



PLANNING COMMISSION STAFF REPORT

DATE: November 8, 2023

PUBLIC HEARING

SUBJECT: A REQUEST BY MSA CONSULTING, INC. ON BEHALF OF EMP 2, LLC, FOR A PROPOSED TENTATIVE TRACT MAP 38721 TO SUBDIVIDE AN UNDEVELOPED 6.47-ACRE PARCEL INTO THIRTY-SIX (36) SINGLE-FAMILY RESIDENTIAL LOTS, FOUR LETTERED LOTS, AND PRIVATE STREETS WITHIN THE ESCENA PLANNED DEVELOPMENT DISTRICT (PD-231); PLANNING AREA 7A, LOCATED AT 704-738 NORTH GENE AUTRY TRAIL; ZONE PD-231; SECTION 07 (CASE STM-2023-0013/TTM 38721) (ER).

FROM: Planning Services Department

SUMMARY:

This is a request for the Planning Commission to consider a Tentative Tract Map (TTM 38721) by MSA Consulting, Inc. on behalf of EMP 2, LLC, to subdivide an undeveloped 6.47-acre parcel into thirty-six (36) single-family residential lots, four lettered lots, and private streets in accordance with the previously approved Escena Planned Development District (PDD-231). The development standards of the proposed lots are consistent with the established development standards of the Escena Development. The project is located within the Escena development at 704-738 North Gene Autry Trail, on Lot 44 of TM 32233-1; Assessor's Parcel Numbers 677-260-041 and 677-270-042, located northwest of Grandview Street and east of North Gene Autry Trail.

ISSUES

- The proposed road layout and circulation, particularly the use of hammerhead intersections and dead-end streets, were raised as concerns by community members.
- Questions regarding the use of lettered lots and shared-use easements have been raised, particularly around who will be responsible for maintaining those properties and how their development may affect adjacent parcels for which the HOA is currently responsible.
- Some residents have raised the need for additional green space, including a dog park.

- An error was made in the previous public integrity disclosure forms that were circulated in the agenda for September 27, 2023

Staff discussed these issues with the applicant who provided a revised public disclosure form that is included in this package. Ultimately, they determined that they would make no revisions to the plan given that it complies with applicable City regulation, meets the relevant findings of the Subdivision Map Act, and is consistent with the City Council approved Preliminary Planned Development District.

RECOMMENDATION:

Adopt the required Findings pursuant to Section 66474 of the California Subdivision Map Act and approve proposed Tentative Tract Map 38721 subject to attached conditions.

SCOPE OF REVIEW:

1. The Planning Commission shall review the Tentative Tract Map application Case STM 2023-0013/TTM 38721 for conformance to the criteria listed in Section 66474 of the Subdivision Map Act.

BUSINESS PRINCIPAL DISCLOSURE:

The applicant has submitted a Public Integrity Disclosure Form which is included as an attachment to the report.

BACKGROUND AND SETTING:

The Escena Development, formerly known as the Palm Springs Classic, is a mixed-use resort project previously approved by the Council in 1994 for the development of 1,450 residential units, a 450-room hotel and an 18-hole golf course. In June of 2003, the City Council approved a revised project (Case No. 5.0666-PD 231) adding approximately 90.7 acres for current and future golfing activities within the Whitewater River Wash. Planned Development District 231 has different owners for different Planning Areas. As approved, Escena has its own design guidelines and development standards for all the different Planning Areas. As of today, the golf course, the Club House, circulation system and single-family residences have been constructed within the project. The subject parcel, which has always been vacant, is located in Planning Area 7A and is surrounded by existing single-family residences to the east, and North Autry Gene Trail to the west of the site.

PROJECT DESCRIPTION:

The proposed tentative tract map (TTM 38721) is for the creation of thirty-six (36) new single-family residential lots and four (4) lettered lots (Lettered Lots A – D). The lettered lots are for private open spaces and walkways within the boundaries of the new tract.

The subject property is approximately 6.47 acres; the gently sloping vacant parcel is located northwest of Grandview Street and east of North Gene Autry Trail. The proposed lots will range from 4,050 to 9,767 square feet in size at a density of 5.6 units per acre; the maximum density allowed in Planning Area 7A is 7.3 units per acre. The minimum lot size requirement in the Escena development standards is 2,500 square feet. There are no minimum standards for lot depth and width in Escena. Overall, the maximum number of residential units allowed in the Escena development is 1,450; currently, 670 residential units have been built. Specifically in Planning Area 7A, a maximum of 255 single-family residential units are allowed; so far, the proposed 36 lots will be the first single-family residential units in Planning Area 7A.

BACKGROUND INFORMATION:

<i>Related Relevant City Actions</i>	
07/16/2003	City Council adopted an MND and approved Preliminary PDD 231, known at the time as the Palm Springs Classic

<i>Most Recent Change of Ownership</i>	
04/20/2022	EMP2, LLC

<i>Neighborhood Meeting/Neighborhood Notice</i>	
08/15/23	Notice of public hearing mailed to addresses within 500-feet of the site, notifying that the subject application would be considered by the Planning Commission at a public hearing on September 27, 2023.
08/21/23	Notice emailed to Neighborhood Organizations within one mile of the project site.
08/16/23	Notice of public hearing published in the local newspaper.

<i>Field Check</i>	
08/16/23	Staff visited site to observe existing conditions.

<i>Existing Street Improvement Conditions</i>			
<i>Street Name</i>	<i>Travel Lanes</i>	<i>Curb & Gutter</i>	<i>Sidewalk</i>
Grandview Street	Y	Y	Y
North Gene Autry Trail	Y	Y	Y
Escena Way	Y	Y	Y

DETAILS OF APPLICATION REQUEST:

<i>Site Area</i>	
Net Acres	6.47 Acres

<i>Surrounding Property</i>	<i>Existing Land Use Per Chapter 92</i>	<i>Existing General Plan Designation</i>	<i>Existing Zoning Designation</i>
Subject Property	Undeveloped	HDR	PDD-231
North	Office Buildings	IND	PDD-231
South	Golf Course	M1P	OS-P
East	SRF – Escena	MDR	M1P
West	PSP – Airport	TRC	A (Airport)

<i>General Plan Areas or Master Plan Areas</i>	<i>Compliance</i>
<i>Design Standards</i>	<i>Compliance</i>
Escena	Y

ANALYSIS:

General Plan:

The General Plan designation of the property is HDR (High Density Residential); the HDR designation allows 15.1-30 dwelling units per acre. Residential developments in this designation typically include duplexes, townhomes, apartments, and hotels. However, PDD-231 only allows single-family residential uses in Planning Area 7A. The proposed subdivision is consistent with the General Plan designation and the Escena development standards in terms of the future use, proposed density, and areas of the proposed thirty-six (36) lots.

