



## CITY COUNCIL STAFF REPORT

DATE: JUNE 21, 2017

PUBLIC HEARING

SUBJECT: PHILIP J. PRIETO, OWNER, FOR A TENTATIVE TRACT MAP FOR THE CONSTRUCTION OF A THIRTY (30) UNIT CONDOMINIUM PROJECT LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14 (CASE 37245 TTM).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

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### SUMMARY

This is a request for City Council approval of a one-lot Tentative Tract Map equaling 3.96-acres for the purpose of a thirty (30) unit condominium project consisting of twenty (20) attached units and ten (10) detached units fronting Hermosa Drive, Arenas Road and Baristo Road.

### 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 37245 CREATING ONE (1) LOT EQUALING 3.96-ACRES FOR THE PURPOSE OF A THIRTY (30) UNIT CONDOMINIUM PROJECT CONSISTING OF TWENTY (20) ATTACHED UNITS AND TEN (10) UNATTACHED UNITS LOCATED AT NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14, APN 508-100-035.

### PRIOR ACTIONS:

On May 24, 2017, the Planning Commission approved a Major Architectural Application to construct a thirty (30) unit condominium complex (Case 3.4007 MAJ), and recommended approval to City Council of the associated Tentative Tract Map (TTM 37245).

ITEM NO. 2.D.

**BACKGROUND:**

<b>Related Relevant City Actions by Planning, Fire, Building, etc...</b>	
4/3/2017	<p>The Architectural Advisory Committee (AAC) reviewed the project and made the following recommendations:</p> <ul style="list-style-type: none"> <li>• Provide a perspective of the Arenas Road streetscape. There is a concern with the north facing building elevation.</li> <li>• Provide a building elevation section to justify the need for height.</li> <li>• Clarify the wall placement on a site plan.</li> <li>• Provide greater detail on the wall construction. Provide additional relief of wall along Arenas and Baristo Roads.</li> <li>• Remove Patina metal panels to be replaced with glazing.</li> </ul> <p>Revisions to be reviewed by an AAC subcommittee which agreed to the following:</p> <ul style="list-style-type: none"> <li>• Lower building height by one foot to 24'-4" from grade to top of parapet.</li> <li>• Walls facing street to be staggered with angled block every other panel to provide interest.</li> <li>• Patina Metal panels to be replaced with glazing.</li> <li>• Provide relief for north building elevation.</li> </ul>
5/10/2017	<p>Agua Caliente Band of Cahuilla Indians Tribal Council reviewed the project and recommends approval to the City Council with conditions.</p>
5/24/2017	<p>Planning Commission reviewed the case and voted 5-0-2 to approve a Major Architectural Application, an Administrative Minor Modification, and to recommend approval of the Tentative Tract Map to the City Council.</p>

<b>Most Recent Ownership</b>	
1/1/1984	Philip J. Prieto

<b>Neighborhood Notification</b>	
6/8/2017	Email notification sent to Midtown; Baristo; Sunrise Park; and Warm Sands Neighborhood Organizations

<b>Field Check</b>	
March 2017	Staff visited site to observe existing conditions

**DETAILS OF APPLICATION REQUEST:**

<b>Site Area</b>	
Gross Area	4.96 acres
Street Dedications	1.00 acres
<b>Net Area</b>	<b>3.96 acres</b>

**Section 14 Specific Plan**

<b>Surrounding Property</b>	<b>Existing General Plan Designations</b>	<b>Existing Land Use</b>	<b>Existing Zoning Designations</b>
Subject Property	HR (High Density Residential), Up to 30 units per acre	Vacant	HR (High Density Residential)
North	REO (Retail-Entertainment-Office)	Office	REO (Retail-Entertainment-Office)
South	HR (High Density Residential), Up to 30 units per acre	Rose Garden Condos	HR (High Density Residential)
East	HR (High Density Residential), Up to 30 units per acre	Plaza Racquet Club	HR (High Density Residential)
West	HR (High Density Residential), Up to 30 units per acre	Vacant	HR (High Density Residential)

<b>Specific Plan Area</b>	<b>Compliance</b>
Section 14 Specific Plan	Yes (see discussion below)

**DEVELOPMENT STANDARDS:**

Residential projects located within the Section 14 Specific Plan must conform to the R-4 development standards, set forth in Section 92.05.03 of the Palm Springs Zoning Code (PSZC). The R-4 development standards are provided below to assist in the architectural review of the project:

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Lot Area	2 Acres	3.96 Net Acres	Yes
Lot Width	130 feet	329 feet	Yes
Lot Depth	155 feet	646 feet	Yes
Front Yard	30 feet	30 feet	Yes
Corner Side Front Yard	30 feet	24 feet	Yes
Side Yard	20 feet when buildings exceed 15 feet in height	16 feet	Yes
Building Height (max.)	35 feet per Section 14 Plan	24'-4" feet	Yes
Open Space	45%	57%	Yes

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Trash Enclosure	Required	Individual trash receptacles at units	Yes
Mech. Equip.	Screened	Ground Mounted	Yes
Parking	1.5 spaces per unit = 45 spaces + 8 guest = 53 required spaces	60 garage spaces + 10 on-street spaces = 70 Total. Additional on street spaces = 10	Yes

ANALYSIS:

The applicant is seeking approval for a Tentative Tract Map to create one (1) lot equaling 3.96-acres in size for the purpose of a thirty (30) unit condominium project.

Site Plan:

The proposed site consists of a single lot, which is proposed to be subdivided for condominium purposes for the construction of thirty (30) dwelling units. The site is a vacant lot fronting on three (3) streets (Baristo Road, Hermosa Drive, and Arenas Road). Recently, Hermosa Drive was extended and now connects between Baristo and Arenas Roads. The site includes an unnamed private street (Street "A") which bisects the site providing access to the interior condominiums. Street "A" will be thirty-three (33') feet wide with parking on one (1) side. The street width meets both the requirements of the General Plan for a local street and the Palm Springs Fire Department. The development will not be gated.

The overall site is 4.96 gross acres with dedication of one acre for the widening of Baristo and Arenas Road. The developer will be required to construct the curbs, gutters, and eight (8') foot wide sidewalks. After the dedication, the net size of the lot will be 3.96 acres.

The proposed condominium project will be comprised of twenty (20) attached units fronting on Hermosa Drive and Street "A", and ten (10) detached units sited along the western property line also fronting Street "A". Each condominium unit will contain private space consisting of a two (2) story dwelling unit, a two (2) car garage, a walled rear yard with pool. The private space is defined by the condo units' two (2) story wall and associated rear yard block walls. The total condominium private area varies depending on the type of unit. Unit A fronting along Hermosa Drive will be 52' feet wide by 86' feet long totaling 4,472-square feet. Unit B fronting Street "A" and the west property line will be 52' feet wide by 95' feet long totaling 4,940-square feet. Unit C fronting Street "A" and sharing a common rear wall with Unit A will be 52' feet wide by 80' feet long for a total of 4,160-square feet. Driveways fronting on Street "A" will be eighteen (18') feet long; and driveways for units fronting Hermosa Drive will be twenty-four (24') feet long. The driveway length will accommodate parking of a guest vehicle off-street.

The majority of the common area for the project will be located in landscaped areas along Baristo and Arenas Road. The area fronting Arenas Road will be fully landscaped with a requirement that an eight (8') foot wide sidewalk be constructed. The Planning Commission requested the addition of hardscape and seating in the open space area adjacent to Arenas Road. The area adjacent to Baristo Road will contain a water retention basin that will be landscaped along with an eight (8') foot wide sidewalk.

**General Plan/Section 14 Land Use Designation:**

The proposed project is located within the Section 14 Specific Plan area with a Land Use Designation of High Density Residential (HR) which encourages multiple-family residential development up to thirty (30) dwelling units per acre. The Section 14 plan states that "Market factors suggest that most new residential development would be built at an average density of below ten (10) dwelling units per acre". Consistent with the average density projections included in the Section 14 Specific Plan, the proposed development has an anticipated density of 7.5 dwelling units per acre.

The City's General Plan Land Use Designation for residential properties includes a range of allowable densities. For High Density Residential the projected range is 15.1-30 dwelling units per acre (Land Use Element, page, 2-5). The General Plan states:

*"The lower threshold figure for each of the residential land use categories represents a minimum amount of development anticipated, provided that all other required conditions can be met, and the higher figure represents a potential maximum that could be located in each area if the proposed development demonstrates qualities above the minimum development standards to achieve a higher density. The purpose of this concept is to ensure that the City continues to achieve a high-quality development. Actual densities are determined on a parcel-specific basis."*

The proposed project at a density of 7.5 dwelling units per acre is being developed as a combination of attached and detached condominiums. The City may consider and approve projects with densities falling below the anticipated range included in the General Plan, provided specific findings are made as to why the development is consistent with the General Plan.

Staff believes that the proposed development as a condominium project and not a single-family small lot subdivision is consistent with the intent of the General Plan's High Density Residential land use designation. Furthermore, the introduction of an attached and detached housing product is similar to nearby residential communities at a comparable density. The densities for adjacent communities are 13.5 du/ac for Villorrio; 10 du/ac for 48@ Baristo; and at The Rose Garden community located on the south side of Baristo Road at 8 du/ac. Furthermore, the project site is not on the list of Housing Opportunity sites designated for affordable housing as delineated in the General Plan, nor is it delineated in the recent 2014 Housing Element Table 3-20 (Sites to Address the Regional Housing Needs Assessment).

Specific Goals and Policies of the General Plan relative to housing are as follows:

*Goal HS 1: Facilitate a broad range of housing types, prices and opportunities to address current and future housing needs in the community.*

*HS1.2: Maintain a range of housing densities through General Plan Land Use Designations and zoning to facilitate and encourage single-family homes, apartments, and townhouses, mobile homes, and special needs housing.*

*HS2.3: Enhance the appearance and character of neighborhoods with high quality site planning, architecture, and landscape design in multiple-family developments.*

*Goal LU6: Ensure that housing needs of people with varying incomes, household sizes, and lifestyles can be met within the City.*

*LU6.1: Facilitate new residential development on vacant or underutilized properties.*

*LU6.2: Encourage new residential in-fill development.*

*LU1.5: Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.*

#### FINDINGS:

Findings are required for approval of the Tentative Tract Map pursuant to the Subdivision Map Act (Cal Gov't Code Section 66474). These findings and a discussion of the project as it relates to these findings follow:

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

The proposed development is consistent with the goals and objectives of the General Plan and Section 14 High Density Residential land use designations which encourages multi-family residential development (e.g., duplexes and townhouses) and allows for a maximum density of 30 dwelling units per acre on the project site. The Section 14 Specific Plan language states that "most new residential development would be built at an average density of below ten (10) dwelling units per acre, rather than the maximum thirty (30) dwelling units per acre that is permitted under the High Density Residential designation". The net 3.96-acre site will be built with a density of 7.5 dwelling units per acre, which is consistent with General Plan and the less than ten (10) dwelling units per acre average density contemplated by the Section 14 Specific Plan. Specific goals and policies are as follows:

*Goal HS 1: Facilitate a broad range of housing types, prices and opportunities to address current and future housing needs in the community.*

*HS1.2: Maintain a range of housing densities through General Plan Land Use Designations and zoning to facilitate and encourage single-family homes, apartments, and townhouses, mobile homes, and special needs housing.*

*HS2.3: Enhance the appearance and character of neighborhoods with high quality site planning, architecture, and landscape design in multiple-family developments.*

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*LU1.5: Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.*

Furthermore, the project site is not on the list of Housing Opportunity sites designated for affordable housing as delineated in the General Plan nor is it delineated in the recent 2014 Housing Element Table 3-20 (Sites to Address the Regional Housing Needs Assessment).

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

The project design and improvements are consistent with the High Density Residential (HDR) Land Use designations in which the property is located. The HDR multi-family residential zoning designation allows for the development of the property as condominium units and the project is consistent with the development standards in terms of setbacks with the approval of an Administrative Minor Modification, building heights, and open space and the proposal is consistent with this finding.

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

The existing vacant lot is relatively flat with a slight grade from Arenas Road to Baristo Road. The project consists of twenty (20) attached units fronting on Hermosa Drive and Street "A", and ten (10) detached units sited along the western property line also fronting Street "A. Access to the condominium units will be individual driveways from Hermosa Road or internal Street "A". The site is serviced by nearby utilities and local street network and will allow for the development of the parcel as a residential community.

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

The development of thirty (30) condominium units on 3.96-acre site is appropriate for a corner site as access to existing utilities and infrastructure are present. The site located within the urbanized area of Section 14 surrounded by local servicing streets to include Hermosa Drive, Baristo and Arenas Roads provides proper access to the site and the finding has been met.

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

The Tentative Tract Map and associated Major Architectural Application have been reviewed under the California Environmental Quality Act, and it has been determined that the project is categorical Exempt as an in-fill project. The project will therefore not damage or injure, wildlife or their habitats and the finding has been met.

*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. The layout of internal private street "A" and driveways along Hermosa Drive will provide access to each unit along with adequate off-street parking. No serious public health problems are anticipated and the finding has been met.

*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 condominium project 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:

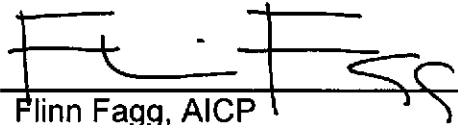
City Staff has evaluated the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project is categorically exempt from the requirements of CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. The proposed project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



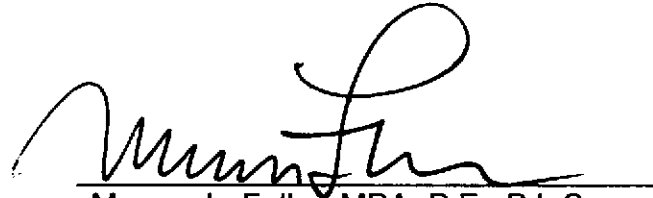
4. The project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The project can be adequately served by all required utilities and public services.

