



CITY COUNCIL STAFF REPORT

DATE: January 4, 2017

PUBLIC HEARING

SUBJECT: APPEAL BY SUMMIT LAND PARTNERS, LLC, OF THE PLANNING COMMISSION ACTION TO DENY A PLANNED DEVELOPMENT DISTRICT APPLICATION, VESTING TENTATIVE TRACT MAP APPLICATION, AND A MAJOR ARCHITECTURAL APPLICATION FOR THE DEVELOPMENT OF A 90-LOT SINGLE-FAMILY SUBDIVISION ON A 13.28 ACRE PARCEL AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE, ZONE R-3 (CASE NO. 5.1384-PD 381/VTTM 36969).

FROM: David H. Ready, City Manager

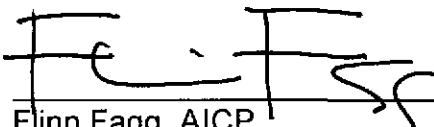
BY: Department of Planning Services

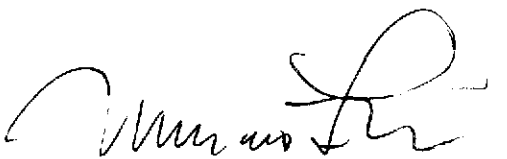
SUMMARY

On September 14, 2016, the Planning Commission denied an application for the Canyon View development, a 90-lot single-family subdivision at the southwest corner of E. Palm Canyon Drive and Matthew Drive. The applicant filed an appeal of the action on September 29, 2016, and requested a hearing on the matter. The hearing date was originally scheduled for the November 2, 2016 City Council meeting; however, the applicant requested a 45-day continuance to the January 4, 2017 meeting date. The applicant has now submitted a second continuance request to the February 1, 2017 City Council meeting date.

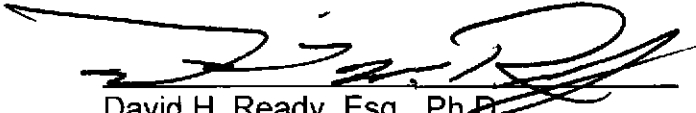
RECOMMENDATION:

1. Table the public hearing with no public testimony at this time.
2. Continue the Public Hearing to February 1, 2017.
3. Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.


Flinn Fagg, AICP
Director of Planning Services


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

ITEM NO. 2.B.



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

Attachments:

1. Continuation request from Applicant
2. Public Hearing Notice

RECEIVED
CITY OF PALM SPRINGS

2016 DEC -8 PM 4: 25

JAMES THOMPSON
CITY CLERK

December 7, 2016

VIA E-MAIL & U.S. MAIL

Mr. James Thompson, City Clerk
Mr. Flinn Fagg, Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

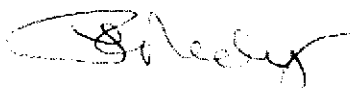
Re: Request to Continue the Appeal of the Planning Commission's Denial of the Canyon View Project

Dear Msrs. Thompson and Fagg:

Summit Land Partners ("**Summit**") has submitted an application for approval of the Canyon View Preliminary Planned Development District, Vesting Tentative Tract Map and Major Architectural Review (Case No. 5.1384-PD 381/VTTM 36969/MAJ 3.3902) ("**Project**") on behalf of the property owner, EHO Fund II Acquisition, LLC ("**Property Owner**"). On September 14, 2016, the Planning Commission reviewed and denied the Project. Summit and the Property Owner filed a timely appeal of the Planning Commission's denial on September 29, 2016, and the City Clerk scheduled the appeal hearing for the November 2, 2016, City Council meeting. Per Summit's request, the City subsequently continued the appeal hearing to the January 4, 2017, City Council meeting.

Summit hereby requests a further continuance of the appeal hearing to the February 1, 2017, City Council meeting. Please confirm that City staff will request and support the continuance at the currently scheduled hearing date, and please feel free to contact me if you have any questions regarding this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rhonda Neely".

Rhonda Neely

cc: David H. Ready, Esq., Ph.D., City Manager*
Kathleen D. Hart, MMC, Chief Deputy City Clerk*
Douglas C. Holland, City Attorney*
Michael S. Daudt, Assistant City Attorney*

*via email only



City of Palm Springs

Office of the City Clerk

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: 760.323.8204 • Fax: 760.322.8332 • TDD 760.864.9527 • www.palmspringsca.gov

NOTICE OF CONTINUANCE

NOTICE IS HEREBY GIVEN that the Regular Meeting held on November 2, 2016, the City Council continued Public Hearing Item No. 2.C. to January 4, 2017:

APPEAL BY SUMMIT LAND PARTNERS, LLC OF THE PLANNING COMMISSION ACTION TO DENY A PLANNED DEVELOPMENT DISTRICT APPLICATION, VESTING TENTATIVE TRACT MAP APPLICATION, AND A MAJOR ARCHITECTURAL APPLICATION FOR THE DEVELOPMENT OF A 90-LOT SINGLE-FAMILY SUBDIVISION ON A 13.28 ACRE PARCEL AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE:

ACTION: 1) Table the public hearing with no public testimony at this time; 2) Continue the public hearing to January 4, 2017; and 3) Direct the City Clerk to post a Notice of Public Hearing pursuant to law..