Zoning:

The undeveloped parcel is zoned PDD-231, in Planning Area 7A. The minimum lot size requirement for residential development in Escena is 2,500 square feet. As depicted in Table 3 below, there are no minimum lot width and minimum lot depth requirements in the Escena development standards. As proposed, the minimum lot size will be 4,050 square feet; the maximum lot size is 9,767 square feet. The development standards of the proposed subdivision are consistent with the Escena development standards and Council approved Planned Development District (PDD-231).

DEVELOPMENT STANDARDS:

Table 3

Development Standards	Approved Standards PD-231	Proposed TTM 38721
Lot area	Minimum 2,500 SF	Minimum 4,050 SF
Minimum Width	No Minimum	Minimum 45 Feet
Minimum Depth	No Minimum	Minimum 90 Feet

As indicated in Table 3 above, the proposed lots are consistent with the development standards of Planned Development District 231.



Future Home Review Process:

Currently, the applicant is not proposing any single-family residential development within the proposed subdivision. Pursuant to Section 94.03.00(F) of the Palm Springs Zoning Code, the applicant shall submit a final development plan for approval by the Planning Commission for any future residential development at the new tract. The submittal will require a Final Planned Development District application along with all the required exhibits and materials to be submitted to the Planning Department for a review process pursuant to Section 94.04.00, architectural review. Proposed site plans, elevations, landscape, and section plans will be reviewed by the Planning Commission and the Architectural Review Committee (ARC) for a final approval.

Access:

Pursuant to Section 9.64.020 of the Municipal Code, every subdivider is required to dedicate a portion of the subdivision for the purpose of access. In this case, the primary access into the new tract will be two points of entrance from the existing Grandview Street. There are two cul-de-sacs within the new tract to provide internal circulation. There are no existing street improvements within the subject property at this time, however all the proposed private streets and access within and around the tract are designed to meet the City's standards. The proposed streets in the tract are thirty-seven feet (37') wide and twenty-nine feet (29'), respectively. They are both consistent with existing streets at Escena development.

TENTATIVE TRACT MAP NO. 38721



FINDINGS – TENTATIVE TRACT MAP 38521:

Pursuant to Section 66474 of the Subdivision Map Act, the following findings must be made relative to the proposed map:

	<i>Criteria and Findings:</i>	<i>Compliance</i>
1.	<p><i>The proposed Tentative Tract Map or Tentative Parcel Map is consistent with all applicable general and specific plans.</i></p> <p>The General Plan designation of the project site is High Density Residential; the zoning designation is PD-231. The Escena Planned Development District allows detached single-family residential development. As proposed, the gross density and the development standards are consistent with the approved Escena design guidelines and development standards.</p>	Y
2.	<p><i>The design and improvements of the proposed Tentative Tract Map or Tentative Parcel Map is consistent with the zone in which the property is located.</i></p> <p>The project site is suitable for the development of thirty-six (36) single-family homes. The proposed lot sizes and dimensions meet and exceed the minimum lot sizes required by the governing Escena planned development district standards. The site slopes gently from the northwest to the southeast and can accommodate building pads, external and internal streets, drainage, and all utilities. Adequate access is proposed from the existing Grandview Street.</p>	Y
3.	<p><i>The site is physically suited for this type of development.</i></p> <p>The parcel is part of an established mixed-use Planned Development District. The proposed 6.47 acres being subdivided is only a portion of the undeveloped parcel of Planning Area 7A in Escena development. There are existing residences to the easterly side of the subject site within Escena. Therefore, the entire area is planned for residential development and a hotel, consequently, this project fits within the approved scheme for the development.</p>	Y
4.	<p><i>The site is physically suited for the proposed density of development.</i></p> <p>The proposed project site is a 6.47-acre site; the parcel is adequate to accommodate the proposed thirty-six (36) single-family residential lots, access, private streets, utilities, and drainage facilities. Therefore, the site is physically suited for the proposed density of development.</p>	Y
5.	<p><i>The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.</i></p>	Y

	<i>Criteria and Findings:</i>	<i>Compliance</i>
	In 2003, a Mitigated Negative Declaration (MND), was prepared and adopted by the City Council for the entire Escena project. The MND concluded that with adopted mitigation measures, all potential environmental impacts can be reduced to a less than significant level. Therefore, the creation of the proposed subdivision with implementation of previously adopted mitigation measures for the entire Escena project will not cause any significant environmental damage or injure fish, wildlife, or their habitats.	
6.	<i>The design of the subdivision or type of improvements is not likely to cause serious public health problems.</i> Storm drainage, sanitary sewer, water, streets, and all utilities are readily available to the site, and all have the needed capacity to accommodate the project. The subdivision has been designed so that each lot has necessary infrastructure to adequately serve the development and all subsequent houses on the lots will be required to meet the development standards of PDD-231. Therefore, the project will not cause public health problems to the area or the City as a whole.	Y
7.	<i>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.</i> There are no public easements or accesses across the subject property, therefore the design of the proposed subdivision will not conflict with easements acquired or required by the public at large, for access through or use of the property. There is adequate space on the subject property to accommodate any utility easements within the project design.	Y

ENVIRONMENTAL ANALYSIS:

The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA). In 1994 the City Council certified the Palm Springs Classic Planned Development District Final Environmental Impact Report (State Clearing House #9404274), adopted a Statement of Facts and Findings and a Statement of Overriding Considerations. Also, A Mitigated Negative Declaration (MND) was previously adopted by the City Council on July 16, 2003 for the Escena project and analyzed all significant environmental impacts and outlined mitigation measures of the project to bring them below a level of significance. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA), the preparation of further documentation is not necessary because the circumstances of the project have not changed. The proposed tentative tract map will not, therefore, result in any new environmental impacts beyond those already assessed in the adopted mitigated negative declaration.