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



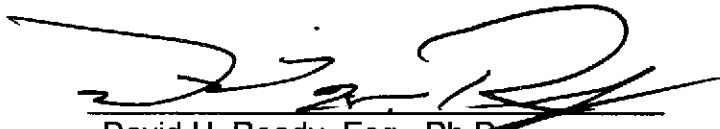
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Flinn Fagg, AICP  
Director of Planning Services



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



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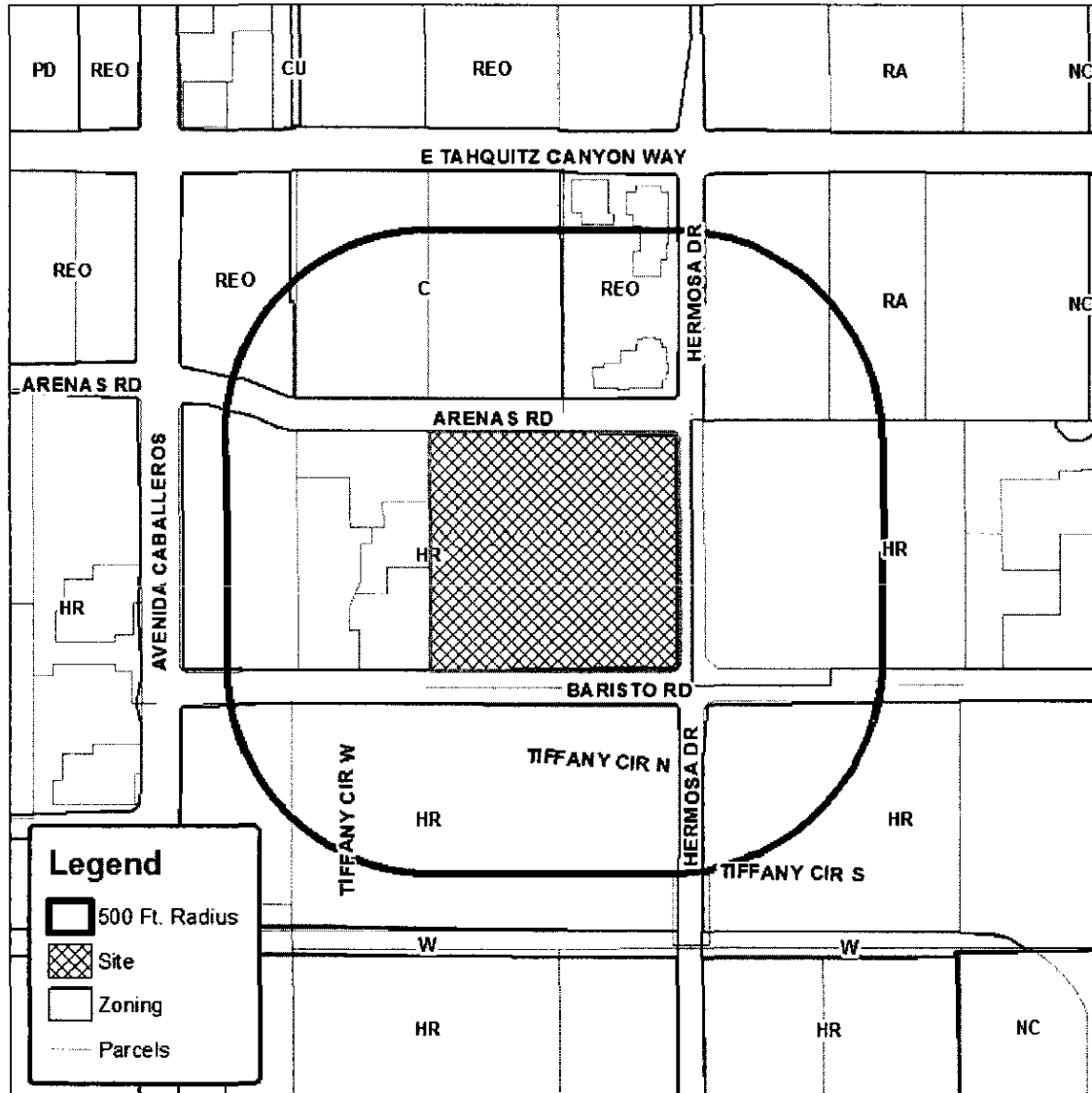
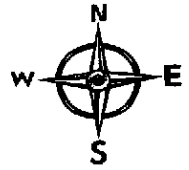
David H. Ready, Esq., Ph.D.  
City Manager

Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Planning Commission Resolution
5. Excerpt of Planning Commission Minutes of 5/24/2017
6. Excerpt of AAC Minutes of 4-3-2017
7. Letter from Agua Caliente Tribal Council
8. Justification Letter
9. Site Photos
10. Site Plan
11. Tentative Tract Map
12. Landscape Plans
13. Plant List
14. Street Sections
15. Colored Elevations
16. 3D Perspectives



# Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

**Case 3.4007 MAJ; 7.1519 AMM; TTM 37245**  
**Southwest Corner of Baristo and Hermosa**

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING TENTATIVE TRACT MAP 37245, CREATING ONE (1) LOT EQUALING 3.96-ACRES FOR THE PURPOSE OF A THIRTY (30) UNIT CONDOMINIUM PROJECT LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14, APN 508-100-035.

THE CITY COUNCIL FINDS AND DETERMINES AS FOLLOWS:

A. Philip J. Prieto, ("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 the northwest corner of Baristo Road and Hermosa Drive, Zone HDR, Section 14 ("TTM 37245").

B. On May 24, 2017, the Planning Commission held a public hearing on the application to consider TTM 37245 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 5-0-2 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 37245 was given in accordance with applicable law.

D. On June 21, 2017, the City Council held a public hearing to consider TTM 37245 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 Tract Map is consistent with all applicable general and specific plans.*

The proposed development is consistent with the goals and objectives of the General Plan and Section 14 High Density Residential land use designations which

encourages multi-family residential development (e.g., duplexes and townhouses) and allows for a maximum density of 30 dwelling units per acre on the project site. The Section 14 Specific Plan language states that “most new residential development would be built at an average density of below ten (10) dwelling units per acre, rather than the maximum thirty (30) dwelling units per acre that is permitted under the High Density Residential designation”. The net 3.96-acre site will be built with a density of 7.5 dwelling units per acre, which is consistent with General Plan and the less than ten (10) dwelling units per acre average density contemplated by the Section 14 Specific Plan. Specific goals and policies are as follows:

*Goal HS 1: Facilitate a broad range of housing types, prices and opportunities to address current and future housing needs in the community.*

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*HS2.3: Enhance the appearance and character of neighborhoods with high quality site planning, architecture, and landscape design in multiple-family developments.*

*Goal LU6: Ensure that housing needs of people with varying incomes, household sizes, and lifestyles can be met within the City.*

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*LU1.5: Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.*

Furthermore, the project site is not on the list of Housing Opportunity sites designated for affordable housing as delineated in the General Plan nor is it delineated in the recent 2014 Housing Element Table 3-20 (Sites to Address the Regional Housing Needs Assessment).

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

The Project design and improvements are consistent with the High Density Residential (HDR) Land Use designations in which the property is located. The HDR multi-family residential zoning designation allows for the development of the

property as condominium units and the project is consistent with the development standards in terms of setbacks with the approval of an Administrative Minor Modification, building heights, and open space and the proposal is consistent with this finding.

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

The existing vacant lot is relatively flat with a slight grade from Arenas Road to Baristo Road. The project consists of twenty (20) attached units fronting on Hermosa Drive and Street "A", and ten (10) detached units sited along the western property line also fronting Street "A". Access to the condominium units will be individual driveways from Hermosa Road or internal Street "A". The site is serviced by nearby utilities and local street network and will allow for the development of the parcel as a residential community.

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

The development of thirty (30) condominium units on 3.96-acre site is appropriate for a corner site as access to existing utilities and infrastructure are present. The site located within the urbanized area of Section 14 surrounded by local servicing streets to include Hermosa Drive, Baristo and Arenas Roads provides proper access to the site and the finding has been met.

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

The Tentative Tract Map and associated Major Architectural Application have been reviewed under the California Environmental Quality Act, and it has been determined that the project is categorical Exempt as an in-fill project. The Project will therefore not damage or injure, 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 Project includes connections to all public utilities including water and sewer systems. The layout of internal private street "A" and driveways along Hermosa Drive will provide access to each unit along with adequate off-street parking. No serious public health problems are anticipated and the finding has been met.

*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 Project 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 37245 for one (1) lot equaling 3.96-acres for the purpose of a thirty (30) unit condominium project located at northwest corner of Baristo Road and Hermosa Drive subject to the conditions of approval attached herein as Exhibit "A".

ADOPTED this 21st day of June, 2017.

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David H. Ready, City Manager

ATTEST:

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Kathleen D. Hart, Interim City Clerk

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, KATHLEEN D. HART, Interim 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 the 21st day of June, 2017, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Kathleen D. Hart, Interim City Clerk  
City of Palm Springs, California

RESOLUTION NO.

EXHIBIT A

Tentative Tract Map 37245 TTM

Thirty Unit Condominium Complex located at  
Northwest Corner of Hermosa Drive and Baristo Road

Enclave at Baristo

June 21, 2017

**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 3.4007 MAJ; 7.1519 AMM; and TTM 37245;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped May 17, 2017, 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 3.4007 MAJ; 7.1519 AMM; and TTM 37245. 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.

## **AQUA CALIENTE BAND OF CAHUILLA INDIANS CONDITIONS**

- AQA 1. Prior to issuance of any grading permit, the applicant shall pay the Valley Floor Planning Area fee to the Tribe as requires by the THCP.
- AQA 2. Prior to any ground or habitat disturbance associated with any Covered Project on the Reservation on a site which provides potential burrowing owl habitat, the Covered Project Proponent shall cause a pre-construction survey of the site to be conducted for presence of the species.
- a. Surveys and relocation, if applicable, shall be conducted in accordance with the California Department of Fish and Wildlife (CDFG) Staff Report on Burrowing Owl Mitigation (1995) or other then-current protocols as directed by the Tribe.
  - b. Owls should be excluded from burrows in the Department Envelope and within an appropriate buffer zone by installing one-way doors in burrow entrances or other technique as deemed appropriate. The biological monitor must ensure through appropriate means (e.g., monitor for owl use, excavating burrows) that the burros to be impacted are not being used. The Tribe shall determines whether creations of artificial burrows is necessary as part of the relocation effort.
  - c. Occupied burrows shall not be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that either: (a) the birds have not begun egg lying and incubation; or (b) that juveniles from the occupied burrows are foraging independently and capable of independent survival.
- AQA 3. A cultural resources inventory shall be conducted of the Project Site by a qualified archaeologist prior to any ground disturbing activities.
- AQA 4. The presence of an approved Native American Cultural Resource Monitor(s) shall be present during any ground disturbing activities (including archaeological testing and surveys). Please contact the Tribal Historic Preservation Office at 760-699-6800 for details. Should buried cultural deposits be encountered, the Monitor may request that the destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Aqua Caliente Tribal Historic Preservation Office.

## PLANNING DEPARTMENT CONDITIONS

- PLN 1. Add a sidewalk on the west side of the internal Street "A".
- PLN 2. Reduce building height to 24'-4" feet.
- PLN 3. Enhance north building elevations facing Arenas Road.
- PLN 4. 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 5. 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 6. 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 7. 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 8. Pools/Spas water edge to be permitted within three (3) feet of property lines.

**PLANNING COMMISSION IMPOSED CONDITIONS**

PLN 9. Add appropriate street furniture (bench seating) located in landscaped area adjacent to Arenas Road.

PLN 10. Trees planted adjacent to streets to provide shading of sidewalks.

PLN 11. CC&R's to restrict short term rental to no less than thirty (30) days.

PLN 12. Residential buildings to be wired for solar installations providing a minimum of 2,000 kilowatts.

**CITY COUNCIL IMPOSED CONDITIONS**

CC 1. (Add any conditions imposed by City Council)

**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. Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review. Conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received January 18, 2017. 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. Three (3) 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)**: 24 foot minimum 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
- Project Note:** “Street A” – parking on one side only. Show parking spaces on site map
- FID 6. **Buildings and Facilities (CFC 503.1.1)**: Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- FID 7. **Turning Radius (CFC 503.2.4)**: Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet. Radius must be concentric.
- FID 8. **NFPA 13D 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 13D, 2013 Edition, as modified by local ordinance. Shall comply with Palm Springs Fire Code Appendix L.
- FID 9. **Traffic Calming Devices (CFC 503.4.1)**: Traffic calming devices shall be prohibited unless approved by the fire code official.
- 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 – 250. 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 **Residential Smoke and Carbon Monoxide Alarms Installation (CFC 907.2.11.2/3/4; CRC R314 & R315; and California Health & Safety Code 17926):** Provide and install Residential Smoke and Carbon Monoxide Alarms. Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alterations, repairs and additions, smoke and carbon monoxide alarms shall be interconnected. The operation of any smoke alarm will cause all smoke alarms within the dwelling to sound. The operation of any carbon monoxide alarm will cause all carbon monoxide alarms within the dwelling to sound.

### 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 Services Department. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. Master planned roadways shall be improved to the *Final Section 14 Master Development Plan/Specific Plan* design standards on and adjacent to the site, as generally identified herein, or to alternative design standards proposed by the applicant and approved by the City.
- ENG 4. When public dedications of easements or rights-of-way over Tribal Allottee land are required, the applicant shall be responsible for compliance with all Bureau of Indian Affairs (B.I.A.) requirements, including payment of any BIA fees, obtaining appraisals and payment of just compensation to the underlying owner. It is the applicant's responsibility to determine what additional costs or other requirements may be necessary to obtain any required public dedications as identified by the City for this development. Required public dedications for easements or rights-of-way are "without

limitation as to tenure"; easements granted with a defined term, or made in connection with an underlying Indian Land Lease, shall not be accepted.

- ENG 5. Upon completion of required improvements by the applicant, and as a condition of acceptance by the City Engineer, the applicant shall prepare for the City Engineer's approval, an Affidavit of Completion in accordance with Section 169.16, Title 25, of the Code of Federal Regulations, for any improvements constructed by the applicant for which an easement was dedicated to the City through the Bureau of Indian Affairs. The Affidavit of Completion shall be provided to and approved by the City Engineer prior to final acceptance of the project, including issuance of a final certificate of occupancy. The applicant shall be responsible for obtaining the necessary form for the Affidavit of Completion from the Palm Springs Agency of the Bureau of Indian Affairs, and for having it completed as necessary by the applicant's Engineer of Record.

#### HERMOSA DRIVE

- ENG 6. Construct 10 feet wide driveway approach(es) in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 7. In accordance with the *Final Section 14 Master Development Plan/Specific Plan* (dated November 2004), the applicant shall plant shade trees in a formal pattern along the Hermosa Drive frontage, as approved by the Director of Parks and Recreation. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Hermosa Drive frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 8. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### BARISTO ROAD

- ENG 9. Construct a 6 inch curb and gutter, 32 feet north of centerline along the entire frontage; with a 25 feet radius curb return, cross-gutter and spandrel on each side of the intersection of Baristo Road and Private Street in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 10. Construct an 8 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 11. Construct Type A curb ramps meeting current California State Accessibility standards at the intersection of Baristo Road and Private Street in accordance with City of Palm Springs Standard Drawing No.212.
- ENG 12. Construct pavement with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire 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 13. In accordance with the *Final Section 14 Master Development Plan/Specific Plan* (dated November 2004), the applicant shall plant shade trees in a formal pattern along the Baristo Road frontage, as approved by the City Engineer. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Baristo Road frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 14. Design and install an electrical system for installation of Tahquitz Canyon Way decorative light fixtures (12 feet to 15 feet tall) consistent with the existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries and supporting electrical system. The electrical system shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The lighting system shall be installed and operational, and

accepted for operation and maintenance by the City, prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

- ENG 15. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ARENAS ROAD

- ENG 16. Construct a 6 inch curb and gutter, 32 feet south of centerline along the entire frontage; with a 25 feet radius curb return, cross-gutter and spandrel on each side of the intersection of Arenas Road and Private Street in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 17. Construct an 8 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

- ENG 18. Construct Type A curb ramps meeting current California State Accessibility standards at the intersection of Arenas Road and Private Street in accordance with City of Palm Springs Standard Drawing No.212.

- ENG 19. Construct pavement with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire 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 20. All broken or off grade street improvements along the project frontage shall be repaired or replaced

#### ON-SITE

- ENG 21. The minimum pavement section for all on-site pavement for private streets 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.

ENG 22. All on-site private streets shall be two-way with a minimum 32 feet wide travelway (as measured from face of curb) where on-street parallel parking is proposed on one-side of the street.

ENG 23. On-site private streets shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

#### 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.

ENG 26. If an on-site private sewer system is proposed to collect sewage from the development and connect to the existing public sewer system, sewer plans shall be submitted to the Engineering Services Department for review and approval. Private on-site sewer mains for residential projects shall conform to City sewer design standards, including construction of 8 inch V.C.P. sewer main and standard sewer manholes. Sewer manhole covers shall be identified as "Private Sewer". A profile view of the on-site private sewer mains is not necessary if sufficient invert information is provided in the plan view, including elevations with conflicting utility lines. Plans for sewers other than the private on-site sewer mains, i.e. building sewers and laterals from the buildings to the on-site private sewer mains, are subject to separate review and approval by the Building Division.

ENG 27. The project is subject to the Section 14 Sewer Impact Fee. The sewer impact fee at the present time is \$696.00 per acre. The fee shall be paid prior to, or concurrently with issuance of building permits.

#### GRADING

ENG 28. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Services Department 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 Services Department 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 Services Department 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 Services Department 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; a copy of the project-specific Final Water Quality Management Plan.

ENG 29. 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 30. 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 31. 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 32. 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 33. Prior to issuance of grading permit, the applicant shall provide verification to the City that the Tribal Habitat Conservation Plan (THCP) fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the THCP.
- ENG 34. 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 35. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.



- ENG 36. 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 37. 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 Services Department with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 38. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Services Department prior to construction of any building (or structure) foundation.
- ENG 39. 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 40. 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 41. 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 42. 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.

#### DRAINAGE

ENG 43. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMPs).

ENG 44. 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 45. Construct storm drain improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site streets into the on-site detention system and on-site storm drainage improvements, as described in the Hydrology Study.
- ENG 46. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.
- ENG 47. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.

## GENERAL

- ENG 48. 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 49. All proposed utility lines shall be installed underground.
- ENG 50. 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 51. 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 52. 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 Services Department 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 53. Nothing shall be constructed or planted in the corner cut-off area of any intersections or driveways 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 54. 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.