Approved on a majority roll call vote (4-0-1, Mills absent).

I, James Thompson, City Clerk of the City of Palm Springs, California, certify this Notice of Continuance was posted at or before 6:00 p.m. on November 3, 2016, as required by established policies and procedures.


JAMES THOMPSON
City Clerk

/kdh



CITY COUNCIL STAFF REPORT

DATE: November 2, 2016

PUBLIC HEARING

SUBJECT: APPEAL BY SUMMIT LAND PARTNERS, LLC, OF THE PLANNING COMMISSION ACTION TO DENY A PLANNED DEVELOPMENT DISTRICT APPLICATION, VESTING TENTATIVE TRACT MAP APPLICATION, AND A MAJOR ARCHITECTURAL APPLICATION FOR THE DEVELOPMENT OF A 90-LOT SINGLE-FAMILY SUBDIVISION ON A 13.28 ACRE PARCEL AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE, ZONE R-3 (CASE NO. 5.1384-PD 381/VTTM 36969).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

On September 14, 2016, the Planning Commission denied an application for the Canyon View development, a 90-lot single-family subdivision at the southwest corner of E. Palm Canyon Drive and Matthew Drive. The applicant filed an appeal of the action on September 29, 2016, and requested a hearing on the matter. In subsequent correspondence with the applicant, they have requested a 45-day continuance of the appeal, and have asked that the item be heard at the City Council meeting of January 4, 2017.

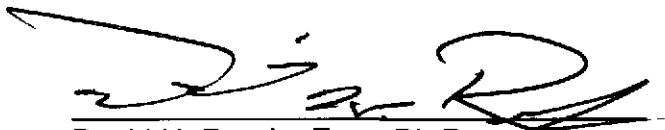
RECOMMENDATION:

1. Table the public hearing with no public testimony at this time.
2. Continue the Public Hearing to January 4, 2017.
3. Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.


Flinn Fagg, AICP
Director of Planning Services


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

ITEM NO. 26



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

Attachments:

1. Continuation request from Applicant
2. Public Hearing Notice

Flinn Fagg

From: rneely@summitllc.com
Sent: Thursday, October 20, 2016 2:50 PM
To: Flinn Fagg
Cc: SKleinberg@jacksontidus.law; TUnger@summitllc.com
Subject: Re: Case 5.1384 PDD 381, 3.3902 MAJ & VTTM 36969 Canyon View Development PHN for City Council on November 2, 2016

Flinn -

Thank you for the update and continuing to work with us on this project. Please consider this our formal request and authorization to delay the scheduling of this appeal before City Council for another 45 days beyond the original deadline.

I will be out of the office until October 31. Please handle any required coordination directly with Sarah Kleinberg and Tim Unger.

Thank you again for your help Flinn - it is much appreciated.

Rhonda

Sent from my iPhone

On Oct 20, 2016, at 1:22 PM, Flinn Fagg <Flinn.Fagg@palmsprings-ca.gov> wrote:

Just wanted to confirm that the City Clerk has scheduled the appeal hearing for the November 2, 2016 City Council meeting.

From: Kathie Hart
Sent: Wednesday, October 19, 2016 2:37 PM
To: 'Email, TDS-Legals'
Cc: Jay Thompson; Plantemp; Flinn Fagg
Subject: FW: Case 5.1384 PDD 381, 3.3902 MAJ & VTTM 36969 Canyon View Development PHN for City Council on November 2, 2016

Please publish the attached (notice and map) on Sat., 10-22-2016.
Thank you.

Kathie

Kathleen D. Hart, MMC

Chief Deputy City Clerk

<image001.png>

City of Palm Springs ☎ (760) 323-8206
3200 E. Tahquitz Canyon Way 📠 (760) 322-8332
Palm Springs, CA 92262 📧 Kathie.Hart@PalmSpringsCA.gov

City Hall is open 8 am to 6 pm, Monday through Thursday, and closed on Fridays.

**CITY OF PALM SPRINGS
PUBLIC NOTIFICATION**



Date: November 2, 2016
Subject: Appeal – Canyon View Development – Summit Land Partners LLC

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 October 22, 2016.

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

A handwritten signature in black ink, appearing to read "KHart", is written over a horizontal line.

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 October 19, 2016.

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

A handwritten signature in black ink, appearing to read "KHart", is written over a horizontal line.

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 October 20, 2016, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.
(138 notices)

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

A handwritten signature in black ink, appearing to read "KHart", is written over a horizontal line.

Kathleen D. Hart, MMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

APPEAL OF CASE NOS. 5.1384 PLANNED DEVELOPMENT DISTRICT 381, 3.3902-MAJ AND
VESTING TENTATIVE TRACT MAP 36969

LOCATED AT SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE
CANYON VIEW DEVELOPMENT

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 2, 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 this hearing is to consider an appeal by Summit Land Partners, LLC, of the decision by the Planning Commission to deny a proposed project consisting of a Planned Development District (5.1384-PDD 381) application, a Vesting Tentative Tract Map (VTTM 36969) to subdivide an undeveloped 13.28-acre parcel into 90 single-family residential lots, and a Major Architectural Application (3.3902-MAJ) for the construction of the 90 detached single-family homes on small lots ranging from 3,270 to 4,989 square feet in size at the southwest corner of East Palm Canyon Drive and Matthew Drive.

