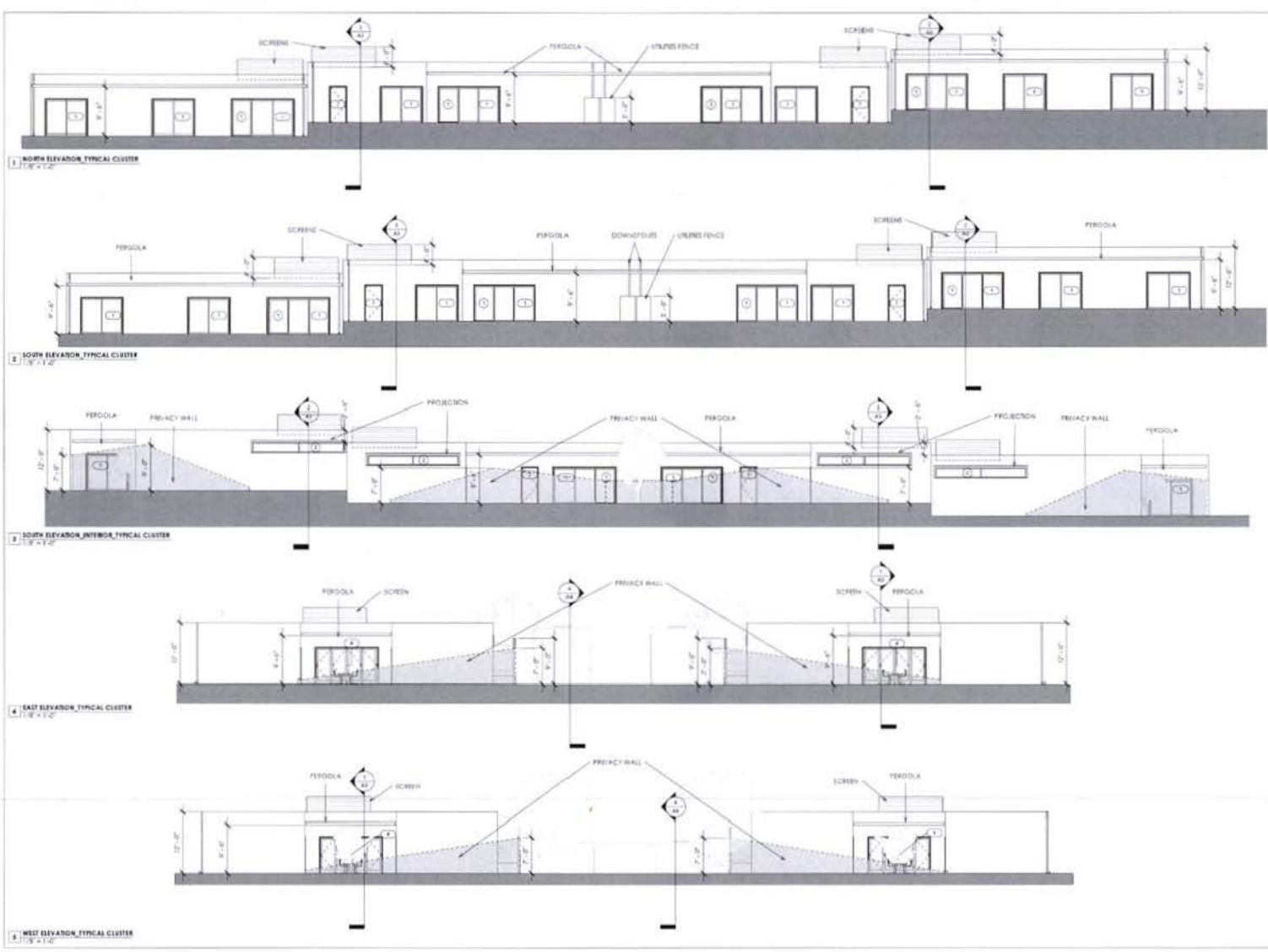




1. SPECIMEN OLIVES
2. SPECIMEN PALO VERDE
3. BLACK POWDER COATED STEEL PERGOLA
4. SAND GROUNDCOVER
5. SMOOTH WHITE STUCCO BUILDINGS- COLORTEK PREMIUM STUCCO COLOR 10 OMEGA WHITE
6. STEEL RETAINING STEPS
7. BOARD FORM SCREEN WALLS
8. ACID ETCH CONCRETE WALKWAYS
9. JOSHUA TREE
10. NATIVE PLANTING
11. LARGE COMMUNAL FIRE PIT
12. WALKTHROUGH PORTAL