NOTIFICATION:

A public hearing notice was advertised and was mailed to all property owners within 500 feet radius of the subject property/adjacent property owners as well as relevant neighborhood organizations. Staffed received several emails regarding this project which have been provided to the Planning Commission.

CONCLUSION:

The proposed tentative tract map request complies with all the requirements outlined in the above-mentioned sections of the Palm Springs Municipal Code and Zoning Code, the Escena design guidelines, and Council approved Planned Development District, PDD-231. The project site is located within Planning Area 7A of the Escena development. The site is surrounded by existing residential development to the east and has clear access to existing public streets and rights-of-way. Additionally, there are adequate sanitary sewer, water, and public utilities adjacent to serve the new subdivision, and the proposed circulation complies with City requirements. Staff have discussed the concerns raised by adjacent residents regarding circulation, lot layout, and the use of lettered lots, however the applicant has determined that no changes are warranted. All easements and lettered lots are either necessary for utility purposes or compliant with relevant requirements. Operational concerns related to their use and maintenance are beyond the scope of the TTM approval and are a matter for discussion between the developer and the HOA. Therefore, Staff recommends approval of the proposed tentative tract map request for the creation of thirty-six (36) single-family residential lots subject to attached conditions of approval.

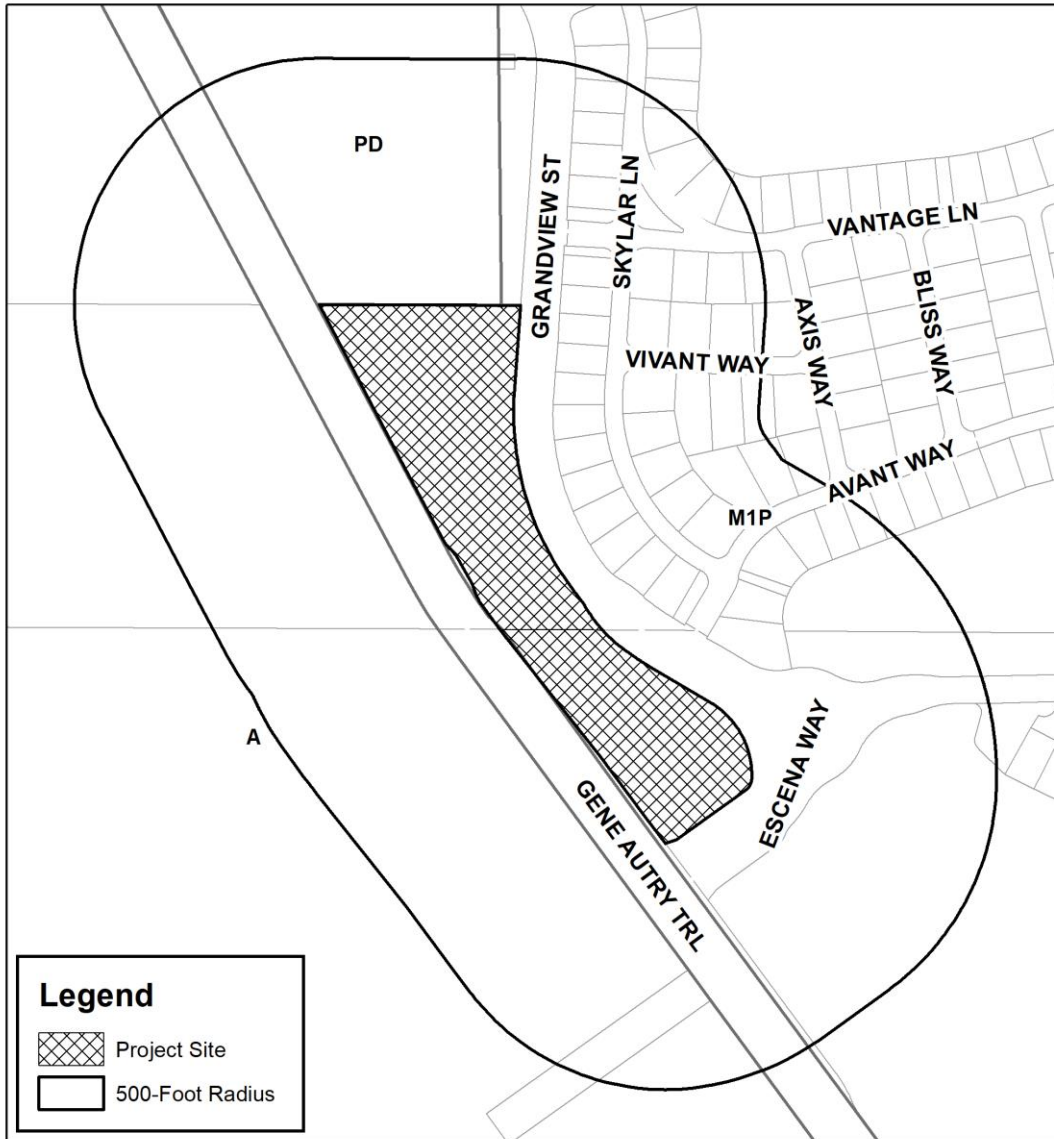
PREPARED BY:	Edward Robertson, Principal Planner
REVIEWED BY:	Christopher Hadwin, Department of Planning Services Director

ATTACHMENTS:

1. Vicinity Map
2. Aerial Map
3. Draft Resolution
4. Conditions of Approval
5. Justification Letter
6. Public Integrity Disclosure Form
7. Escena Styles Distribution Map
8. Tentative Tract Map – TTM 38721



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

Case TTM 38721
704-738 North Gene Autry Trail – Planning Area 5
(APNs: 677-260-041 & 677-270-042)



LibertyX Bitcoin ATM

Palm Springs Air Museum Parking

Gene Autry Trail

Gene Autry Trail

N Gene Autry Trail

Grandview St

Grandview St

Google

Vantage Ln

Skylar Ln

Vivant Way

Skylar Ln

Grandview St

Escena Way

Axis Way

Avant Way

Alta Verde Escena

Clubhouse View Dr

Esplanade Ln

Clubhouse View Dr

Esplanade Ln

Bliss Way

Cachel Ln

Dominion Way

Avant Way

Avant Way

Layers



RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RE-ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING TENTATIVE TRACT MAP (TTM 38721) REQUEST FOR THE SUBDIVISION OF AN UNDEVELOPED 6.47-ACRE PARCEL INTO THIRTY-SIX (36) SINGLE-FAMILY RESIDENTIAL LOTS AND 4 LETTERED LOTS WITHIN THE ESCENA DEVELOPMENT LOCATED AT 704-738 NORTH GENE AUTRY TRAIL, ZONE PDD-231, SECTION 07.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. MSA Consulting, Inc. on behalf of EMP2, LLC, (“Applicant”) has filed an application with the City pursuant to Section 9.63.060 of the Municipal Code for Tentative Tract Map (TTM 38721) to allow the creation of a 36-lot tract within the Escena Development.