#### 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. The annexation shall be completed by action of the city council in a public hearing, prior to processing a final map for approval.

ENG 56. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Services Department 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 Services Department 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. The applicant shall be required to enter into an agreement that provides the City of Palm Springs with an exclusive right of entry onto the subject property with the right to remove all abandoned street improvements at the applicant's expense, in the event removal of the abandoned street improvements is not completed within two (2) years following approval of a Final Map by the City Council. The agreement shall be secured with appropriate subdivision security, as approved by the City Attorney, with the security available to the City upon notice

from the City Engineer that the applicant has failed to perform its obligations as required by the agreement. The applicant shall provide written estimates of cost to remove all abandoned street improvements, abandonment and/or relocation of all existing underground utilities, and construction of street improvements as may be necessary, subject to the approval of the City Engineer. Estimates of costs related to public utility abandonment and/or relocation shall be determined by the respective utility agency, as appropriate. The agreement shall be executed by the applicant prior to approval of a Final Map by the City Council. The developer shall submit a deposit of \$2,500 for preparation of the agreement, and shall be subject to actual costs associated with its preparation by the City Attorney.

ENG 59. 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 Services Department'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 60. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

ENG 61. 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 62. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks. Minimum clearance on public sidewalks shall be

provided by either an additional dedication of a sidewalk easement if necessary and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the frontage of the subject property.

- ENG 63. 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 64. 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.
- ENG 65. 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. 6629

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION, AN ADMINISTRATIVE MINOR MODIFICATION FOR SETBACK REDUCTIONS; AND RECOMMENDING TO CITY COUNCIL APPROVAL OF A TENTATIVE TRACT MAP FOR THE CONSTRUCTION OF A THIRTY (30) UNIT CONDOMINIUM PROJECT LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14. (CASES 3.4007 MAJ; 7.1519 AMM; 37245 TTM)

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. Philip J. Prieto, ("Applicant") has filed an application with the City pursuant to Section 94.04.00 of the Palm Springs Zoning Code (PSZC) for a Major Architectural Application for the construction of a thirty (30) unit condominium complex; an Administrative Minor Modification pursuant to Section 94.06.01(5) for a setback reduction; and 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 northwest corner of Baristo Road and Hermosa Drive, Zone HDR, Section 14 (Project).

B. On April 3, 2017, the Architectural Advisory Committee voted 5-0-2 to recommend approval of the Project subject to final review by a sub-committee.

C. A notice of public hearing of the Planning Commission of the City of Palm Springs to consider Cases 3.4007 MAJ; 7.1519 AMM; and TTM 37245 was given in accordance with applicable law.

D. On May 24, 2017, the Planning Commission held a public hearing on the application to consider Cases 3.4007 MAJ; 7.1519 AMM; and TTM 37245 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.

The Project is consistent with the High Density Residential General Plan and Section 14 Specific Plan land use designation;

The Project is located within the City limits on a site of less than five acres substantially surrounded by urban uses;



The Project site does not have value as habitat for endangered, rare or threatened species;

The Project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and

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(D) of the Palm Springs Zoning Code, Major Architectural Application, the Planning Commission finds and determines the Project will provide a desirable environment for its occupant, be compatible with the character of the adjacent and surrounding developments, and aesthetically it is of good composition, materials, textures, and colors based on consideration of 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 Project consists of twenty (20) attached units fronting on Hermosa Drive and Street "A", and ten (10) detached units sited along the western property line also fronting Street "A". The applicant has made no provision for a sidewalk along Street "A" and no separation between vehicular and pedestrian movement. The project is not in conformance with the Section 14 Specific Plan guidelines. A condition of approval has been included requiring a four (4') foot wide sidewalk on the east side of the internal street. With this modification the project can be deemed in conformance with 94.04.00(D).

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 Project is located within the Section 14 Specific Plan area with a Land Use Designation of High Density Residential (HR) and is surrounded by similar condominiums complexes of a comparable size and scale. The use of a detached and attached housing product with varying building exterior color schemes will

provide variety in the overall development. The immediate area is a mix of multi-family residential developments, and office building uses and the proposed development will be harmonious in context to the immediate neighborhood and the finding has been met.

*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 Project will be two-story with a maximum height of 24'-4" feet to the top of the building parapet. The structures consist of three (3) unit types with square footage of approximately 2,378-square feet each. Units A and C are attached with a joined common rear wall running 125' feet long. Unit B is a detached unit. The buildings will be separated by fifteen (15') feet with garages accessed from the street. The Applicant is seeking an Administrative Minor Modification for a twenty (20%) percent setback reduction of the front and side yards. The Project as proposed will provide an appropriately scaled development with buildings that face the street and anchor the corner of Hermosa Drive, Arenas Road, and Baristo Road. The massing and scale of the buildings on the site is consistent with adjacent multi-family residential developments. A perimeter wall and new landscaping will provide an interesting streetscape and the finding has been met.

*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,*

The Project will have a unique architectural style with two building types, and three different paint schemes. Units A and C are attached with a joined common rear wall, and Unit B is a detached unit. All units will front and have direct access to a street. Building materials include three (3) color schemes in shades of tan and gray for the exterior stucco. Other building elements include glazing, stacked stone in white, grey and brown color, and concrete block in three shades.

*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 Project's landscape plan utilizes a concept plant schedule providing groups of plants by category that can be mixed throughout the development to provide variety and interest. The groupings consist of large canopy trees such as an Acacia and Palo Verde; flowering trees to include Desert Willow and Texas Ebony; small upright

trees such as Weeping Myall or Shoestring Acacia; and street trees such as Rosewood and Tipu Tree; large accents include agave, Desert Spoon, Indian Fig Cactus, and Beaked Yucca. Flowering shrubs include Emu Bush, Fire Bush, and Cimarron. Large Screening shrubs include Bougainvillea, Sage, and Yellow Oleander. Ground cover includes Green Carpet, Dalea, and Trailing Lantana. Small accents are agave, aloe, and Red Yucca with other small flowering shrubs. Ground cover will consist of decomposed granite, gravel, fractured rock, pebble, and boulders.

H. Pursuant to Municipal Code Chapter 9.64 (Maps) and the State of California Subdivision Map Act (Cal Gov't Code, Section 66474), the Planning Commission finds as follows:

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

The proposed development is consistent with the goals and objectives of the General Plan and Section 14 High Density Residential land use designations which encourages multi-family residential development (e.g., duplexes and townhouses) and allows for a maximum density of 30 dwelling units per acre on the project site. The Section 14 Specific Plan language states that "most new residential development would be built at an average density of below ten (10) dwelling units per acre, rather than the maximum thirty (30) dwelling units per acre that is permitted under the High Density Residential designation". The net 3.96-acre site will be built with a density of 7.5 dwelling units per acre, which is consistent with General Plan and the less than ten (10) dwelling units per acre average density contemplated by the Section 14 Specific Plan. Specific goals and policies are as follows:

*Goal HS 1: Facilitate a broad range of housing types, prices and opportunities to address current and future housing needs in the community.*

*HS1.2: Maintain a range of housing densities through General Plan Land Use Designations and zoning to facilitate and encourage single-family homes, apartments, and townhouses, mobile homes, and special needs housing.*

*HS2.3: Enhance the appearance and character of neighborhoods with high quality site planning, architecture, and landscape design in multiple-family developments.*

*Goal LU6: Ensure that housing needs of people with varying incomes, household sizes, and lifestyles can be met within the City.*

*LU6.1: Facilitate new residential development on vacant or underutilized properties.*

*LU6.2: Encourage new residential in-fill development.*

*LU1.5: Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.*

Furthermore, the project site is not on the list of Housing Opportunity sites designated for affordable housing as delineated in the General Plan nor is it delineated in the recent 2014 Housing Element Table 3-20 (Sites to Address the Regional Housing Needs Assessment).

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

The Project design and improvements are consistent with the High Density Residential (HDR) Land Use designations in which the property is located. The HDR multi-family residential zoning designation allows for the development of the property as condominium units and the project is consistent with the development standards in terms of setbacks with the approval of an Administrative Minor Modification, building heights, and open space and the proposal is consistent with this finding.

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

The existing vacant lot is relatively flat with a slight grade from Arenas Road to Baristo Road. The project consists of twenty (20) attached units fronting on Hermosa Drive and Street "A", and ten (10) detached units sited along the western property line also fronting Street "A". Access to the condominium units will be individual driveways from Hermosa Road or internal Street "A". The site is serviced by nearby utilities and local street network and will allow for the development of the parcel as a residential community.

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

The development of thirty (30) condominium units on 3.96-acre site is appropriate for a corner site as access to existing utilities and infrastructure are present. The site located within the urbanized area of Section 14 surrounded by local servicing streets to include Hermosa Drive, Baristo and Arenas Roads provides proper access to the site and the finding has been met.

*e. The design of the subdivision is not likely to cause environmental damage*

*or substantially and avoidably injure fish, wildlife, or their habitats.*

The Tentative Tract Map and associated Major Architectural Application have been reviewed under the California Environmental Quality Act, and it has been determined that the project is categorical Exempt as an in-fill project. The Project will therefore not damage or injure, 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 Project includes connections to all public utilities including water and sewer systems. The layout of internal private street "A" and driveways along Hermosa Drive will provide access to each unit along with adequate off-street parking. No serious public health problems are anticipated and the finding has been met.

*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 Project will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

I. Pursuant to Section 94.06.01(B)(2)(a-d) of the Palm Springs Zoning Code, Administrative Minor Modification, the Planning Commission finds:

*1. The requested minor modification is consistent with the General Plan, applicable Specific Plan(s) and overall objectives of the zoning ordinance.*

There is no General Plan policy that would be adversely affected by this setback modification. Approval of the requested minor modification will facilitate the development of a project which is consistent with the following land use goals and policies:

*LU6.1: Facilitate new residential development on vacant or underutilized properties.*

*LU6.2: Encourage new residential in-fill development.*

The Palm Springs Zoning Code (PSZC), Section 94.06.01(A)(5) specifically allows for a 20% reduction in setbacks after meeting specific findings which have been met.

*2. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification.*

The request is for a six (6') foot reduction in the front yard setback from thirty (30') feet to twenty-four (24') feet for units facing Hermosa Drive; and a four (4') reduction in the side yard setback from twenty (20') feet to sixteen (16') feet from the west property line. The property has street frontage on three (3) sides with an internal street bisecting the parcel. The front yard setback reduction along Hermosa Drive will not adversely affect the vacant lot across the street, or the west property line reduction which fronts a vacant parcel owned by the applicant. Based upon the corner lot condition with the shortest lot lines facing Baristo and Arenas Roads, and fronting on Hermosa Drive the finding has been met.

*3. The approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity.*

All building and renovations will be built in accordance to the Palm Springs Building Code, Fire Code and Zoning Code as modified by this Administrative Minor Modification. Approving the requested six (6') foot reduction in the front yard setback from thirty (30') feet to twenty-four (24') feet for units facing Hermosa Drive; and a four (4') foot reduction in the side yard setback from twenty (20') feet to sixteen (16') feet from the west property line will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity.

*4. The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.*

The setback request is warranted based upon the required dedication of one (1) acre to widen two streets and add curbs, gutters, and sidewalks which reduces the amount of buildable area by one (1) acre. Based upon this benefit to the general public, Staff has determined that the AMM is justified.

THE PLANNING COMMISSION RESOLVES:

Based upon the foregoing, the Planning Commission hereby (1) approves Case 3.4007 MAJ; and 7.1519 AMM; and (2) recommends to City Council approval of 37245 TTM for the construction of a thirty (30) unit condominium complex located at the northwest corner of Hermosa Drive and Baristo Road subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 24th day of May, 2017.

AYES: 5, Weremiuk, Calerdine, Donenfeld, Hirschbein, Lowe

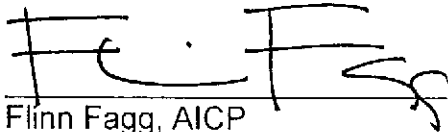
NOES: None.

ABSENT: 2, Hudson, Middleton

ABSTAIN: None.

ATTEST:

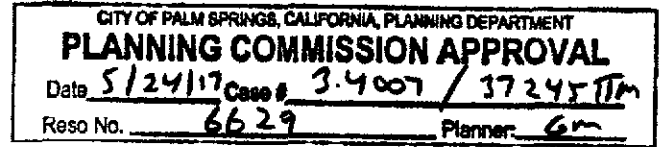
CITY OF PALM SPRINGS, CALIFORNIA



Flinn Fagg, AICP  
Director of Planning Services

RESOLUTION NO. 6629

EXHIBIT A



Major Architectural 3.4007 MAJ  
Tentative Tract Map 37245 TTM

Thirty Unit Condominium Complex located at  
Northwest Corner of Hermosa Drive and Baristo Road

Enclave at Baristo

May 24, 2017

**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 3.4007 MAJ; 7.1519 AMM; and TTM 37245;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped May 17, 2017, 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 3.4007 MAJ; 7.1519 AMM; and TTM 37245. 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.

## **AQUA CALIENTE BAND OF CAHUILLA INDIANS CONDITIONS**

- AQA 1. Prior to issuance of any grading permit, the applicant shall pay the Valley Floor Planning Area fee to the Tribe as requires by the THCP.
- AQA 2. Prior to any ground or habitat disturbance associated with any Covered Project on the Reservation on a site which provides potential burrowing owl habitat, the Covered Project Proponent shall cause a pre-construction survey of the site to be conducted for presence of the species.
- a. Surveys and relocation, if applicable, shall be conducted in accordance with the California Department of Fish and Wildlife (CDFG) Staff Report on Burrowing Owl Mitigation (1995) or other then-current protocols as directed by the Tribe.
  - b. Owls should be excluded from burrows in the Department Envelope and within an appropriate buffer zone by installing one-way doors in burrow entrances or other technique as deemed appropriate. The biological monitor must ensure through appropriate means (e.g., monitor for owl use, excavating burrows) that the burros to be impacted are not being used. The Tribe shall determines whether creations of artificial burrows is necessary as part of the relocation effort.
  - c. Occupied burrows shall not be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that either: (a) the birds have not begun egg lying and incubation; or (b) that juveniles from the occupied burrows are foraging independently and capable of independent survival.
- AQA 3. A cultural resources inventory shall be conducted of the Project Site by a qualified archaeologist prior to any ground disturbing activities.
- AQA 4. The presence of an approved Native American Cultural Resource Monitor(s) shall be present during any ground disturbing activities (including archaeological testing and surveys). Please contact the Tribal Historic Preservation Office at 760-699-6800 for details. Should buried cultural deposits be encountered, the Monitor may request that the destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Aqua Caliente Tribal Historic Preservation Office.

## PLANNING DEPARTMENT CONDITIONS

- PLN 1. Add a sidewalk on the west side of the internal Street "A".
- PLN 2. Reduce building height to 24'-4" feet.
- PLN 3. Enhance north building elevations facing Arenas Road.
- PLN 4. 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 5. 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 6. 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 7. 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 8. Pools/Spas water edge to be permitted within three (3) feet of property lines.

**PLANNING COMMISSION IMPOSED CONDITIONS**

PLN 9. Add appropriate street furniture (bench seating) located in landscaped area adjacent to Arenas Road.

PLN 10. Trees planted adjacent to streets to provide shading of sidewalks.

PLN 11. CC&R's to restrict short term rental to no less than thirty (30) days.

PLN 12. Residential buildings to be wired for solar installations providing a minimum of 2,000 kilowatts.

**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. Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review. Conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received January 18, 2017. 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. Three (3) 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):** 24 foot minimum 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

**Project Note:** “Street A” – parking on one side only. Show parking spaces on site map

FID 6. **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

FID 7. **Turning Radius (CFC 503.2.4):** Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet. Radius must be concentric.

FID 8. **NFPA 13D 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 13D, 2013 Edition, as modified by local ordinance. Shall comply with Palm Springs Fire Code Appendix L.

FID 9 **Traffic Calming Devices (CFC 503.4.1):** Traffic calming devices shall be prohibited unless approved by the fire code official.