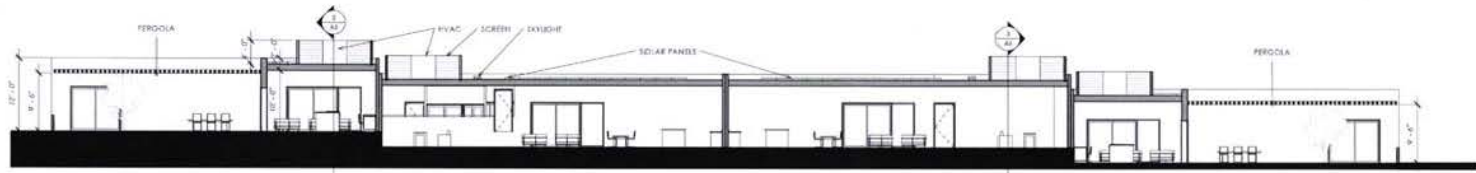
**LANDSCAPE MATERIALS- PLAN**

NOTE: ALL PAINT FINISHES ARE FOR VISUALIZATION ONLY. BE NEARBY TO SEE ALL FINISHES IN PERSON.

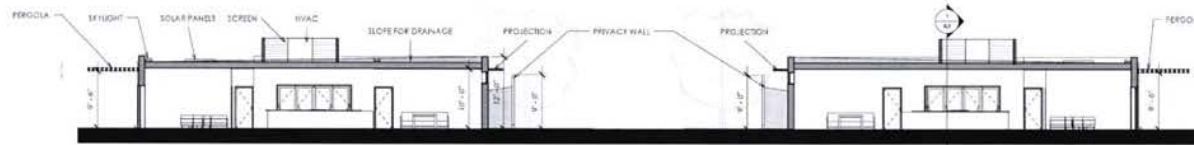


**ELEVATIONS**  
 305 W. SERRAVALLE, PALM SPRINGS, CA 92262

A2



1 SECTION 1 TYPICAL CLUSTER  