ENVIRONMENTAL DETERMINATION: A Draft Mitigated Negative Declaration was prepared for this project under the guidelines of the California Environmental Quality Act (CEQA) and was reviewed by the Planning Commission at the hearing. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the City Council hearing.

REVIEW OF PROJECT INFORMATION: The proposed application, site plan, and related documents are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments can be made to the City Council by email at City.Clerk@palmspringsca.gov or by 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]).

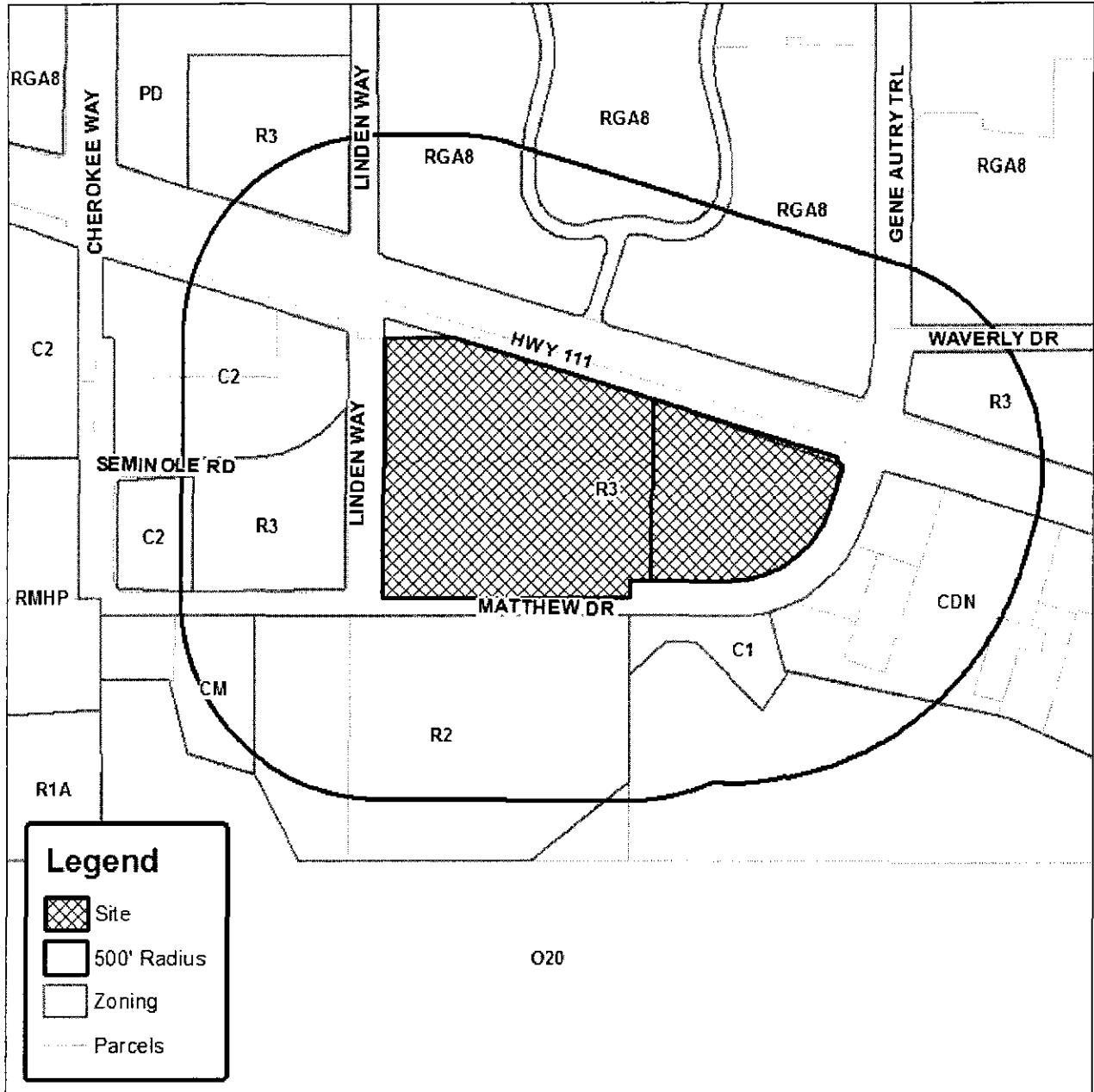
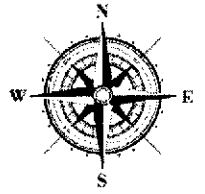
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Edward Robertson, Principal Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8245.


James Thompson, City Clerk 09



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NOS. 5.1384 PLANNED DEVELOPMENT DISTRICT 381, 3.3902-MAJ AND VESTING TENTATIVE TRACT MAP 36969

CANYON VIEW DEVELOPMENT