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 – 250. 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     **Residential Smoke and Carbon Monoxide Alarms Installation (CFC 907.2.11.2/3/4; CRC R314 & R315; and California Health & Safety Code 17926):** Provide and install Residential Smoke and Carbon Monoxide Alarms. Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alterations, repairs and additions, smoke and carbon monoxide alarms shall be interconnected. The operation of any smoke alarm will cause all smoke alarms within the dwelling to sound. The operation of any carbon monoxide alarm will cause all carbon monoxide alarms within the dwelling to sound.

### 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 Services Department. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3.     Master planned roadways shall be improved to the *Final Section 14 Master Development Plan/Specific Plan* design standards on and adjacent to the site, as generally identified herein, or to alternative design standards proposed by the applicant and approved by the City.
- ENG 4.     When public dedications of easements or rights-of-way over Tribal Allottee land are required, the applicant shall be responsible for compliance with all Bureau of Indian Affairs (B.I.A.) requirements, including payment of any BIA fees, obtaining appraisals and payment of just compensation to the underlying owner. It is the applicant's responsibility to determine what additional costs or other requirements may be necessary to obtain any required public dedications as identified by the City for this development. Required public dedications for easements or rights-of-way are "without

limitation as to tenure"; easements granted with a defined term, or made in connection with an underlying Indian Land Lease, shall not be accepted.

- ENG 5. Upon completion of required improvements by the applicant, and as a condition of acceptance by the City Engineer, the applicant shall prepare for the City Engineer's approval, an Affidavit of Completion in accordance with Section 169.16, Title 25, of the Code of Federal Regulations, for any improvements constructed by the applicant for which an easement was dedicated to the City through the Bureau of Indian Affairs. The Affidavit of Completion shall be provided to and approved by the City Engineer prior to final acceptance of the project, including issuance of a final certificate of occupancy. The applicant shall be responsible for obtaining the necessary form for the Affidavit of Completion from the Palm Springs Agency of the Bureau of Indian Affairs, and for having it completed as necessary by the applicant's Engineer of Record.

#### HERMOSA DRIVE

- ENG 6. Construct 10 feet wide driveway approach(es) in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 7. In accordance with the *Final Section 14 Master Development Plan/Specific Plan* (dated November 2004), the applicant shall plant shade trees in a formal pattern along the Hermosa Drive frontage, as approved by the Director of Parks and Recreation. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Hermosa Drive frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 8. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### BARISTO ROAD

- ENG 9. Construct a 6 inch curb and gutter, 32 feet north of centerline along the entire frontage; with a 25 feet radius curb return, cross-gutter and spandrel on each side of the intersection of Baristo Road and Private Street in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 10. Construct an 8 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 11. Construct Type A curb ramps meeting current California State Accessibility standards at the intersection of Baristo Road and Private Street in accordance with City of Palm Springs Standard Drawing No.212.
- ENG 12. Construct pavement with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire 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 13. In accordance with the *Final Section 14 Master Development Plan/Specific Plan* (dated November 2004), the applicant shall plant shade trees in a formal pattern along the Baristo Road frontage, as approved by the City Engineer. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Baristo Road frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 14. Design and install an electrical system for installation of Tahquitz Canyon Way decorative light fixtures (12 feet to 15 feet tall) consistent with the existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries and supporting electrical system. The electrical system shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The lighting system shall be installed and operational, and

accepted for operation and maintenance by the City, prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

- ENG 15. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ARENAS ROAD

- ENG 16. Construct a 6 inch curb and gutter, 32 feet south of centerline along the entire frontage; with a 25 feet radius curb return, cross-gutter and spandrel on each side of the intersection of Arenas Road and Private Street in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 17. Construct an 8 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

- ENG 18. Construct Type A curb ramps meeting current California State Accessibility standards at the intersection of Arenas Road and Private Street in accordance with City of Palm Springs Standard Drawing No.212.

- ENG 19. Construct pavement with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire 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 20. All broken or off grade street improvements along the project frontage shall be repaired or replaced

#### ON-SITE

- ENG 21. The minimum pavement section for all on-site pavement for private streets 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.

- ENG 22. All on-site private streets shall be two-way with a minimum 32 feet wide travelway (as measured from face of curb) where on-street parallel parking is proposed on one-side of the street.
- ENG 23. On-site private streets shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

#### 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.
- ENG 26. If an on-site private sewer system is proposed to collect sewage from the development and connect to the existing public sewer system, sewer plans shall be submitted to the Engineering Services Department for review and approval. Private on-site sewer mains for residential projects shall conform to City sewer design standards, including construction of 8 inch V.C.P. sewer main and standard sewer manholes. Sewer manhole covers shall be identified as "Private Sewer". A profile view of the on-site private sewer mains is not necessary if sufficient invert information is provided in the plan view, including elevations with conflicting utility lines. Plans for sewers other than the private on-site sewer mains, i.e. building sewers and laterals from the buildings to the on-site private sewer mains, are subject to separate review and approval by the Building Division.
- ENG 27. The project is subject to the Section 14 Sewer Impact Fee. The sewer impact fee at the present time is \$696.00 per acre. The fee shall be paid prior to, or concurrently with issuance of building permits.

#### GRADING

ENG 28. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Services Department 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 Services Department 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 Services Department 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 Services Department 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; a copy of the project-specific Final Water Quality Management Plan.

ENG 29. 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 30. 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 31. 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 32. 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 33. Prior to issuance of grading permit, the applicant shall provide verification to the City that the Tribal Habitat Conservation Plan (THCP) fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the THCP.
- ENG 34. 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 35. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.



- ENG 36. 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 37. 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 Services Department with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 38. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Services Department prior to construction of any building (or structure) foundation.
- ENG 39. 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 40. 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 41. 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 42. 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.

#### DRAINAGE

ENG 43. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMPs).

ENG 44. 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 45. Construct storm drain improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site streets into the on-site detention system and on-site storm drainage improvements, as described in the Hydrology Study.
- ENG 46. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.
- ENG 47. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.

## GENERAL

- ENG 48. 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 49. All proposed utility lines shall be installed underground.
- ENG 50. 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 51. 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 52. 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 Services Department 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 53. Nothing shall be constructed or planted in the corner cut-off area of any intersections or driveways 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 54. 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.

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. The annexation shall be completed by action of the city council in a public hearing, prior to processing a final map for approval.

ENG 56. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Services Department 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 Services Department 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. The applicant shall be required to enter into an agreement that provides the City of Palm Springs with an exclusive right of entry onto the subject property with the right to remove all abandoned street improvements at the applicant's expense, in the event removal of the abandoned street improvements is not completed within two (2) years following approval of a Final Map by the City Council. The agreement shall be secured with appropriate subdivision security, as approved by the City Attorney, with the security available to the City upon notice

from the City Engineer that the applicant has failed to perform its obligations as required by the agreement. The applicant shall provide written estimates of cost to remove all abandoned street improvements, abandonment and/or relocation of all existing underground utilities, and construction of street improvements as may be necessary, subject to the approval of the City Engineer. Estimates of costs related to public utility abandonment and/or relocation shall be determined by the respective utility agency, as appropriate. The agreement shall be executed by the applicant prior to approval of a Final Map by the City Council. The developer shall submit a deposit of \$2,500 for preparation of the agreement, and shall be subject to actual costs associated with its preparation by the City Attorney.

ENG 59. 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 Services Department'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 60. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

ENG 61. 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 62. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks. Minimum clearance on public sidewalks shall be

provided by either an additional dedication of a sidewalk easement if necessary and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the frontage of the subject property.

- ENG 63. 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 64. 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.
- ENG 65. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

**END OF CONDITIONS**

## EXCERPT OF MINUTES

Below is an excerpt of **DRAFT** minutes of the Planning Commission meeting of the City of Palm Springs, held on May 24, 2017, the Planning Commission took the following action:

**2C. PHILIP J. PRIETO, OWNER, FOR A MAJOR ARCHITECTURAL APPLICATION; AN ADMINISTRATIVE MINOR MODIFICATION; AND RECOMMENDING TO CITY COUNCIL APPROVAL OF A TENTATIVE TRACT MAP FOR THE CONSTRUCTION OF A THIRTY (30) UNIT CONDOMINIUM PROJECT LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14 (CASES 3.4007 MAJ; 7.1519 AMM; 37245 TTM). (GM)**

Associate Planner Mlaker provided an overview on the proposed construction of a thirty (30) condominium unit project as outlined in the staff report.

Chair Calderine opened the public hearing:

JESSICA PEAT, Peat Architecture, principal architect, addressed questions from the Commission pertaining to the landscape buffers, privacy views from balconies, tree shading, paseo seating, solar and building orientation.

TOM NOYA, developer, she he designed private spaces where no one is looking into their yard and created the view corridors to take advantage of the incredible views.

There being no further speakers the public hearing was closed.

Vice-Chair Weremiuk said she likes the project and it fits into the Section 14 guidelines.

Commission Donenfeld supports the motion and said that it's a great project and is in-keeping with the neighborhood.

**ACTION:** Approve with conditions subject to:

1. Add appropriate street furniture (bench seating) located in landscaped area adjacent to Arenas Road.
2. Trees planted adjacent to streets to provide shading of sidewalks.
3. CC&R's to restrict short term rental to no less than thirty (30) days.
4. Residential buildings to be wired for solar installations providing a minimum of 2,000 kilowatts.



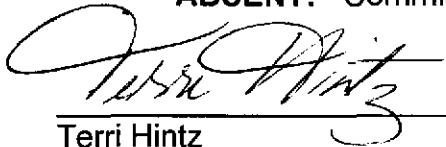
**Motion:** Vice Chair Weremiuk, seconded by Chair Calerdine, and unanimously carried 5-0-2 on a roll call vote.

I, TERRI HINTZ, Planning Administrative Coordinator for the City of Palm Springs, hereby certify that the above action was taken by Planning Commission of the City of Palm Springs on the 24<sup>h</sup> day of May, 2017, by the following vote:

**AYES:** Commissioner Donenfeld, Commissioner Hirschbein,  
Commissioner Lowe, Vice-Chair Weremiuk, Chair Calerdine

**NOES:** None

**ABSENT:** Commissioner Hudson, Commissioner Middleton



---

Terri Hintz  
Planning Administrative Coordinator

## EXCERPT OF MINUTES

At the Architectural Advisory Committee meeting of the City of Palm Springs, held on April 3, 2017, the Architectural Advisory Committee took the following action:

- 3. PHILIP J. PRIETO, OWNER, FOR A MAJOR ARCHITECTURAL APPLICATION, AN ADMINISTRATIVE MINOR MODIFICATION, AND A TENTATIVE TRACT MAP FOR THE CONSTRUCTION OF A THIRTY (30) UNIT CONDOMINIUM PROJECT LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14. (CASES 3.4007 MAJ; 7.1519 AMM; 37245 TTM). (GM)**

Associate Planner Mlaker provided an overview on the proposed condominium project.

Member Rotman verified retention basin details and reason for increases in height.

JESSICA PEAT, applicant, provided details and was available to answer questions.

Member Secoy-Jensen verified materials of exteriors.

Vice-Chair Cassady verified the choice of metal panels and location on elevations.

### Comments:

Member Purnel said the landscape sizes and species are all in line; however noted a concern with the metal element (looks faux).

Member Secoy-Jensen also expressed concern with the metal choices; and wondered about other options. She is also concerned about the materials but supports the project.

Member Rotman verified the list of staff concerns: walls @ streets need more variation.

M/S/C (Rotman/Secoy-Jensen, 5-0-2 absent Fredricks, Song) Approve with the following conditions:

1. Comeback with alternative to stone and metal
2. Wall needs more variation in stepbacks and materials.
3. Building Height - to be reviewed by subcommittee (Rotman, Lockyer and Secoy-Jensen)

I, TERRI HINTZ, Planning Administrative Coordinator for the City of Palm Springs, hereby certify that the above action was taken by Architectural Advisory Committee of the City of Palm Springs on the 3rd day of April, 2017, by the following vote:

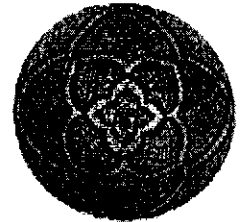
**AYES:** Members Vice-Chair Cassady, Purnel, Rotman, Secoy-Jensen,  
Lockyer  
**NOES:** None  
**ABSENT:** Members Fredricks, Song

A handwritten signature in cursive script, reading "Terri Hintz", written over a horizontal line.

Terri Hintz  
Planning Administrative Coordinator

# AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL PLANNING & DEVELOPMENT



May 10, 2017

HAND DELIVERED

Mayor Robert Moon and City Council  
CITY OF PALM SPRINGS  
3200 Tahquitz Canyon Way  
Palm Springs, California 92262

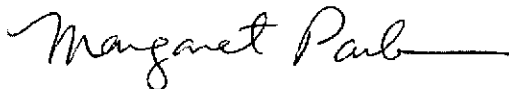
**RE: Enclave at Baristo – Case No. 3.4007-MAJ; 7.1519-AMM; 3.3965-TTM**

Dear Mayor and City Council,

The Tribal Council of the Agua Caliente Band of Cahuilla Indians reviewed the above referenced project at its meeting of May 9, 2017, and recommends approval of the project to the City subject to the Conditions of Approval provided as Attachment A.

Please contact me should you have any questions at 760-883-1326.

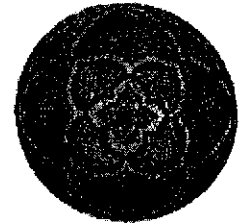
Very truly yours,



Margaret E. Park, AICP  
Director of Planning & Natural Resources  
**AGUA CALIENTE BAND  
OF CAHUILLA INDIANS**

MP/bt

C: Tribal Council  
Tom Davis, Chief Planning & Development Officer  
Flinn Fagg, Director of Planning Services, City of Palm Springs  
City Planning Commission



## ATTACHMENT A

**Enclave at Baristo – Palm Springs Case No. 3.4007-MAJ; 7.1519-AMM; 37245 TTM**

### CONDITIONS OF APPROVAL

May 1, 2017

1. Prior to issuance of any grading permit, the applicant shall pay the Valley Floor Planning Area fee to the Tribe as required by the THCP.
2. Prior to any ground or habitat disturbance associated with any Covered Project on the Reservation on a site which provides potential burrowing owl habitat, the Covered Project Proponent shall cause a pre-construction survey of the site to be conducted for presence of the species.
  - a. Surveys and relocation, if applicable, shall be conducted in accordance with the California Department of Fish and Wildlife (CDFG) Staff Report on Burrowing Owl Mitigation (1995) or other then-current protocols as directed by the Tribe.
  - b. Owls should be excluded from burrows in the Development Envelope and within an appropriate buffer zone by installing one-way doors in burrow entrances or other technique as deemed appropriate. The biological monitor must ensure through appropriate means (e.g., monitoring for owl use, excavating burrows) that the burrows to be impacted are not being used. The Tribe shall determine whether creation of artificial burrows is necessary as part of the relocation effort.
  - c. Occupied burrows shall not be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that either: (a) the birds have not begun egg laying and incubation; or (b) that juveniles from the occupied burrows are foraging independently and capable of independent survival.
3. A cultural resources inventory shall be conducted of the Project Site by a qualified archaeologist prior to any ground disturbing activities.
4. The presence of an approved Native American Cultural Resource Monitor(s) shall be present during any ground disturbing activities (including archaeological testing and surveys). Please contact the Tribal Historic Preservation Office at 760-699-6800 for details. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.



MARCH 23, 2017

GLENN MLAKER, AICP  
ASSOCIATE PLANNER  
CITY OF PALM SPRINGS  
3200 EAST TAHQUITZ CANYON WAY  
PALM SPRINGS, CA 92262

RE: GP JUSTIFICATION LETTER FOR "ENCLAVE AT BARISTO" – TTM 37245 / MAJ 3.4007

Dear Mr. Mlaker,

As requested, and on behalf of the Enclave at Baristo, LLC and Tom Noya (applicant), this letter shall serve as our justification letter and suggested findings (supported by evidence) in regards to density for the "Enclave at Baristo" project. We have also attached excerpts from the Palm Springs General Plan, Housing Element and Section 14 Specific Plan which provide the needed background on density for this site and evidence that supports the continued processing of our application as submitted.