15'-11.0"



2 SECTION 2 TYPICAL CLUSTER  
17'-8"-11.0"

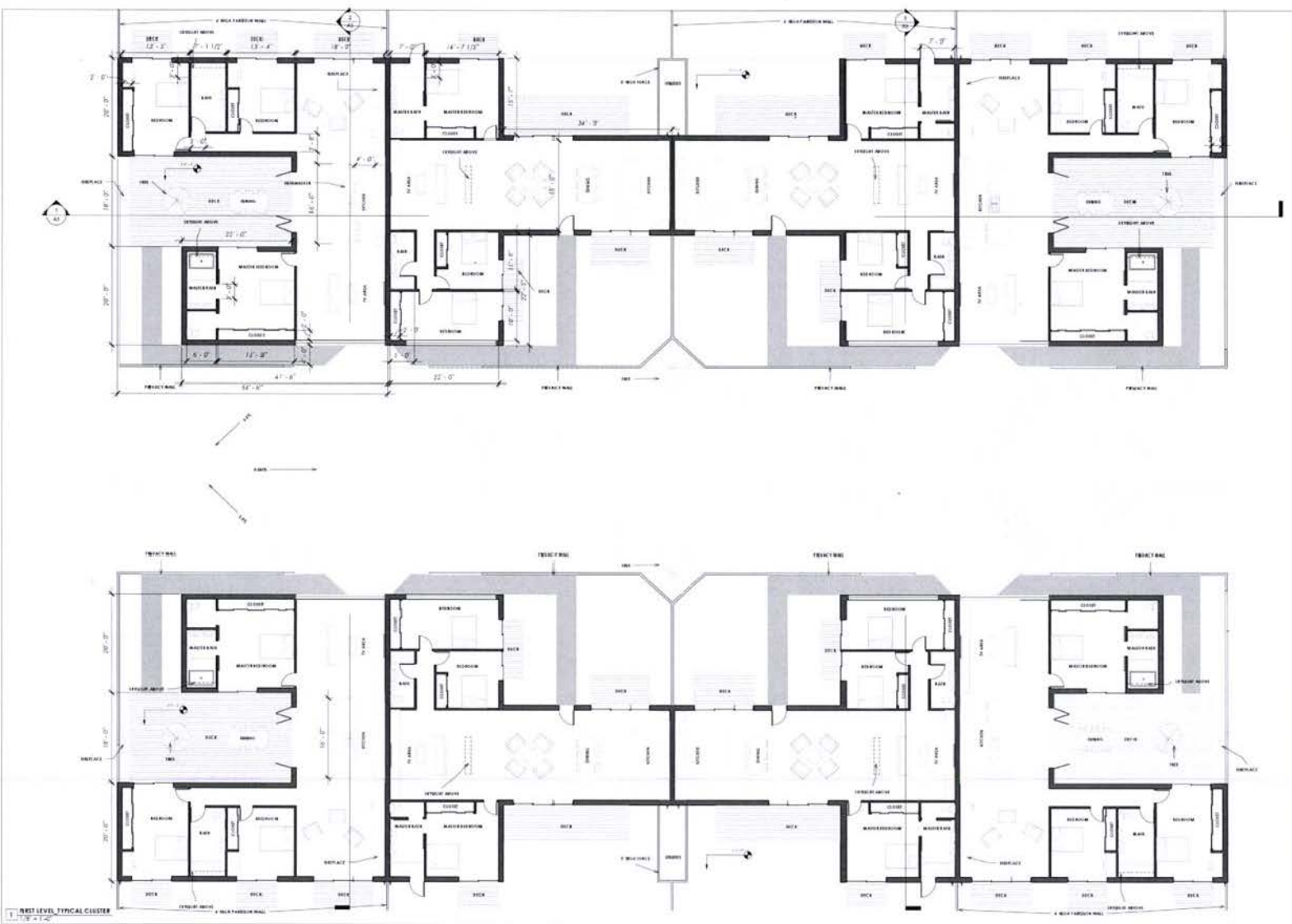


3 SECTION 3 TYPICAL CLUSTER  
14'-11.0"

SECTIONS

305 W. SAN RAFAEL, PALM SPRINGS, CA 92262

A3

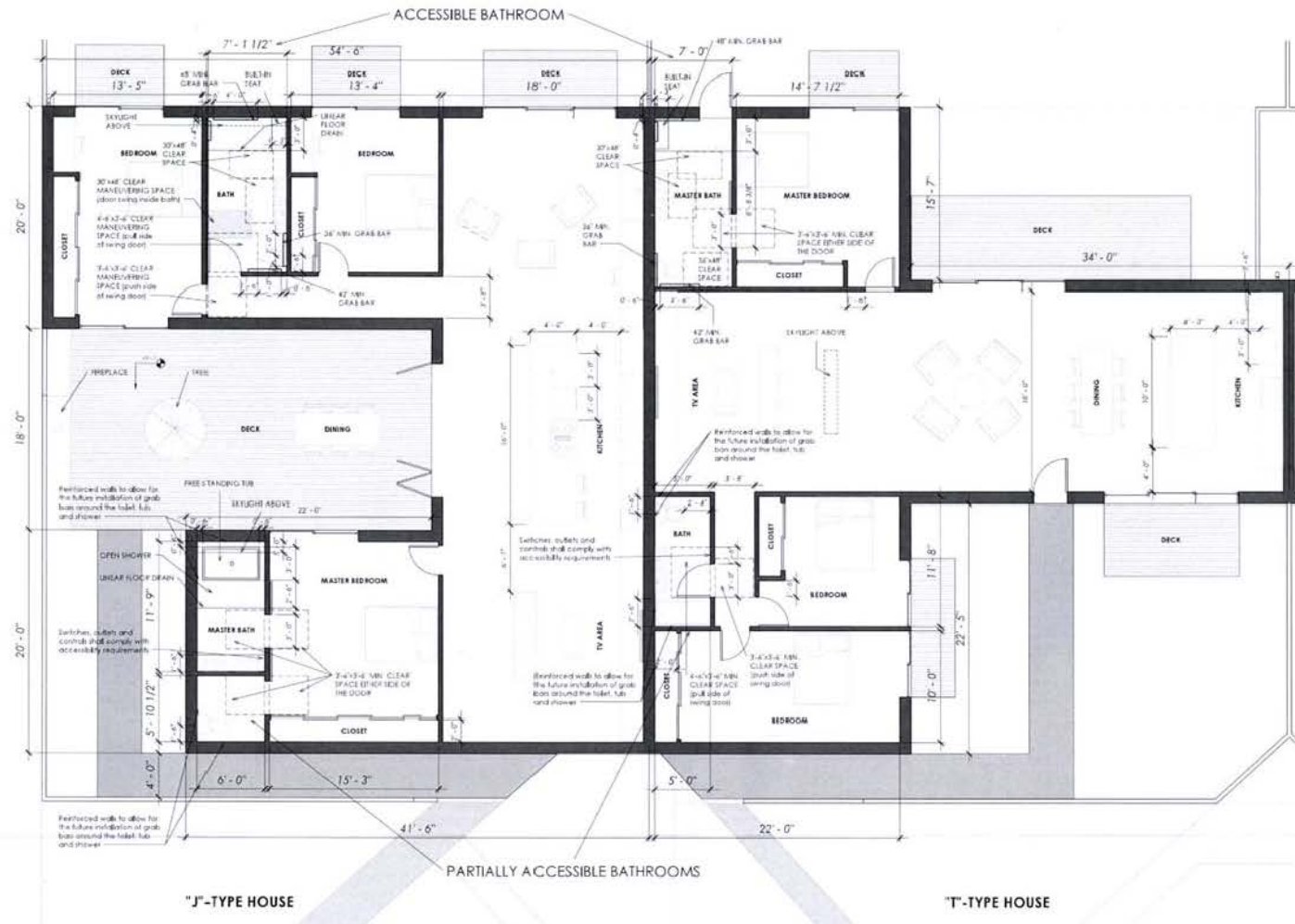


1 FIRST LEVEL TYPICAL CLUSTER