B. Notice of the public hearing of the Planning Commission of the City of Palm Springs, California to consider TTM 38721 was given in accordance with applicable law.

C. On November 8, 2023, a public hearing on the application was held by the Planning Commission in accordance with applicable law.

D. 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 reports and all written and oral testimony presented.

E. The proposed project is considered a “project” pursuant to the terms of the California Environmental Quality Act (“CEQA”), and a Mitigated Negative Declaration (MND) was previously adopted by the City Council for this project in accordance with CEQA Guidelines; and

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 presents.

G. Pursuant to Section 66412.3 of the Subdivision Map Act, the Planning Commission has considered the effect of the proposed project on the housing needs of the region and has balanced these needs against the public service needs of residents and available fiscal and environmental resources.

H. THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1:

The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA). In 1994 the City Council certified the Palm Springs Classic Planned Development District Final Environmental Impact Report (State Clearing House #9404274), adopted a Statement of Facts and Findings and a Statement of Overriding Considerations. Also, A Mitigated Negative Declaration (MND) was previously adopted by the City Council on July 16, 2003 for the Escena project and analyzed all significant environmental impacts and outlined mitigation measures of the project to bring them below a level of significance. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA), the preparation of further documentation is not necessary because the circumstances of the project have not changed. The proposed tentative tract map will not, therefore, result in any new environmental impacts beyond those already assessed in the adopted mitigated negative declaration.

Section 2:

Findings are required for the proposed subdivision pursuant to Section **66474** of the Subdivision Map Act. These findings and discussions of the project as it relates to these findings follows:

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

The General Plan designation of the project site is High Density Residential; the zoning designation is PD-231. The Escena Planned Development District allows detached single-family residential development. As proposed, the gross density and the development standards are consistent with the approved Escena design guidelines and development standards.

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

The project site is suitable for the development of thirty-six (36) single-family homes. The proposed lot sizes and dimensions meet and exceed the minimum lot sizes required by the governing Escena planned development district standards. The site slopes gently from the northwest to the southeast and can accommodate building pads, external and internal streets, drainage, and all utilities. Adequate access is proposed from the existing Grandview Street.

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

The parcel is part of an established mixed-use Planned Development District. The proposed 6.47 acres being subdivided is only a portion of the undeveloped parcel of Planning Area 7A in Escena development. There are existing residences to the easterly side of the subject site within Escena. Therefore, the entire area is planned for residential development and a hotel, consequently, this project fits within the approved scheme for the development.

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

The proposed project site is a 6.47-acre site; the parcel is adequate to accommodate the proposed thirty-six (36) single-family residential lots, access, private streets, utilities, and drainage facilities. Therefore, the site is physically suited for the proposed density of development.

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

In 2003, a Mitigated Negative Declaration (MND), was prepared and adopted by the City Council for the entire Escena project. The MND concluded that with adopted mitigation measures, all potential environmental impacts can be reduced to a less than significant level. Therefore, the creation of the proposed subdivision with implementation of previously adopted mitigation measures for the entire Escena project will not cause any significant environmental damage or injure fish, wildlife, or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Storm drainage, sanitary sewer, water, streets, and all utilities are readily available to the site, and all have the needed capacity to accommodate the project. The subdivision has been designed so that each lot has necessary infrastructure to adequately serve the development and all subsequent houses on the lots will be required to meet the development standards of PDD-231. Therefore, the project will not cause public health problems to the area or the City as a whole.

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 public easements or accesses across the subject property, therefore the design of the proposed subdivision will not conflict with easements acquired or required by the public at large, for access through or use of the property. There is adequate space on the subject property to accommodate any utility easements within the project design.

Section 3:

THE PLANNING COMMISSION RESOLVES:

That the findings and determinations reflected above are true and correct and are incorporated by this reference herein as the cause and foundation for the action taken by and through this Resolutions. Based upon the foregoing, the Planning Commission hereby approves Tentative Tract Map (TTM 38721) application subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 8th day of September, 2023.

AYES:

ABSENT:

ATTEST:
CALIFORNIA

CITY OF PALM SPRINGS,

Christopher Hadwin
Department of Planning Services Director

EXHIBIT A

**TENTATIVE TRACT MAP 38721 FOR A 36-LOT SINGLE-FAMILY RESIDENTIAL
SUBDIVISION PLANNING AREA 7A WITHIN THE ESCENA DEVELOPMENT.**

November 8, 2023

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 TTM 38721; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. 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 3. Tentative Map. This approval is for Tentative Tract Map 38721 located within the Escena development date stamped 09/14/23. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.
- ADM 4. 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 Parcel Map 38721. 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 5. 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 6. Time Limit on Approval. Approval of the Tentative Tract Map (TTM38721) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause. Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the original approval.
- ADM 7. 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 8. 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.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. The Mitigation Monitoring Program from Case No 5.0666-B, The Palm Springs Classic, shall be incorporated into these Conditions of Approval by Reference.
- ENV 2. Mitigation Monitoring. All the mitigation measures of the environmental assessment contained in the original Escena project TTM 32233 and the adopted Mitigated Negative Declaration's (MND) mitigation measures of July

16, 2003, for the Escena project shall apply to this project. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR and (MND) will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the approved project description.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. 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 3. Submittal of Final Development Plans. Final Development Plans of residential units including landscape plans of all common areas, wall design and floor plans of individual units shall be submitted to the Planning Department for Planning Commission final approval.
- PLN 4. Original Escena Conditions: All the original conditions of Approval for the Escena project shall be applicable to the proposed Tentative Tract Map 38721 (TTM 38721).