The General Plan lower density ranges are described in the text as "anticipated" densities, not minimum "required" densities and that densities are "determined on a parcel-by-parcel basis". The Section 14 Specific Plan language drills down even further and predicts that "most new residential development would be built at an average density of below 10 dwelling units per acre, somewhat below the lower threshold of 15 dwelling units per acre that is suggested under the High Density Residential designation." The City Council found that the Section 14 Specific Plan is consistent with the General Plan when the specific plan was adopted.

Furthermore the project site (APN 508-100-035) is not on the list of Housing Opportunity sites delineated in the General Plan nor is it delineated in the recent 2014 Housing Element Table 3-20 (Sites to Address the Regional Housing Needs Assessment) and therefore is not constrained by the requirements of Government Code 65863. The Housing Opportunity Sites map found in the General Plan is attached along with the appropriate page of the most recent Housing Element (2014) that identifies which parcels are available to address the City's affordable housing needs.

We find nothing in either of the documents that requires meeting any threshold density number for this parcel and as such believe that the City may make the necessary findings that the project as proposed conforms to the Palm Springs General Plan (including the Housing Element) and Section 14 Specific Plan as to land use and density.

RECEIVED

MAR 28 2017 78

We note that the City Council recently took action to reinstate the lower density estimates for General Plan residential designations and specifically noted that projects with densities lower than the cited density range would be considered consistent with the General Plan if appropriate findings supported by evidence could be made.

In addition we have discussed the density issue with Tom Davis from the Tribal Planning office and invite you to corroborate his opinion that there is not an issue as to the density of this project at slightly under 10 du/acre. As with other projects proposed on Allotted Tribal land, we look forward to reviewing the project with the Tribal Planning staff and the Tribal Planning Commission as well as the Palm Springs Planning Commission.

We look forward to working with the City as we move forward with our project.

Sincerely,

Marvin D. Roos  
*Senior Advisor*  
MSA Consulting Inc.



MARCH 27, 2017

GLENN MLAKER, AICP  
ASSOCIATE PLANNER  
CITY OF PALM SPRINGS  
3200 EAST TAHQUITZ CANYON WAY  
PALM SPRINGS, CA 92262

RE: CEQA DETERMINATION FOR "ENCLAVE AT BARISTO" – TTM 37245 / MAJ 3.4007

Dear Mr. Mlaker,

As requested, and on behalf of the Enclave at Baristo, LLC and Tom Noya (applicant), this letter provides clarification regarding CEQA determination and exemption for the "Enclave at Baristo" project.

"Enclave at Baristo" proposes to develop thirty (30) attached/detached condominium units on approximately four acres on the northwest corner of Baristo Road and Hermosa Drive (APN: 508-100-035). In its current state, the site consists of vacant, undeveloped, infill land and will occupy the eastern half of Government Lot 172. The property has a General Plan Designation of High Density Residential (HDR) and is located within the Section 14 Specific Plan (zoned: High Density Residential [HR I.L]). This 3.96 acre infill project is consistent with applicable General Plan and Section 14 Specific Plan policies, as well with the provisions of the Zoning Ordinance. Furthermore, the project will be adequately served by utilities via proximity to existing infrastructure, has not been identified as having value as a habitat for endangered or threatened species, and would not result in any significant effects relating to traffic, noise, air and water quality.

Because of these reasons, the project is exempt from CEQA under the CEQA Guidelines section 15332 (Class 32) exemption as an in-fill project. The Class 32 exemption applies where:

*(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*

*(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

*(c) The project site has no value as habitat for endangered, rare or threatened species.*

RECEIVED

MAR 28 2017

PLANNING SERVICES  
DEPARTMENT



*(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*


*(e) The site can be adequately served by all required utilities and public services.*

The development meets all of these criteria and therefore the project is to be Categorically Exempt from further analysis under CEQA as a Class 32 exemption (infill development).

If you require any more information or have any questions, please do not hesitate to contact Christopher Brizuela by phone (760) 320-9811 or by email [cbrizuela@msaconsultinginc.com](mailto:cbrizuela@msaconsultinginc.com).

We look forward to working with the City as we move forward with our project.

Sincerely,



Christopher Brizuela

*Planner*

MSA Consulting Inc.

Findings:

1. *The proposed development is consistent with applicable General Plan and Specific Plan objectives and policies as well as the provisions of the zoning ordinance.*

The proposed development is consistent with the goals and objectives of the General Plan which allows for anticipated densities between 15-30 dwelling units per acre on the project site. The project site is located within the Section 14 Specific Plan area. The Section 14 Specific Plan language states that “most new residential development would be built at an average density of below 10 dwelling units per acre, rather than the maximum 30 dwelling units per acre that is permitted under the High Density Residential designation.” The net 3.96 acre site will be built with a density of 7.5 dwelling units per acre, which is consistent with both the General Plan and Section 14 Specific Plan. Furthermore the project site (APN 508-100-035) is not on the list of Housing Opportunity sites designated for affordable housing as delineated in the General Plan nor is it delineated in the recent 2014 Housing Element Table 3-20 (Sites to Address the Regional Housing Needs Assessment) and therefore is not constrained by the requirements of Government Code 65863 (which is not applicable to the project site). There are a sufficient number of residential sites designated in the General Plan and the 2014 Housing Element Table 3-20 with sufficient densities to satisfy the Regional Housing Needs Assessment for affordable housing in Palm Springs.

2. *The proposed project development will not be detrimental to neighboring properties or residents.*

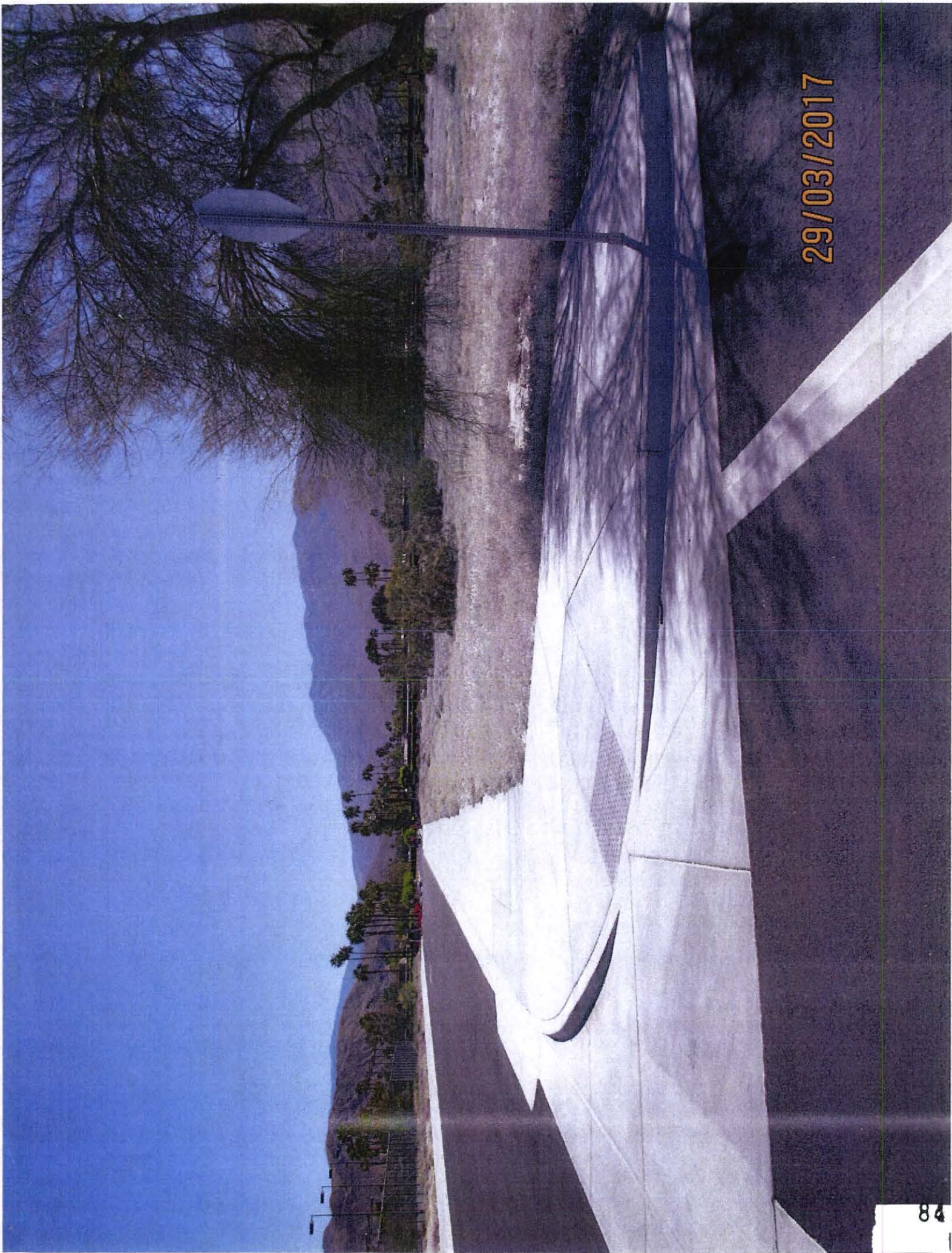
The proposed project will not be detrimental to neighboring properties or residents. The development proposes to construct thirty (30) condominium units along with site improvements (retention, landscaping, utilities, etc) on a 3.96 acre vacant lot. The development is consistent with all applicable General Plan and Section 14 Specific Plan policies and all plans and improvements will be subject to review and enforcement under building and fire code regulations. Furthermore, low traffic volumes and a determined Level of Service of A and B for existing intersections in the project vicinity have allowed the City to reduce traffic lanes by converting an existing lane into a bike lane on Baristo Road. The traffic report prepared for this project confirms the Levels of Service and has determined that the project would not have a significant impact on traffic.

3. *The subject property is suitable for the proposed uses and has a harmonious relationship with existing developments and immediate neighborhood community.*

The development of (30) condominium units on the 3.96 acre site is appropriate for this corner property as the site has access to existing utilities and infrastructure. The use of varying building elevations, and unique project design, will be harmonious with existing development and uses while also enhancing the character of the neighborhood community (Villorio and Rose Garden communities). In addition, the density and use of the proposed project is similar to and compatible with, condominium projects in the surrounding area. The Rose Garden community located on the south side of Baristo Road has a similar density of approximately 8 du/ac. In addition the 48@Baristo community has an approximate density of 10 du/ac and Villorio to the west has an approximate density of 13.5 du/ac. Similarly the development is consistent with the zoning code and all applicable General Plan and Section 14 Specific Plan policies and objectives.

4. The City Council approved reinstating the lower density “estimates” in the General Plan including the notation that projects could be approved with densities lower than the anticipated range if appropriate findings were made with evidence in the record that the property was not identified as an affordable housing site in the General Plan Housing Element. As noted above, the project site is not among the sites designated in the General Plan or the 2014 Housing Element Table 3-20 for affordable housing. Accordingly, it is appropriate and permissible to approve the proposed project, notwithstanding the fact that its density is lower than the low range of the density for the project site in the General Plan.





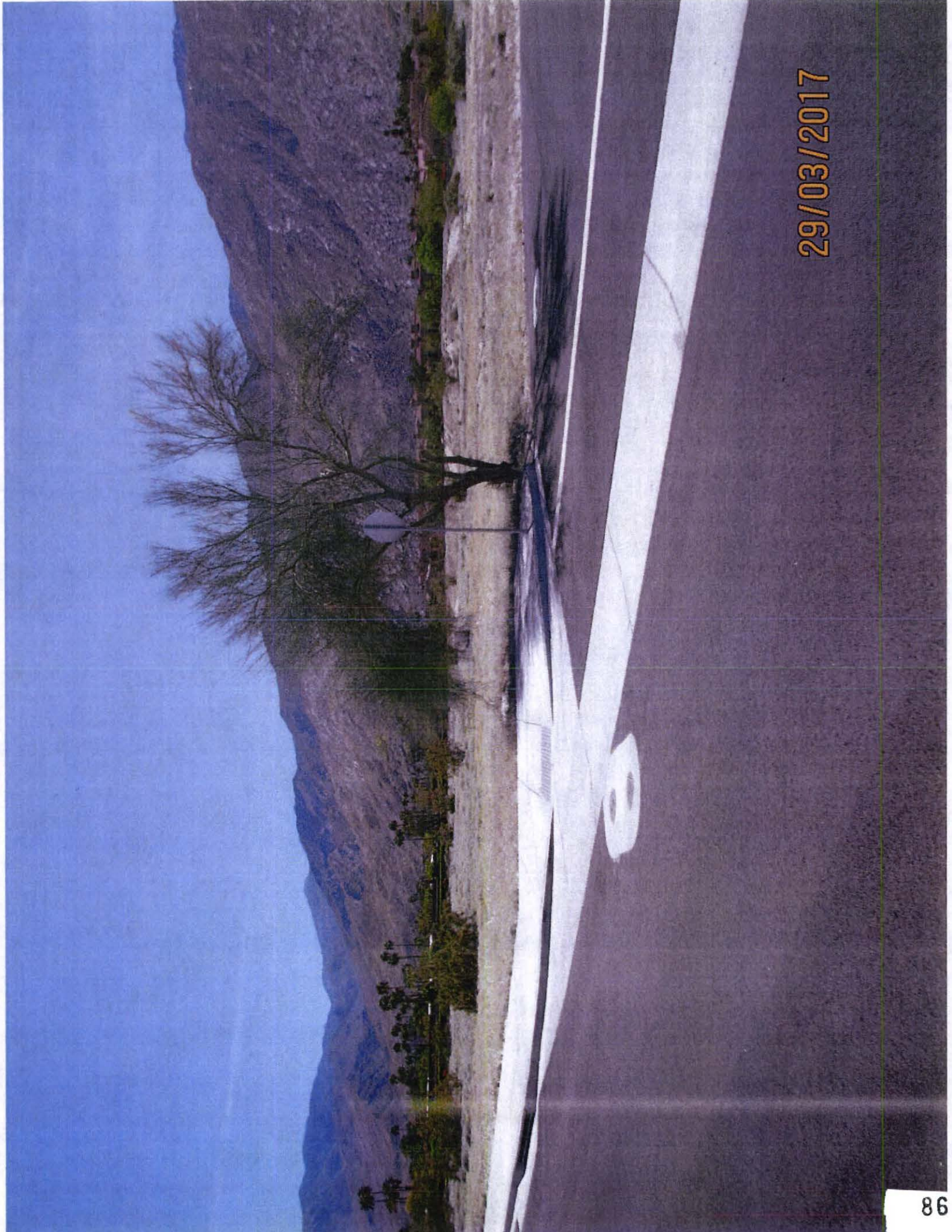
29/03/2017





29/03/2017





29/03/2017



  
BIKE LANE

29/03/2017



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

# TECHNICAL SITE PLAN

FOR TENTATIVE TRACT MAP NO. 37245

FORM DATE: MAY 4, 2017

**DATA TABLE**

APPLICANT:	ENCLAVE AT PALMS LLC
ADDRESS:	80 EAST HEMLOCK CANYON WAY, SUITE 200 PALM SPRINGS, CALIFORNIA 92262
CONTACT:	TONY MOYA
PHONE:	(760) 865-9102
LAND OWNER:	PLSP 7 PARTS
ADDRESS:	PLSP 7 PARTS, 20000 AVILA BLVD, SUITE 400 PALM SPRINGS, CALIFORNIA 92262
CONTACT:	TONY MOYA
PHONE:	(760) 865-9101
ENGINE PREPARED BY:	MSA CONSULTING, INC.
ADDRESS:	3400 BIRCH DRIVE # 200, PALM SPRINGS, CALIFORNIA 92262
CONTACT:	PAUL SPRADLEY, CDR
PHONE:	(760) 336-9811
SOURCE OF TOPOGRAPHY:	BLAND, KENIA, BLANDES, INC.
ADDRESS:	8744 AVENUE PALM BLVD, SUITE 9 PALM SPRINGS, CALIFORNIA 92262
DATE OF TOPOGRAPHY:	1/2017
PHONE:	(951) 487-4222

**LEGAL DESCRIPTION:** COURTESY AND TRACT MAP NO. 37245, PART OF THE SOUTHWEST QUARTER OF THE SECTION 36, TOWNSHIP 30N, RANGE 12E, AND BOUNDARY SECTION 4