FIRST LEVEL PLAN\_TYPICAL  
305 W. SAN RAFAEL PALM SPRINGS, CA 92262

A1.1

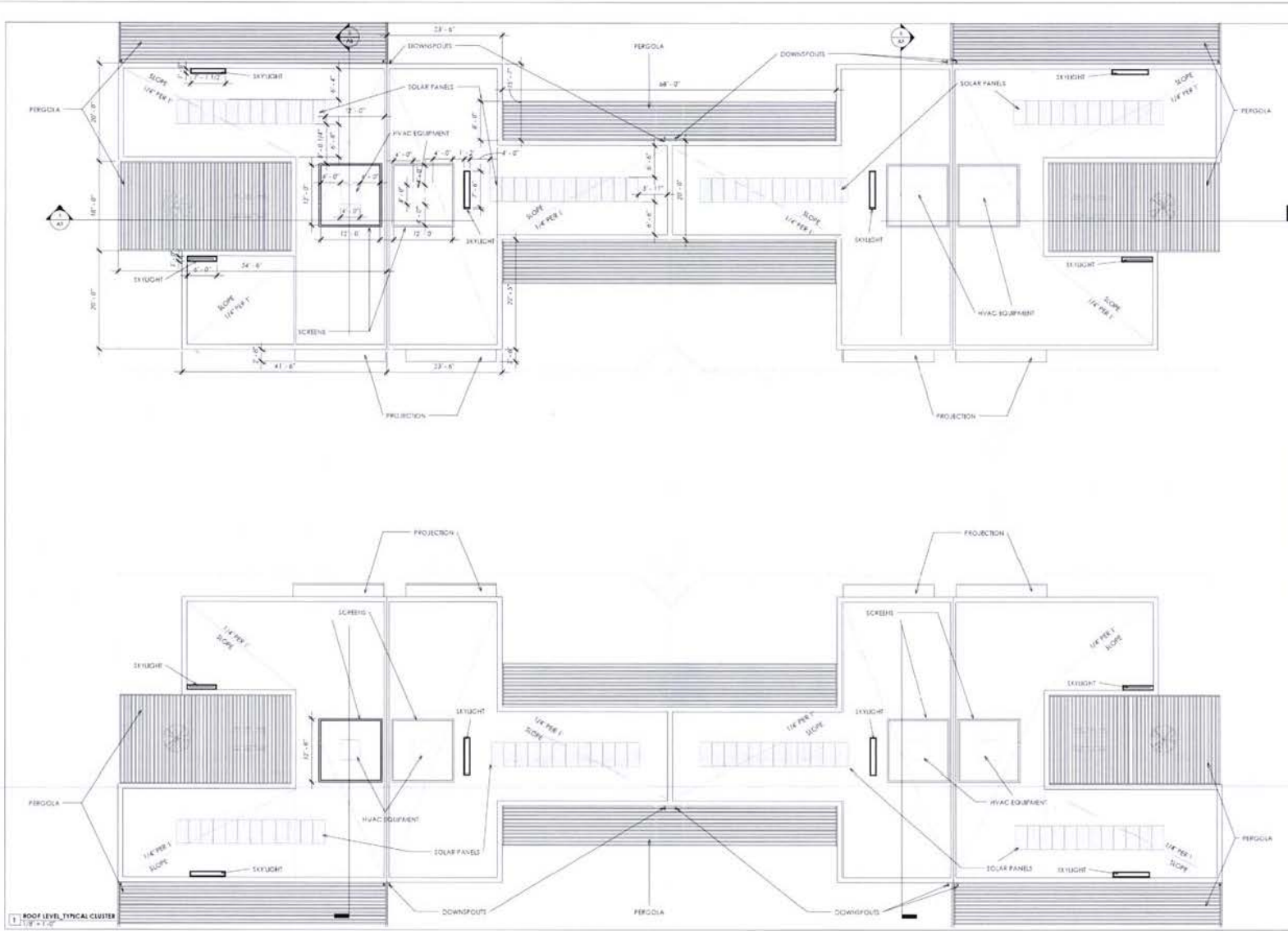




**ADA REQUIREMENTS**  
 305 W. SAN RAFAEL, PALM SPRINGS, CA 92262

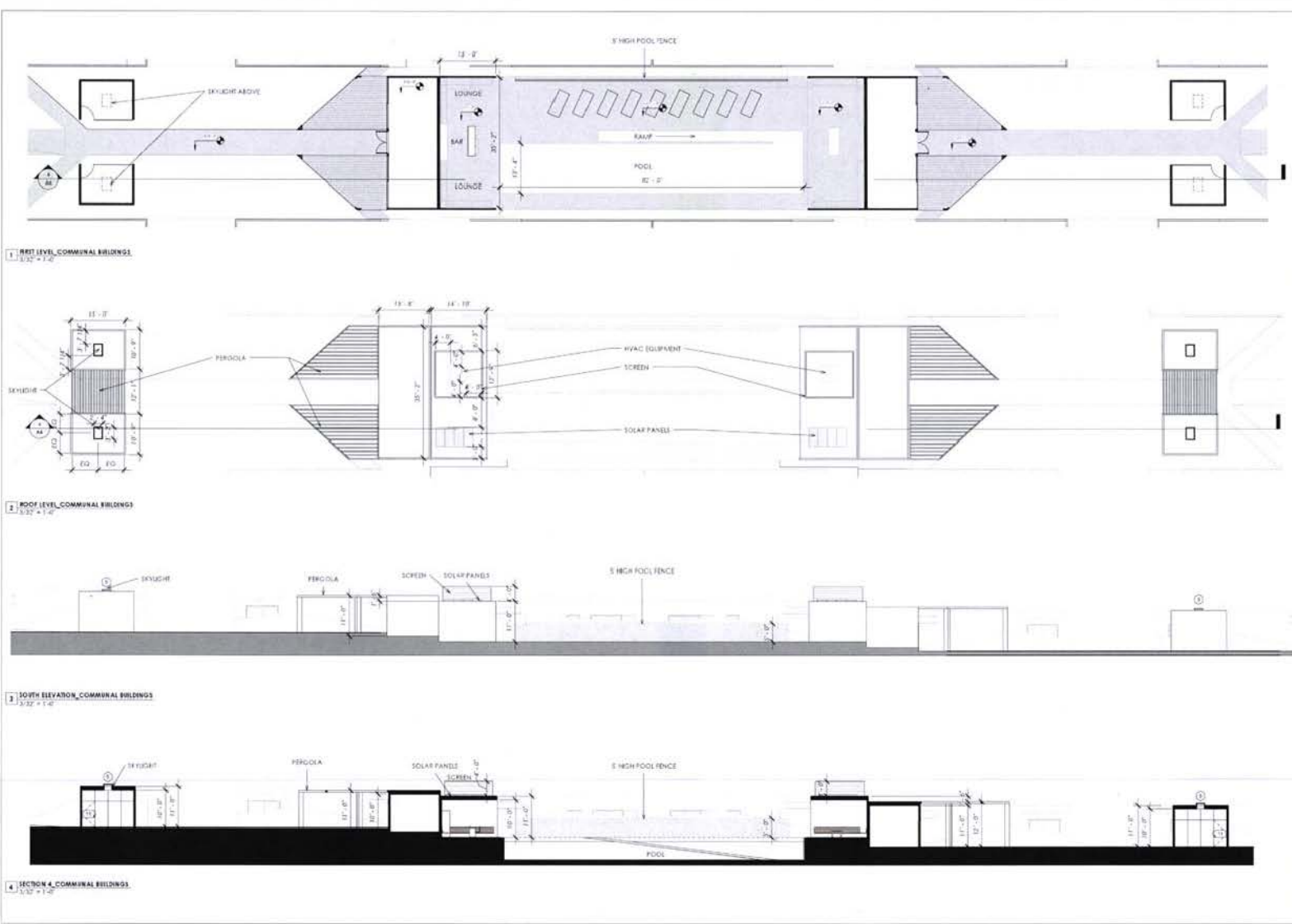
A1.2

1 ADA REQUIREMENTS\_TYPICAL CLUSTER  
 10-1-12



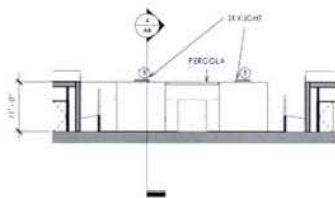