ENGINEERING DEPARTMENT

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

All Grading Plans, Improvement Plans, Required Studies and Documents listed below, must be submitted to Engineering Services Department for review and approval.

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 48-hour inspection notification is required.
- ENG 2. Applicant shall obtain State permits and approval of plans for any work done on State Highway 111. A copy of an approved Caltrans encroachment permit shall be provided to the City Engineer prior to the issuance of any grading or building permits if there is any work being done in the public right-of-way on State Highway 111.
- ENG 3. 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 encroachment or building permits.
- ENG 4. Asphalt concrete paving for streets prior to completion of on-site construction activities, will require additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as required by the City Engineer. All lifts of asphalt concrete pavement are to be completed simultaneously. Postponement of a final lift of asphalt concrete pavement will not be allowed unless prior authorization has been obtained from the City Engineer.

GENE AUTRY TRAIL

- ENG 5. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ON-SITE PRIVATE STREETS

- ENG 6. The on-site layout of private streets is subject to further review and approval by the City Engineer. Adjustment of proposed street alignments may be required during review and approval of construction plans for on-site improvements, as required by the City Engineer. Approval of the

preliminary site plan does not constitute approval of the on-site layout of streets as proposed.

- ENG 7. All on-site cul-de-sacs shall be constructed in accordance with City of Palm Springs Standard Drawing No. 101, curb portion only. Construct all cul-de-sacs with a cul-de-sac bulb that has a minimum curb radius of 43 feet throughout the bulb, unless otherwise approved by the Fire Marshall to not have cul-de-sac bulbs.
- ENG 8. Dedicate an easement from back of curb to back of curb to the City of Palm Springs for public utility and sewer purposes, and for service and emergency vehicles and personnel ingress and egress, over the private streets.
- ENG 9. Construct a minimum pavement section of 2-1/2 inches asphalt over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, within all on-site private streets in accordance with City of Palm Springs Standard Drawing No. 110 and 300. 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 10. All on-site private streets shall be two-way with a minimum 28 feet wide travelway (as measured from curb face to curb face) provided that rolled or wedge curb is provided such that vehicles may park partially out of the traveled way, in accordance with applicable City of Palm Springs Standard Drawings No. 202/202A and 302.

SANITARY SEWER

- ENG 11. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
- ENG 12. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Services Department. The plan(s) shall be approved by the City Engineer prior to issuance of any encroachment or building permits.
- ENG 13. Construct an 8 inch V.C.P. sewer main within all on-site streets and connect to the existing public sewer system in Grandview Street.
- ENG 14. All sewer mains constructed by the developer and to become part of the City sewer system shall be digitally video recorded (Developer shall contact City treatment plant facility for acceptable digital video format) and submitted to the City for review prior to acceptance of the sewer system for maintenance by the City. Any defects of the sewer main shall be

removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.

- ENG 15. Upon completion of the construction of public sewer lines, an as-built drawing in digital format shall be provided to the City as required by the City Engineer, if the sewer was not constructed in accordance with the original approved sewer plans.

GRADING

- ENG 16. Submit a Precise Grading Plan prepared by a California licensed civil engineer to the Engineering Services Department for review and approval. If the overall project grading volumes are less than 50 cubic yards and the project does not involve a hillside lot as defined by City of Palm Springs Zoning Code 93.13.00, then the plan does not need to be prepared by a licensed professional unless determined otherwise by the City Engineer. The plan shall be approved by the City Engineer prior to grading permit issuance.

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 have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering 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 17. 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 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 18. 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 19. 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 20. 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 21. 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 22. A Notice of Intent (NOI) to comply with the latest California General Construction Stormwater Permit (currently 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 23. 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 24. 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 at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 25. 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)
- ENG 26. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided even though there may not be a grading plan for the project. Prior to issuance of Building Permits.
- ENG 27. The applicant shall provide Grading Certification for all building (or structure) pads in conformance with the approved grading plan to the Engineering Services Department for review and approval prior to issuance of Building Permits.
- ENG 28. In cooperation with the California 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" (Revised - RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture

office is located at 6819 East Gage Avenue, Commerce, CA 90040
(Phone (760) 782-3271, (562) 505-6415), Sonia.Oran@cdfa.ca.gov.

WATER QUALITY MANAGEMENT PLAN

- ENG 29. 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.
- ENG 30. 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 the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 31. 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 and maintain 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 32. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed

development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.

- ENG 33. 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 34. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$4,898.47 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.
- ENG 35. Submit storm drain improvement plans for all on-site storm drainage system facilities for review and approval by the City Engineer.
- ENG 36. 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 37. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall

be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.

- ENG 38. All proposed utility lines shall be installed underground.
- ENG 39. 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 40. 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 drawing filetype) and PDF (Adobe Acrobat document filetype) 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 41. 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 42. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 43. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 44. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

- ENG 45. 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 46. 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 drawing filetype), DGN (Microstation drawing filetype), DXF (AutoCAD ASCII drawing exchange filetype), and PDF (Adobe Acrobat document filetype) 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 47. Dedicate abutters rights of access on the final map along the entire frontage of the proposed residential lots fronting Grandview Street and Escena Way; vehicular access to Grandview Street and Escena Way shall be prohibited for these lots.
- ENG 48. Dedicate and/or reserve on the final map a private storm drain easement within the proposed open space Lot "B", as necessary to facilitate operation and maintenance of the existing private storm drain system to be maintained by a Homeowner's Association.
- ENG 49. 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 50. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and streetlights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 51. 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 52. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

END OF CONDITIONS



MSA CONSULTING, INC.

Civil Engineering · Land Surveying · Landscape Architecture
Planning · Environmental Services · Dry Utility Coordination · GIS

May 22, 2023

Development Services Department
CITY OF PALM SPRINGS
3200 E. Tahquitz Canyon Way
Palm Springs CA 92264

Subject: Justification Letter for TTM 38721 (Escena Lot 44)

Dear Planning Department,

On behalf of EMP 2, LLC (the "owner"), MSA Consulting, Inc. submits the requested Justification Letter as required for the Tentative Tract Map applications.