**LAND USE DATA:**  
 EXISTING ZONING AGREEMENT: 476 AC  
 APPLICANT'S PROPOSED ZONING: 476 AC  
 PROPOSED LOT AREA: 476 AC

**EXISTING ZONING:** SECTION 18.08.02  
**PROPOSED ZONING:** SECTION 18.08.02

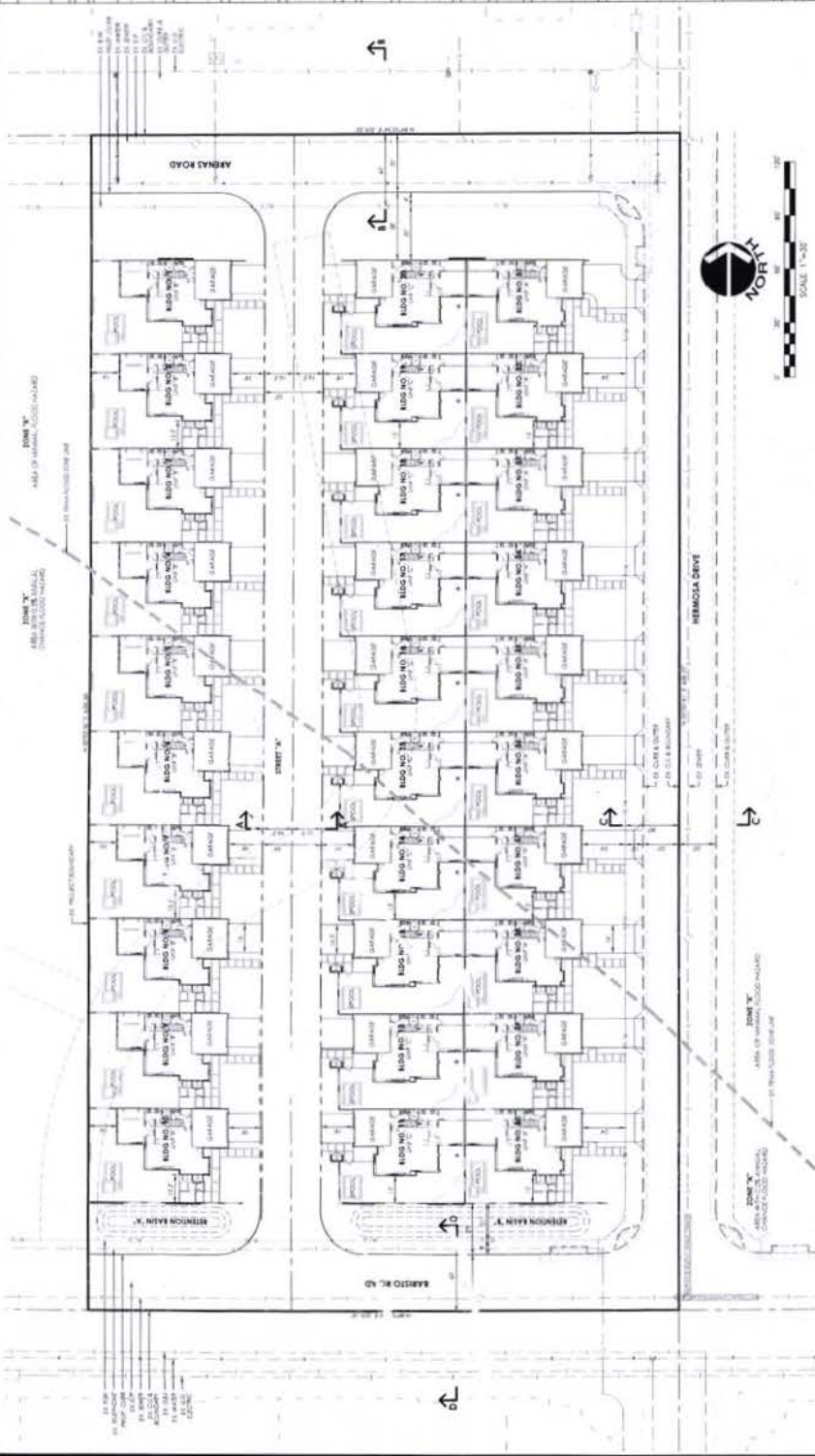
**EXISTING GENERAL PLAN LAND USE:** HIGH DENSITY RESIDENTIAL  
**PROPOSED GENERAL PLAN LAND USE:** HIGH DENSITY RESIDENTIAL

**APPROXIMATE LOTS:**  
 NORTH: COMMERCIAL ZONING R  
 WEST: RESIDENTIAL ZONING R  
 EAST: RESIDENTIAL ZONING R  
 SOUTH: RESIDENTIAL ZONING R

**PUBLIC UTILITY PROVIDER:**  
 ELECTRIC: SOUTHERN CALIFORNIA EDISON CO  
 GAS: SOUTHERN CALIFORNIA GAS CO  
 WATER: VISTA WATER COMPANY  
 TELEPHONE: VISTA COMMUNITY  
 CABLE: SPECTRUM CABLE  
 CITY OF PALM SPRINGS: 760.336.9100  
 CITY OF PALM SPRINGS: 760.336.9100

**FEMA FLOOD ZONE DESIGNATION:**  
 ZONE 4 - AREA OF ANIMAL FLOOD HAZARD  
 ZONE 5 - AREA OF ANIMAL FLOOD HAZARD  
 ZONE X - AREA OF ANIMAL FLOOD HAZARD  
 ZONE Y - AREA OF ANIMAL FLOOD HAZARD  
 ZONE Z - AREA OF ANIMAL FLOOD HAZARD  
 ZONE AA - AREA OF ANIMAL FLOOD HAZARD  
 ZONE BB - AREA OF ANIMAL FLOOD HAZARD  
 ZONE CC - AREA OF ANIMAL FLOOD HAZARD  
 ZONE DD - AREA OF ANIMAL FLOOD HAZARD  
 ZONE EE - AREA OF ANIMAL FLOOD HAZARD  
 ZONE FF - AREA OF ANIMAL FLOOD HAZARD  
 ZONE GG - AREA OF ANIMAL FLOOD HAZARD  
 ZONE HH - AREA OF ANIMAL FLOOD HAZARD  
 ZONE II - AREA OF ANIMAL FLOOD HAZARD  
 ZONE JJ - AREA OF ANIMAL FLOOD HAZARD  
 ZONE KK - AREA OF ANIMAL FLOOD HAZARD  
 ZONE LL - AREA OF ANIMAL FLOOD HAZARD  
 ZONE MM - AREA OF ANIMAL FLOOD HAZARD  
 ZONE NN - AREA OF ANIMAL FLOOD HAZARD  
 ZONE OO - AREA OF ANIMAL FLOOD HAZARD  
 ZONE PP - AREA OF ANIMAL FLOOD HAZARD  
 ZONE QQ - AREA OF ANIMAL FLOOD HAZARD  
 ZONE RR - AREA OF ANIMAL FLOOD HAZARD  
 ZONE SS - AREA OF ANIMAL FLOOD HAZARD  
 ZONE TT - AREA OF ANIMAL FLOOD HAZARD  
 ZONE UU - AREA OF ANIMAL FLOOD HAZARD  
 ZONE VV - AREA OF ANIMAL FLOOD HAZARD  
 ZONE WW - AREA OF ANIMAL FLOOD HAZARD  
 ZONE XX - AREA OF ANIMAL FLOOD HAZARD  
 ZONE YY - AREA OF ANIMAL FLOOD HAZARD  
 ZONE ZZ - AREA OF ANIMAL FLOOD HAZARD

**NOTE:** THIS PLAN DOES NOT INCLUDE THE PROPOSED CONSTRUCTION OF THE LAND DIVISIONS. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PALM SPRINGS ZONING ORDINANCE.



**RECEIVED**  
 MAY 17 2017  
 PLANNING SERVICES DEPARTMENT

**LEGEND**

1" = 10'	PROPOSED LOT AREA
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**ABBREVIATIONS**

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**MSA CONSULTING, INC.**  
 3400 BIRCH DRIVE # 200, PALM SPRINGS, CALIFORNIA 92262  
 (760) 336-9811



IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
**TENTATIVE TRACT MAP NO. 37245**  
**FOR CONDOMINIUM PURPOSES**

APPLICANT		ADDRESS		CONTACT	
INTEGRAL CONTRACTS, LLC	80 EAST HANCOCK CAUTION WAY, SUITE 1, 200	TEHACHA	TEHACHA	TELEPHONE (760) 562-4952	
LAND OWNER		ADDRESS		CONTACT	
INTEGRAL CONTRACTS, LLC	80 EAST HANCOCK CAUTION WAY, SUITE 1, 200	TEHACHA	TEHACHA	TELEPHONE (760) 562-4952	
AGENT		ADDRESS		CONTACT	
MCA CONSULTING, INC.	7517 AGAYO AVENUE, SUITE A	PALM SPRINGS	TEHACHA	TELEPHONE (760) 320-9611	
STATE OF RIVERSIDE		ADDRESS		DATE OF SUBMISSION	
	7517 AGAYO AVENUE, SUITE A	PALM SPRINGS, CALIFORNIA 92508	TEHACHA	TELEPHONE (951) 967-4733	07/18/2017
<b>LEGAL DESCRIPTION:</b> SUBDIVISION NO. 12 TRACT MAP NO. 16944 PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 24 NORTH, RANGE 14 WEST, COUNTY OF RIVERSIDE, CALIFORNIA, PART OF LOT 133 TRACT MAP NO. 37245.					
LAND USE DATA		ADDRESS		DATE OF RECORDATION	
APPLICANT	INTEGRAL CONTRACTS, LLC	80 EAST HANCOCK CAUTION WAY, SUITE 1, 200	TEHACHA	TELEPHONE (760) 562-4952	
PROPOSED GENERAL PLAN LAND USE <td colspan="5">HIGH DENSITY RESIDENTIAL</td>	HIGH DENSITY RESIDENTIAL				
PROPOSED ZONING <td colspan="5">SECTION 14 (M21)</td>	SECTION 14 (M21)				
SUBDIVISION LAND USE		ADDRESS		DATE OF RECORDATION	
CONDOMINIUM CONDOM. N	7517 AGAYO AVENUE, SUITE A	PALM SPRINGS, CALIFORNIA 92508	TEHACHA	TELEPHONE (951) 967-4733	07/18/2017
PUBLIC UTILITY FOREST		ADDRESS		DATE OF RECORDATION	
ELECTRIC	500 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009
TELEPHONE	1500 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009
WATER	2000 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009
SEWER	2000 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009
IRIGATION	2000 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009
OTHER	2000 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009

**EXISTING BUILDING FOOTPRINT**  
 ALL EXISTING BUILDING FOOTPRINTS ARE TO REMAIN AND ARE NOT TO BE RECORDED AS PART OF THIS TRACT MAP.

EXISTING BUILDING FOOTPRINT		ADDRESS		DATE OF RECORDATION	
2000 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009
1500 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009
500 WEST CALIFORNIA STREET, CO	80006-0008	TEHACHA	TEHACHA	TELEPHONE (760) 420-7300	03/04/2009

**EXEMPT FROM RECORDATION:**  
 1. ALL EXISTING BUILDING FOOTPRINTS ARE TO REMAIN AND ARE NOT TO BE RECORDED AS PART OF THIS TRACT MAP.  
 2. ALL EXISTING BUILDING FOOTPRINTS ARE TO REMAIN AND ARE NOT TO BE RECORDED AS PART OF THIS TRACT MAP.

**PROPERTY TAXES:**  
 1. ALL PROPERTY TAXES ARE TO BE PAID BY THE PROPERTY OWNER.  
 2. ALL PROPERTY TAXES ARE TO BE PAID BY THE PROPERTY OWNER.

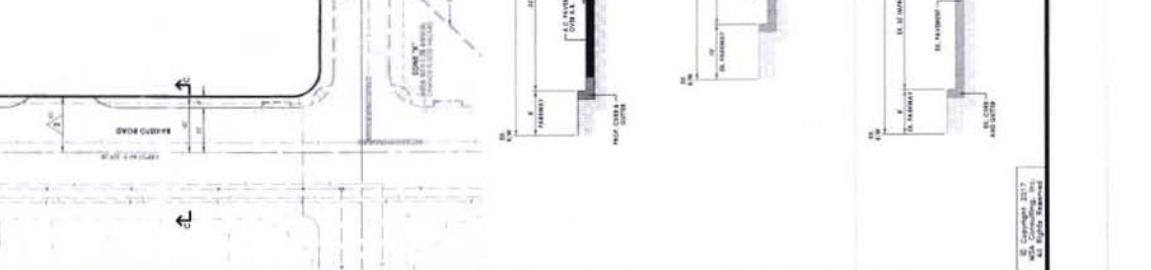
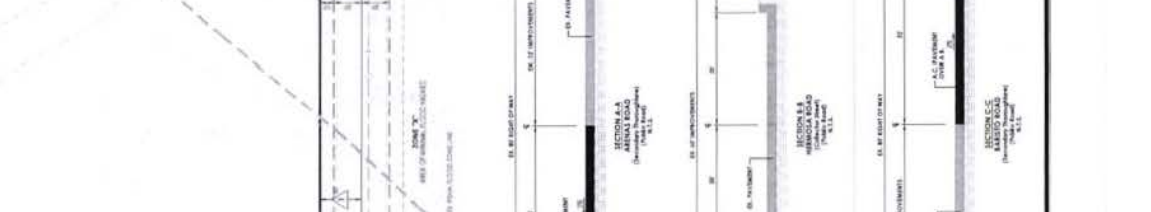
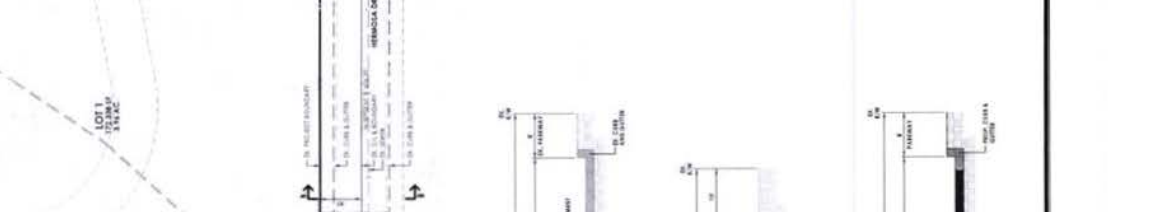
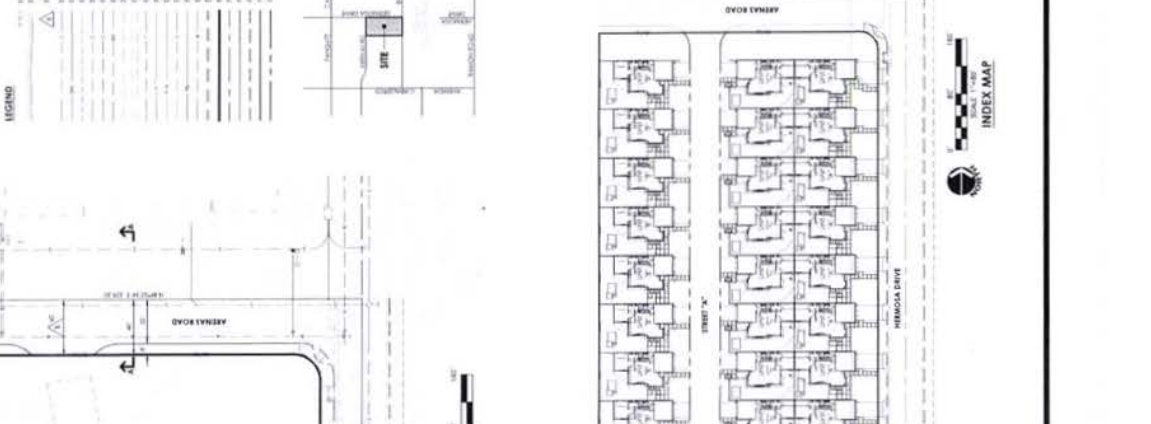
**ASSURANCES:**  
 1. ALL ASSURANCES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.  
 2. ALL ASSURANCES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

**RECORDATION:**  
 1. ALL RECORDATIONS ARE TO BE MADE BY THE PROPERTY OWNER.  
 2. ALL RECORDATIONS ARE TO BE MADE BY THE PROPERTY OWNER.