**ROOF LEVEL PLAN\_TYPICAL**  
 305 W SAN RAFAEL PALM SPRINGS, CA 92262

A1.3

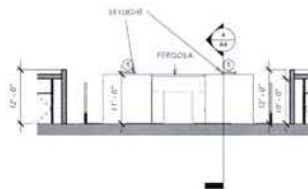


**COMMUNAL BUILDINGS**  
 305 W. SAN RAFAEL, PALM SPRINGS, CA 92262

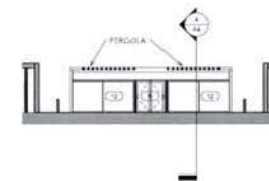
A4



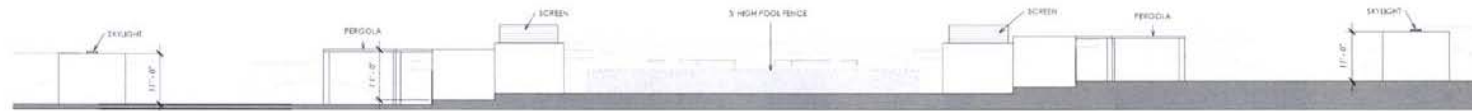
1 EAST ELEVATION\_COMMUNAL BUILDINGS  
3/32 = 1/4"



2 WEST ELEVATION\_COMMUNAL BUILDINGS  
3/32 = 1/4"



3 WEST ELEVATION 2\_COMMUNAL BUILDINGS  
3/32 = 1/4"



4 NORTH ELEVATION\_COMMUNAL BUILDINGS  
3/32 = 1/4"

COMMUNAL BUILDINGS  
305 W. SAN RAFAEL, PALM SPRINGS, CA 92262

A4.1