The project site is lot 44 of the partially developed Escena residential development located on the west side of Grandview street. The applicant is proposing to subdivide the 6.47 acres for the future development of 36 SFR units. No development is proposed at this time and applications for architecture will come at a future date. The number of units is in compliance with the overall approved unit count of the previously approved PDD development standards for the overall Escena development.

We look forward to working with Planning staff through the entitlement process.

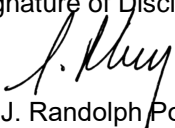
Thank you,

Nicole Vann

Nicole Vann
Planner/Project Manager

7. Owners/Investors with a 5% beneficial interest in the Applicant Entity or a related entity	
EXAMPLE <i>JANE DOE</i> <hr/> [name of owner/investor]	<i>50%, ABC COMPANY, Inc.</i> <hr/> [percentage of beneficial interest in entity and name of entity]
A. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]
B. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]
C. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]
D. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]
E. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Signature of Disclosing Party, Printed Name, Title  J. Randolph Poag, authorized signatory	Date
---	------

PENALTIES
 Falsification of information or failure to report information required to be reported may subject you to administrative action by the City.

Public Integrity Disclosure - Applicant Disclosure Form
Section 6 Supplement – Business Entity Disclosure - EMP2, LLC

PSGC, LLC (15% managing member of EMP Escena Holdings, LLC)

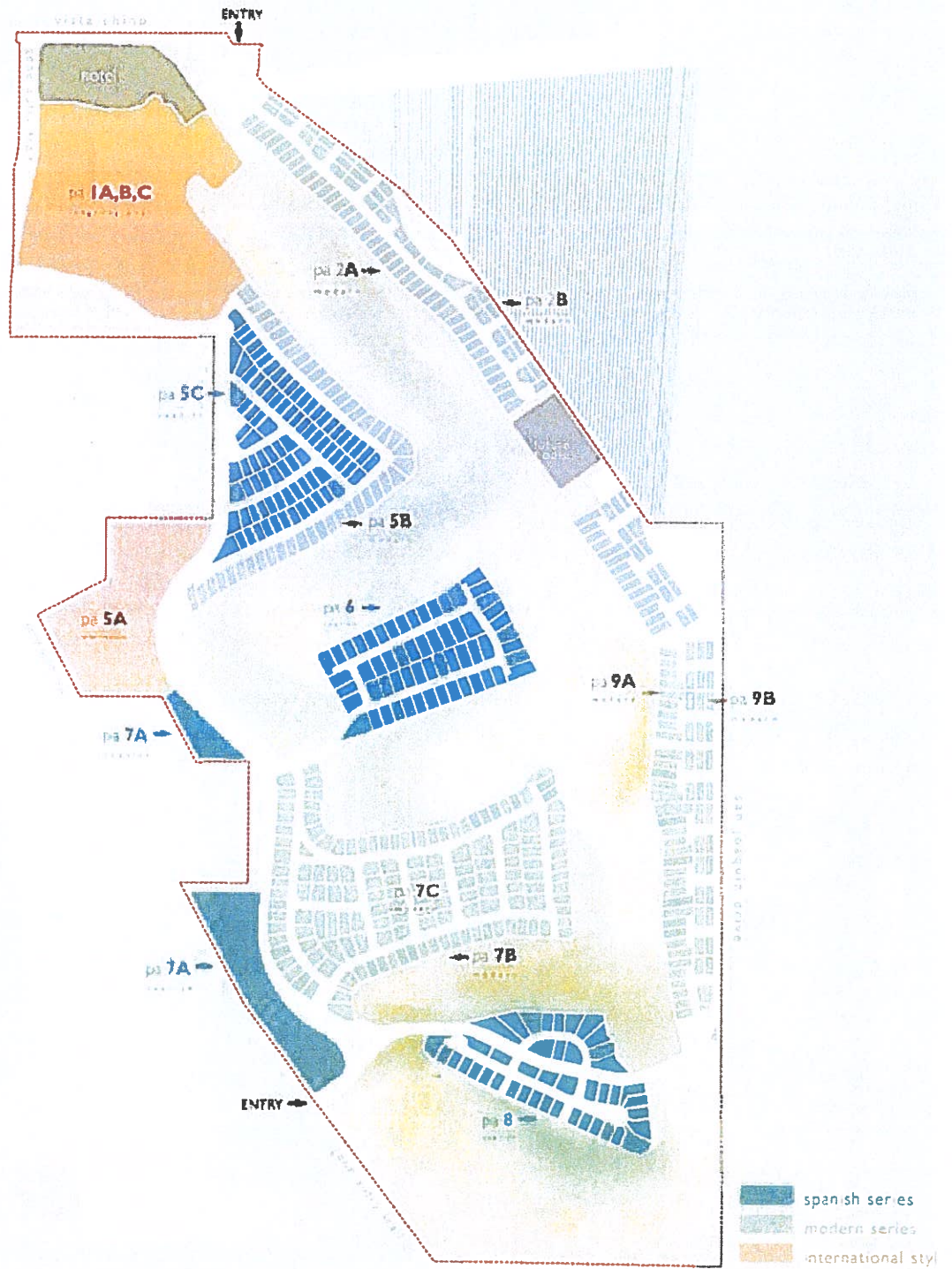
- PNG1, LLC (100% of voting power)
 - Kendra Elieff (manager and 100% member)
 - Jeffrey Benice (manager)
 - J. Randolph Poag (manager)

SP Escena LLC (85% member of EMP Escena Holdings, LLC)

- SP Escena Parent LLC (sole member/manager)
 - Silverpeak Co-Invest LLC (sole member/manager)
 - AD SP Holdings LLC (5% member)
 - Arash Dilmanian (sole member/manager)
 - Silverpeak Capital V LLC (82.55% member/manager)
 - VARK Investments LLC (33.33% member)
 - Kaushik Amin (manager / 65.3949% direct & beneficial member)
 - Rosebud Elijah (34.6051% direct & beneficial member)
 - Silverpeak Capital Holdings LLC (66.67% member/manager)
 - Silverpeak Capital LLC (sole member/manager)
 - Brett Bossung and Kenneth Bossung (50% beneficial members)
 - Mark Walsh and Lisa Walsh (50% beneficial members)
 - No other member has 5% or more interest