**BOUNDARIES:**  
 1. ALL BOUNDARIES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.  
 2. ALL BOUNDARIES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

**UTILITIES:**  
 1. ALL UTILITIES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.  
 2. ALL UTILITIES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

**GENERAL NOTES:**  
 1. ALL GENERAL NOTES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.  
 2. ALL GENERAL NOTES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.



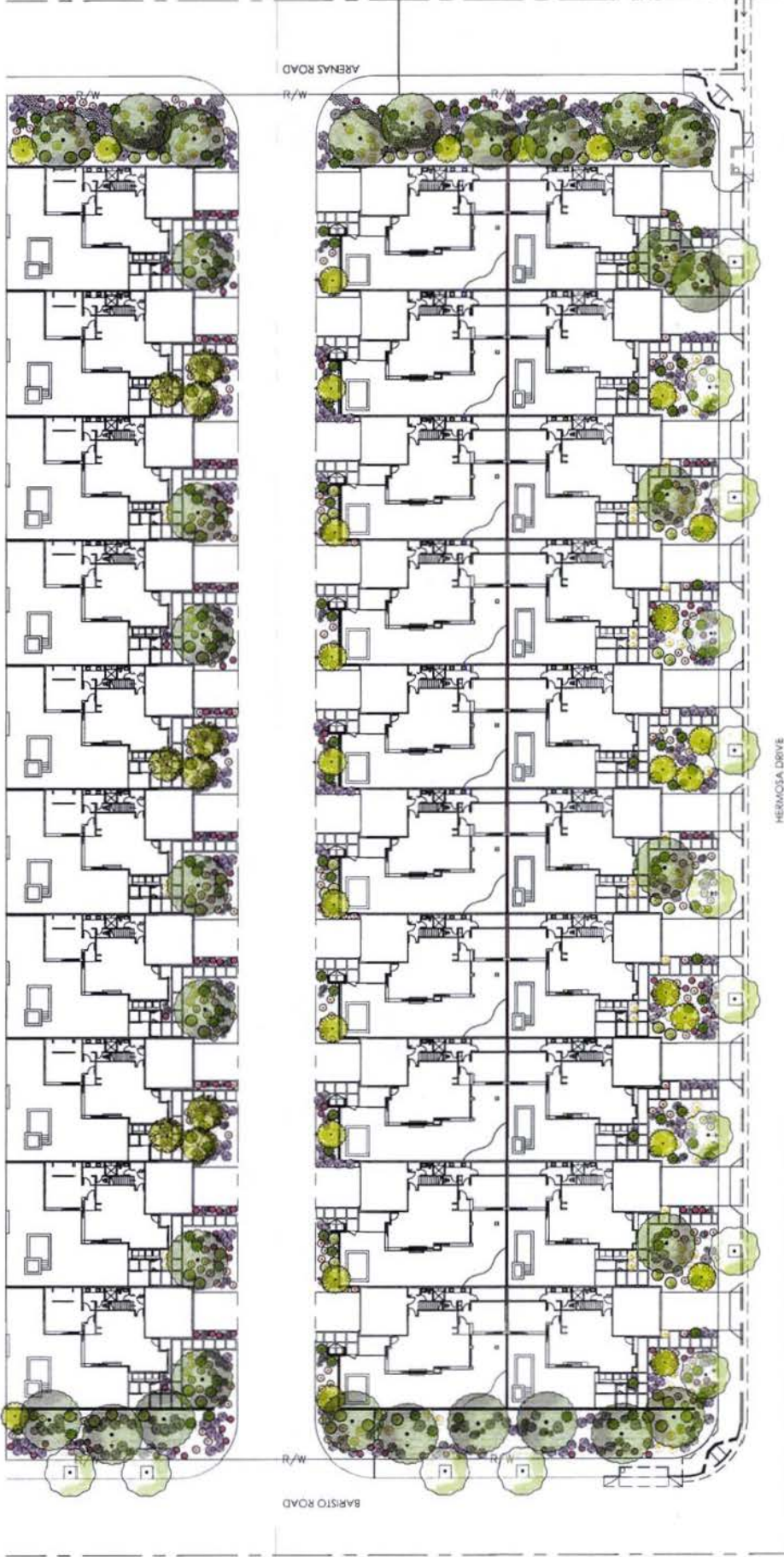
SECTION A-A  
 SECTION B-B  
 SECTION C-C

SCALE: 1"=40'

INDEX MAP

89

MSA CONSULTING, INC.  
 34000 Blue Hills Drive • Riverside, CA 92518  
 Telephone: (951) 519-1111 • Fax: (951) 519-1111



SCALE: 1" = 30'-0"  
GRAPHIC SCALE

L-5.00

PROJECT: PHASE 1, BLDG 10 | 1000 E. MAIN ST. | DENVER, CO 80202  
DATE: Mar 15, 2017



# ENCLAVE AT BARISTO | PLANTING CONCEPT

LANDSCAPE ARCHITECTS, INC.

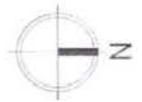




RGA LANDSCAPE ARCHITECTS, INC.












BARISTO

STREET PAVING/PEDESTRIAN WALK



73061 El Paseo | Suite 210 | Palm Desert CA 92260 | (760) 568-3624  
MAY 24, 2017

CONCEPT PLANT SCHEDULE

	30	<p>AGAVE CALOCHOTIS                  AGAVE TROPICALIS                  AZACUA SANTIAGO / SWEET AZACUA                  CERCILLUM FRONCOEN / SONORIAN PALM VEDICE</p>	<p>30"X30"                  36"X30"                  36"X30"</p>	<p>AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877                  AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877</p>
	27	<p>AGAVE SCHOTTII                  CROTON MACULATUS 'SANGRE DE TORO'                  CHALCIPHO LINARIAS 'MIL DORCAS DEBENT ROSE'                  PHYTOLLOBIUM FLORIBUNDUM / TOWNS BOUNT</p>	<p>24"X30"                  24"X30"                  24"X30"                  24"X30"</p>	<p>AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877                  AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877</p>
	9	<p>SMALL UPRIGHT TREE                  AZACUA STRONGHOLD / SPOCKSTING AGACUA                  AZACUA MALIBUANA</p>	<p>24"X30"                  24"X30"                  24"X30"</p>	<p>AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877</p>
	14	<p>SMALL TREE                  TRILIANA TROPIC / REDWOOD                  TRILIANA TROPIC / TROPIC TREZZ</p>	<p>18" GAL                  18" GAL</p>	
	130	<p>LAGER KECKE                  CACTUS TROPICANUS                  DANUBIUM TEXANUM / TEXAS SOTO                  CACTUS TROPICANUS                  NEORAMBLER PLUMERIA / GRAND BLOSSOM                  DRUMMA TIGER-MORICA / ROYAL TIGER CACTUS                  YUCCA BODINIANA / BEAMED YUCCA</p>	<p>18" GAL                  18" GAL                  18" GAL                  18" GAL                  18" GAL                  18" GAL                  18" GAL</p>	
	126	<p>SMALL TREE                  DENDROPHILA MACULATA 'VALONINE' / SPOTTED TAMU BUSH                  MARULA PLUMERIA / THE BUSH                  EUCOPHORBIA PSEUDOPICATA 'CHARBON' TM / CHARBON</p>	<p>5" GAL                  5" GAL                  5" GAL</p>	
	83	<p>LAGER KECKE                  EUCOPHORBIA LANTANA / COLUMBIAN BLOSS                  TRIVETTIA TROPICANA / YELLOW CLEANER</p>	<p>5" GAL                  5" GAL                  5" GAL</p>	
	504	<p>GROUND COVER                  DREXEL WAGNERIANA 'GREEN CARPET' / GREEN CARPET NATAL PLUM                  LANTANA MONTICENSIS / TROPICAL JANTANA                  LANTANA MONTICENSIS / TROPICAL JANTANA</p>	<p>5" GAL                  5" GAL                  5" GAL</p>	
	146	<p>SMALL AGENTIS                  AGAVE                  NEORAMBLER VARIETIES / RED YUCCA</p>	<p>3" GAL                  3" GAL                  3" GAL</p>	
	249	<p>SMALL FLOWERING SHRUB                  BRUNNENIA VITAE / FOR SMOKE                  BRUNNENIA VITAE / FOR SMOKE                  AGAVE BRITANNICA / BLUE SUEDE</p>	<p>5" GAL                  5" GAL                  5" GAL</p>	
	1,245 SP	<p>DECOMPOSED GRANITE</p>	<p>100%</p>	

1" - 3" FRACTURED ROCK AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877  
 1" - 2" FEEBLE AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877  
 BOULDERS AVAILABLE AT SOUTHWEST BOULDER (760) 328-5877  
 1", 2", 3", 4", 5"



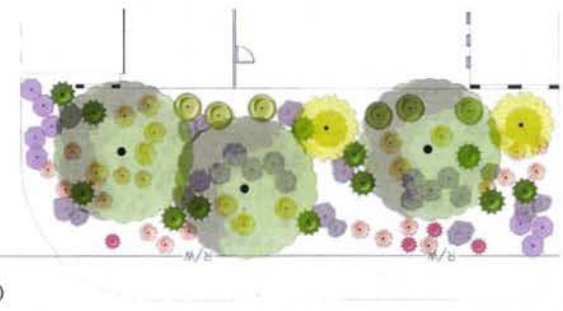
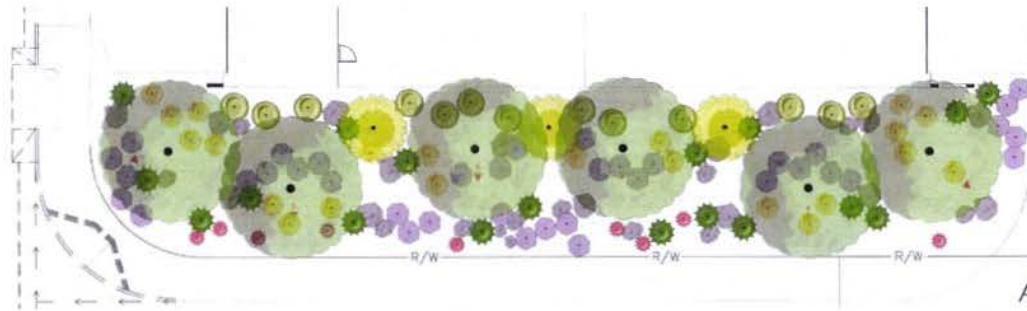
LIGHTING SCHEDULE

SYMBOL	MANUFACTURER	MODEL	DESCRIPTION	QTY	DETAILS
	UP LIGHT	LOW VOLTAGE		54	



① NORTH ELEVATION / VIEW LOOKING SOUTH FROM ARENAS ROAD

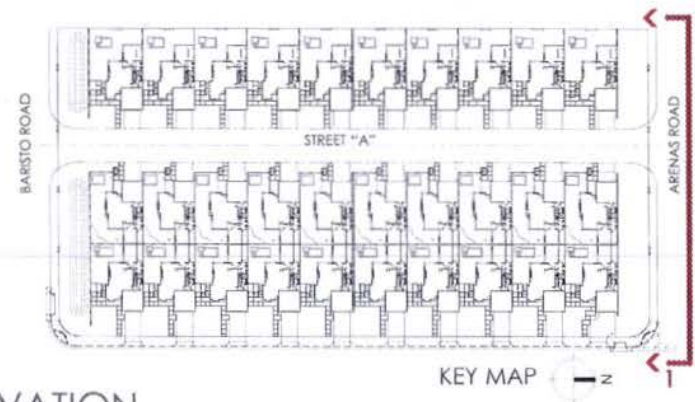
SCALE: 1"=10'-0"



ARENAS ROAD

② PLAN VIEW

SCALE: 1"=10'-0"



KEY MAP

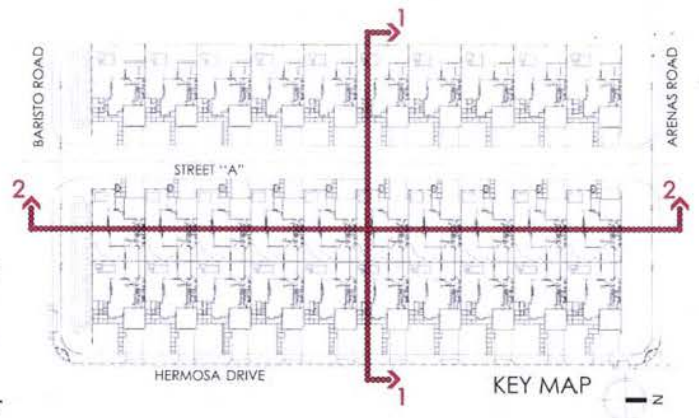


ENCLAVE AT BARISTO

NORTH ELEVATION

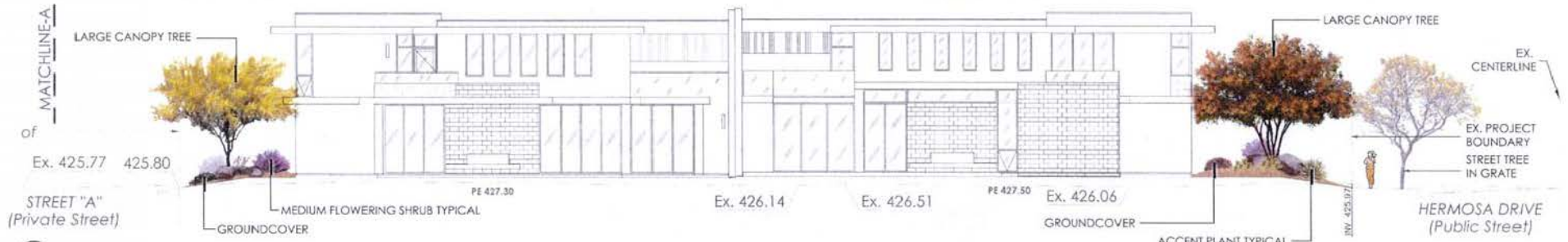
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1 SITE SECTION - EAST/WEST

SCALE: 1"=10'-0"



1 SITE SECTION CONTINUED - EAST/WEST

SCALE: 1"=10'-0"



2 SITE SECTION - NORTH/SOUTH

SCALE: 1"=10'-0"

2 SITE SECTION - NORTH/SOUTH (OPTION)  
SCALE: 1"=10'-0"



ENCLAVE AT BARISTO | SITE SECTIONS

**ELEVATION LEGEND**

- 01 EXTERIOR FINISHES: FINE GRADE, SLOPE @ 1/4" PER 12' AWAY FROM BUILDING
- 02 1" DIA. TRANSITION BETWEEN INTERIOR AND EXTERIOR AT OUR BALCONY DOORS AND 2" DIA. TRANSITION AT 1/2" THRESHOLD DOORS
- 03 1/2" DIA. TRANSITION BETWEEN INTERIOR AND EXTERIOR AT OUR BALCONY DOORS AND 2" DIA. TRANSITION AT 1/2" THRESHOLD DOORS
- 04 BALCONIES: KEEP SLOPED AWAY FROM PERIMETER WAREHOUSE FINISHED WALL TO INDICATE TO BRICK
- 05 DOOR OR WINDOW PER PLAN. SEE SHEET A.3 & A.4 & A.5
- 06 ROOF GUTTERS AND DOWNSPUTS: SHALL BE CONSTRUCTED OF NONCORROSIVE MATERIAL AND SLOPED FOR PROPER ACCUMULATION OF LEAF LITTER AND DEBRIS
- 07 EXTERIOR LIGHT FIXTURES TYPICAL. VENDOR SHALL BE DETERMINED
- 08 EXT. FINISH: GARDEN TREES AND RECYCLING STORAGE ARE PER PLAN
- 09 SCHEDULE SEE LANDSCAPE
- 10
- 11
- 12

**TYPICAL FLASHING**

CONSTRUCTION SHALL BE AS SHOWN AT ALL ROOF, ROOF EAVES, ROOF TO WALL TRANSITIONS, CORNER TRANSITIONS, ROOF TO WALL TRANSITIONS, CORNER TRANSITIONS, ROOF TO WALL TRANSITIONS, CORNER TRANSITIONS, ROOF TO WALL TRANSITIONS, CORNER TRANSITIONS.

**TYPICAL TRIM**

ALL OUTDOOR WOOD TRIM SHALL HAVE EXTERIOR GRAININGS AND/OR STAIN AND POLISHED AND SLOPED FOR A CLEAR UNIMPAIRED SURFACE FROM CONTACT, PROTECTIVE, AND FINISH OF CORNER TRIM.

**TYPICAL VAPOR BARRIER**

PROVIDE VAPOR BARRIER AROUND ALL WALL PENETRATIONS INCLUDING DOORS, WINDOWS AND VENTS FOR DETAILS. PROVIDE A MINIMUM OF TWO LAYERS OF GARDEN TO PROTECT FROM ALL HOUSE BARRIERS (SEE SHEET)

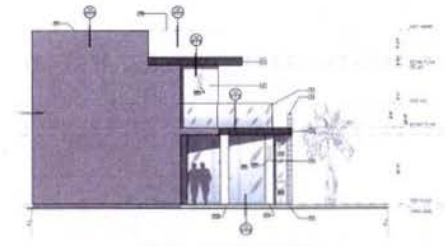
**ASSEMBLIES**

**WALL ASSEMBLIES**

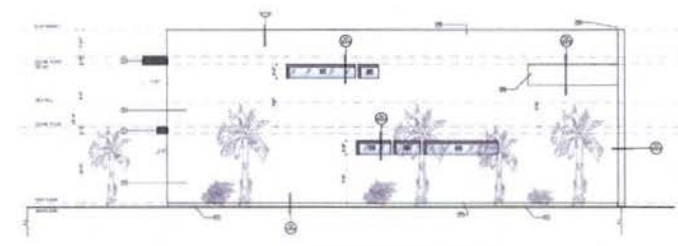
- 1. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 2. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 3. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 4. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 5. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 6. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 7. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 8. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 9. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 10. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 11. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 12. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 13. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 14. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 15. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 16. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 17. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 18. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 19. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 20. 1/2" STUCCO OVER 1/2" GYPSUM BOARD

**ROOF/CEILING ASSEMBLIES**

- 1. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 2. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 3. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 4. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
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- 12. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
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- 16. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 17. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 18. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 19. 1/2" STUCCO OVER 1/2" GYPSUM BOARD
- 20. 1/2" STUCCO OVER 1/2" GYPSUM BOARD



PLAN 1 - WEST ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 1 - NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

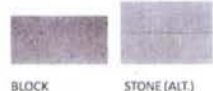
**FINISH GROUP A**



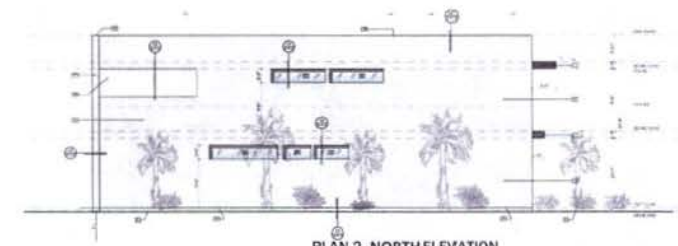
**FINISH GROUP B**



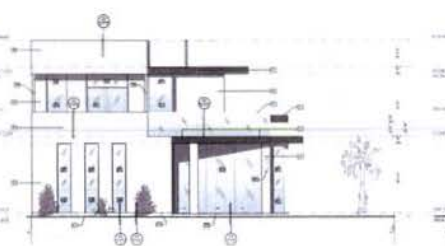
**FINISH GROUP C**



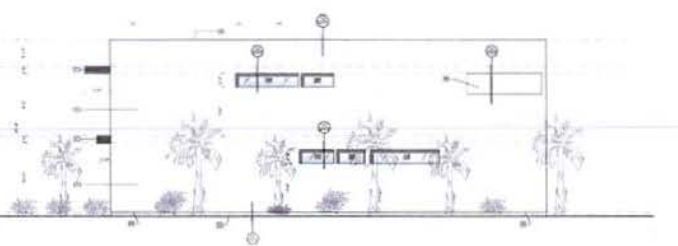
PLAN 2 - EAST ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 2 - NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 3 - WEST ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 3 - NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

PEAT  
ARCHITECTURE



PROJECT:

ENCLAVE  
AT BARISTO

ISSUE: DESIGN DEVELOPMENT 2018.05.19  
X PLANNING SUBMITTAL 2017.04.17

SHEET

A4.0b

COLOR - ELEVATIONS

ELEVATION LEGEND

- 01 EXTERIOR GRADE TO FINISH GRADE - SLOPE 1/4"
- 02 1/2" MIN. TRANSITION BETWEEN EXTERIOR AND EXTERIOR AT SURF
- 03 MINIMUM 2000 PSI AND 4" MIN. THICKNESS OF CONCRETE SLAB
- 04 FINISH FLOORING AT EXTERIOR SURFACE FINISH
- 05 BALCONIES MUST BE SURFED WITH FINISH FLOORING UNLESS WHERE FINISHED WALL IS REQUIRED TO BE SET
- 06 DOOR OR WINDOW TOP FLAN - SEE SHEET A-2.5 & A-2.6
- 07 ROOF JOISTS AND CORNERS MUST BE CONSTRUCTED OF NONCOMBUSTIBLE MATERIAL, AND DESIGNED TO RESIST ACCUMULATION OF LEAK LETTER AND WATER
- 08 EXTERIOR LIGHT FIXTURE FINISH - VERIFY STYLE W/ DEVELOPER
- 09 EXT. FINISH WALLS, FINISH AND FINISHING STRIPS AND FIN. W/ FINISHING THE ARCHITECT
- 10
- 11

TYPICAL FLASHING

CONCRETE ROOF/JOIST CORNER FLASHING BY ALL TRADE - ROOF CAROL - ROOF TO WALL TRANSITION - CONCRETE - CONCRETE - ROOFING DRAINAGE AND CORNER FLASHING - ALL TOPS OF ROOFS THREE

TYPICAL TRIM

ALL EXTERIOR WOOD TRIM SHALL HAVE EXTERIOR COLLECTOR AND 1/2" JOINT AND GROUT AND FINISH WITH A CLEAR, UV RESISTANT FINISH PROTECTIVE FINISH. FINISHING, SAND AND FINISH OF COLOR MATCHS SEE A-2.5 & A-2.6 FOR DETAILS

TYPICAL VAPOR BARRIER

PROVIDE VAPOR BARRIER UNLESS ALL WALL PENETRATIONS INCLUDING DOORS, WINDOWS AND VENTS ARE DETAIL, PROVIDE A MINIMUM OF THREE LAYERS OF GASKET TO PAPER JOINT ALL WOOD MEMBER MATERIALS USE GASKET

ASSEMBLIES

WALL ASSEMBLIES

- 1. TYPICAL EXTERIOR STUD WALL ASSEMBLY
  - A. 1/2" GYPSUM BOARD ON 2X STUDS
  - B. 1/2" GYPSUM BOARD ON 2X STUDS
  - C. 1/2" GYPSUM BOARD ON 2X STUDS
  - D. 1/2" GYPSUM BOARD ON 2X STUDS
  - E. 1/2" GYPSUM BOARD ON 2X STUDS
- 2. TYPICAL INTERIOR STUD WALL ASSEMBLY
  - A. 1/2" GYPSUM BOARD ON 2X STUDS
  - B. 1/2" GYPSUM BOARD ON 2X STUDS
  - C. 1/2" GYPSUM BOARD ON 2X STUDS
  - D. 1/2" GYPSUM BOARD ON 2X STUDS
  - E. 1/2" GYPSUM BOARD ON 2X STUDS
- 3. TYPICAL EXTERIOR FINISH WALL ASSEMBLY
  - A. 1/2" GYPSUM BOARD ON 2X STUDS
  - B. 1/2" GYPSUM BOARD ON 2X STUDS
  - C. 1/2" GYPSUM BOARD ON 2X STUDS
  - D. 1/2" GYPSUM BOARD ON 2X STUDS
  - E. 1/2" GYPSUM BOARD ON 2X STUDS
- 4. TYPICAL GLASS CURTAIN WALL ASSEMBLY
  - A. 1/2" GYPSUM BOARD ON 2X STUDS
  - B. 1/2" GYPSUM BOARD ON 2X STUDS
  - C. 1/2" GYPSUM BOARD ON 2X STUDS
  - D. 1/2" GYPSUM BOARD ON 2X STUDS
  - E. 1/2" GYPSUM BOARD ON 2X STUDS

ROOF/CEILING ASSEMBLIES

- 1. TYPICAL ROOF ASSEMBLY
  - A. 2X STUDS ON 2X STUDS
  - B. 1/2" GYPSUM BOARD ON 2X STUDS
  - C. 1/2" GYPSUM BOARD ON 2X STUDS
  - D. 1/2" GYPSUM BOARD ON 2X STUDS
  - E. 1/2" GYPSUM BOARD ON 2X STUDS
- 2. TYPICAL CEILING ASSEMBLY
  - A. 2X STUDS ON 2X STUDS
  - B. 1/2" GYPSUM BOARD ON 2X STUDS
  - C. 1/2" GYPSUM BOARD ON 2X STUDS
  - D. 1/2" GYPSUM BOARD ON 2X STUDS
  - E. 1/2" GYPSUM BOARD ON 2X STUDS

FINISH GROUP A



FINISH GROUP B



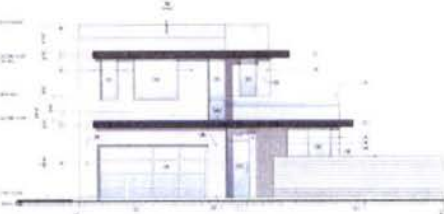
FINISH GROUP C



PLAN 1 - EAST ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 1 - SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 2 - WEST ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 2 - SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 3 - EAST ELEVATION  
SCALE: 1/4" = 1'-0"



PLAN 3 - SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



PROJECT:

ENCLAVE  
AT BARISTO

ISSUE DATE  
DESIGN DEVELOPMENT 2018.02.13  
X PLANNING SUBMITTAL 2017.08.17

SHEET

A4.0  
COLOR - ELEVATIONS









ENCLAVE AT BARISTO - PLAN 1





ENCUAVE AT. BARISTO - PLAN 2





ENCLAVE AT BARISTO - PLAN 3

**CITY OF PALM SPRINGS  
PUBLIC NOTIFICATION**



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Date: June 21, 2017  
Subject: Enclave at Baristo, TTM 37245

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**AFFIDAVIT OF PUBLICATION**

I, Cynthia A. Berardi, CMC, Interim 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 June 10, 2017.

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

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

Cynthia A. Berardi, CMC  
Interim Chief Deputy City Clerk

**AFFIDAVIT OF POSTING**

I, Cynthia A. Berardi, CMC, Interim 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 June 8, 2017.

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

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

Cynthia A. Berardi, CMC  
Interim Chief Deputy City Clerk

**AFFIDAVIT OF MAILING**

I, Cynthia A. Berardi, CMC, Interim 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 June 8, 2017, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (189 notices)

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

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

Cynthia A. Berardi, CMC  
Interim Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

TENTATIVE TRACT MAP 37245  
ENCLAVE AT BARISTO  
SOUTHWEST CORNER OF HERMOSA DRIVE AND BARISTO 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 June 21, 2017. The City Council meeting begins at 6:00 p.m. at the Palm Springs Convention Center, Primrose B, 277 North Avenida Caballeros, Palm Springs.

The purpose of this hearing is to consider an application by Philip J. Prieto, owner for a Tentative Tract Map for condominium purposes to subdivide one (1) lot into thirty (30) lots for the construction of a condominium project named Enclave at Baristo (Case No. TTM 37245) located on a vacant lot at the southwest corner of Hermosa Drive and Baristo Road, Zone HDR, Section 14.

**ENVIRONMENTAL DETERMINATION:** 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.

**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. till 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.


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

Kathleen D. Hart, MMC  
Interim 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]).

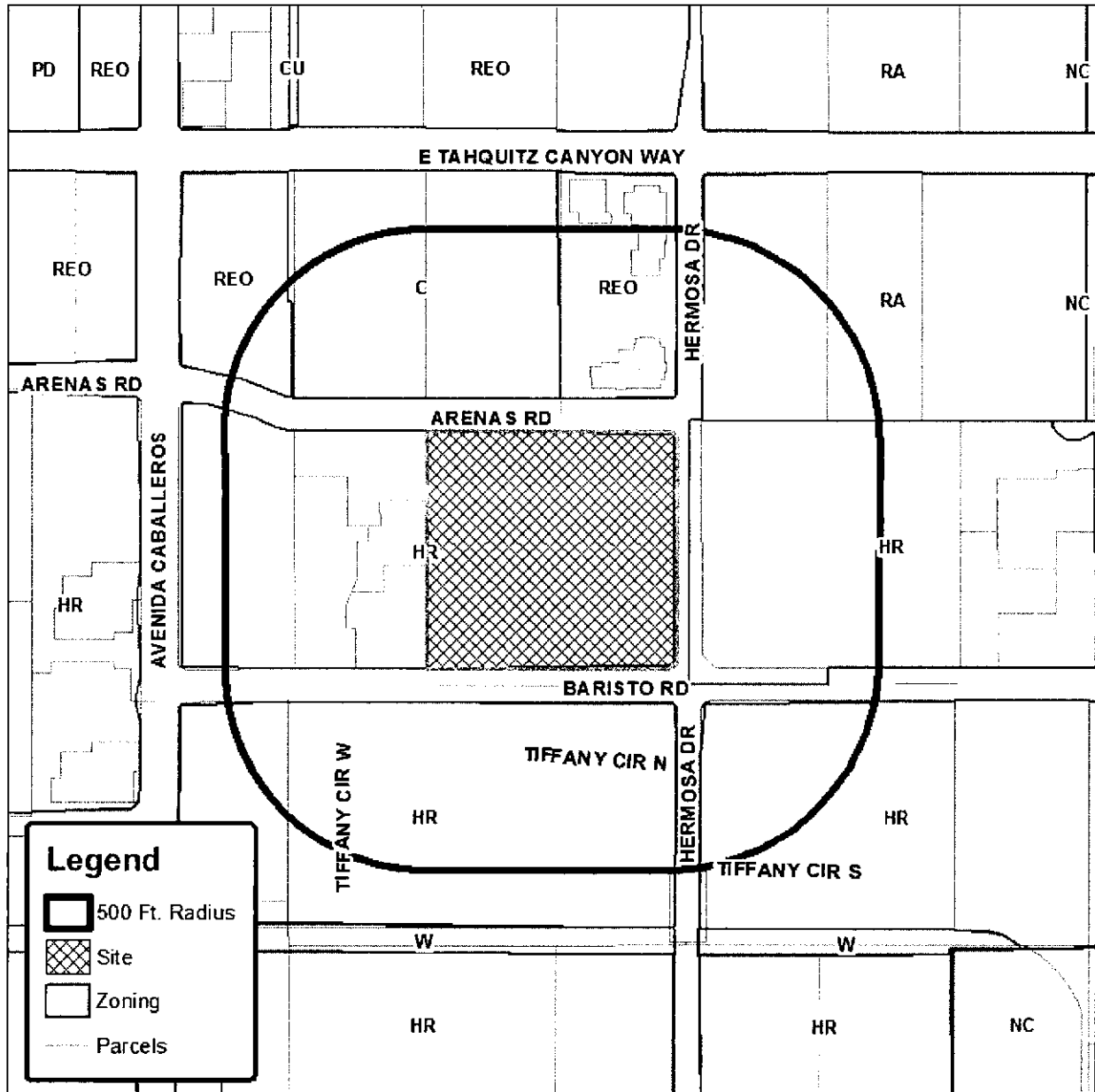
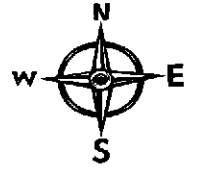
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Glenn Mlaker, Associate Planner, at [glenn.mlaker@palmspringsca.gov](mailto:glenn.mlaker@palmspringsca.gov) or (760) 323-8245.

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

  
\_\_\_\_\_  
Kathleen D. Hart, MMC  
Interim City Clerk



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** Tentative Tract Map 37245; 3.4007 MAJ

**APPLICANT:** Philip J. Prieto

**ADDRESS:** Vacant Lot at the Southwest Corner of Hermosa Drive and Baristo Road