Public Integrity Disclosure - Applicant Disclosure Form
 Section 7 Supplement – Natural persons with financial interest in EMP2, LLC

	Name	Percentage of beneficial interest in entity and name of entity
A.	Kendra Elieff	100% PNG1, LLC
B.	Kasuhik Amin	65.3939% VARK Investments LLC
C.	Rosebud Elijah	34.6051% VARK Investments LLC
D.	Brett Bossung	50% Silverpeak Capital LLC (with Kenneth Bossung)
E.	Kenneth Bossung	
F.	Mark Walsh	50% Silverpeak Capital LLC (with Lisa Walsh)
G.	Lisa Walsh	
H.	Arash Dilmanian	100% AD SP Holdings LLC



Escena Styles Distribution Map

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

TENTATIVE TRACT MAP NO. 38721

EXHIBIT DATE: MAY 12, 2023

REVISIONS		
NO.	DATE	DESCRIPTION

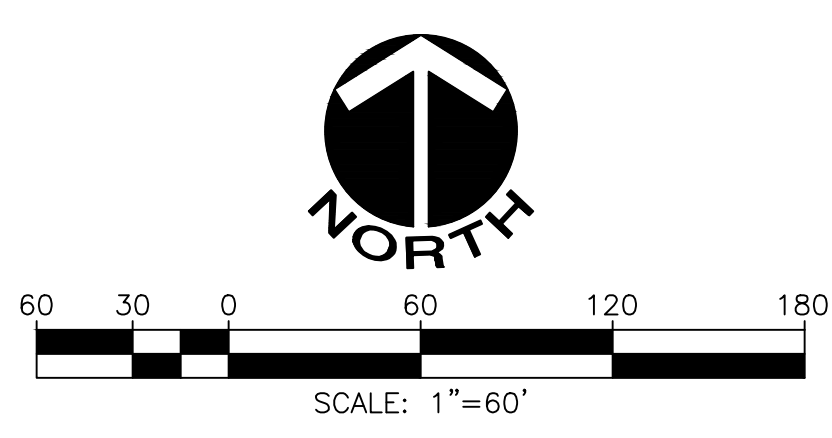
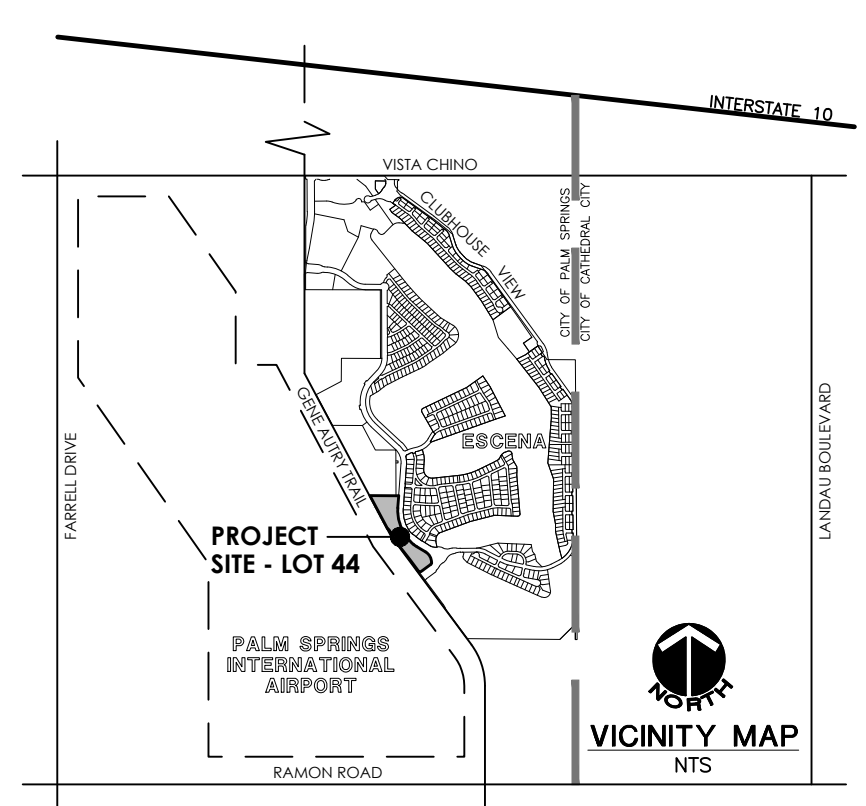
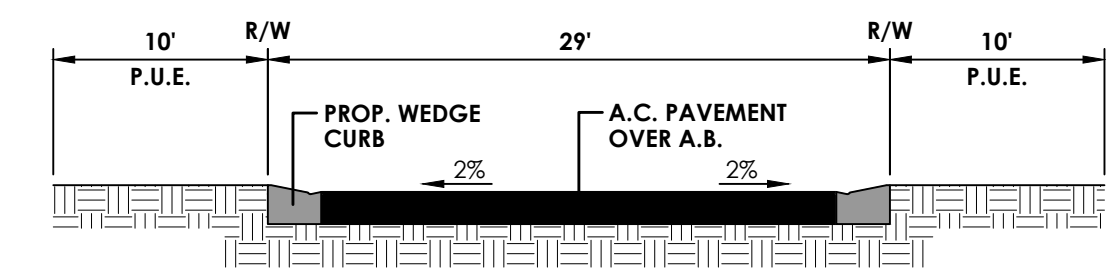
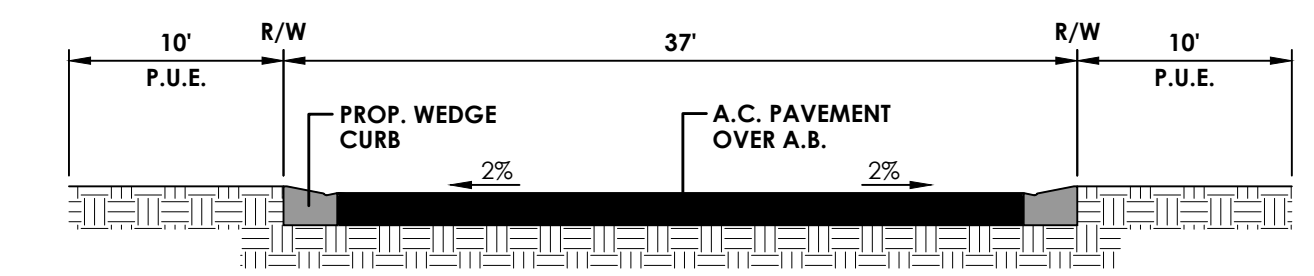
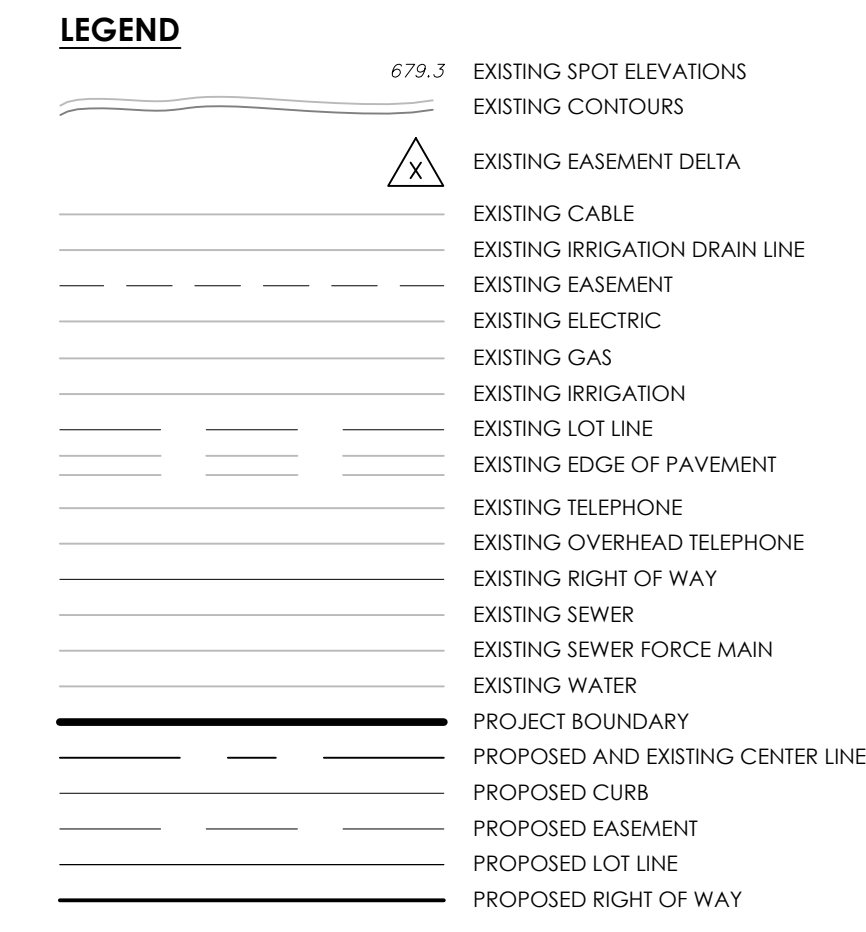
DATA TABLE		
APPLICANT / LAND OWNER:	EMP2, LLC.	
ADDRESS:	3080 BRISTOL STREET, SUITE 630 COSTA MESA, CA 92626	
CONTACT:	NICHOLAS PAPPAS	TELEPHONE: (949) 441-6182
EXHIBIT PREPARER:	MSA CONSULTING, INC.	
ADDRESS:	34200 BOB HOPE DRIVE RANCHO MIRAGE, CALIFORNIA 92270	
CONTACT:	JULIAN A. DE LA TORRE (PE C43880)	TELEPHONE: (760) 320-9811
SOURCE OF TOPOGRAPHY:	INLAND AERIAL SURVEYS, INC.	
ADDRESS:	7117 ARLINGTON AVENUE, SUITE "A" RIVERSIDE, CALIFORNIA 92503	
DATE OF TOPOGRAPHY:	JANUARY 06, 2023	TELEPHONE: (951) 687-4252
ASSESSOR'S PARCEL NUMBER:	677-260-041 & 677-270-042	
LEGAL DESCRIPTION:		
IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LOT 44 OF TRACT MAP NO. 32233-1, AS SHOWN BY MAP ON FILE IN BOOK 381, AT PAGES 59 THROUGH 67, INCLUSIVE, OF MAPS, RIVERSIDE COUNTY RECORDS, LOCATED IN SECTIONS 7 AND 18, TOWNSHIP 4 SOUTH, RANGE 5 EAST, S.B.M.		
LAND USE DESCRIPTION:		ACREAGE
EXISTING GROSS ACREAGE & PROPOSED NET ACREAGE		6.47 AC.
PROPOSED SINGLE FAMILY RESIDENTIAL LOTS (LOTS 1-36)		4.23 AC.
PROPOSED PRIVATE STREETS (STREET "A", "B", "C", & "D")		1.20 AC.
PROPOSED PRIVATE OPEN SPACE LOTS (LOTS "A" THRU "D")		1.04 AC.
EXISTING EASEMENT NOTES:		
1	5' DESERT WATER AGENCY EASEMENT DOC. NO. 2006-0098194 (PLOTTED HEREON)	
2	5' VERIZON EASEMENT DOC. NO. 2005-0650218 (PLOTTED HEREON)	
3	20' SIDEWALK & PEDESTRIAN / LANDSCAPE EASEMENT PER TRACT NO. 32233-1 (PLOTTED HEREON)	
EXISTING ZONING: PLANNED RESEARCH AND DEVELOPMENT PARK ZONE (M-1P)		
PROPOSED ZONING: PLANNED RESEARCH AND DEVELOPMENT PARK ZONE (M-1P)		
EXISTING GENERAL PLAN LAND USE: MEDIUM DENSITY RESIDENTIAL (MDR)		
PROPOSED GENERAL PLAN LAND USE: MEDIUM DENSITY RESIDENTIAL (MDR)		
SURROUNDING LAND USES:		
NORTH	CF - LIGHT INDUSTRIAL (ZONED: PD)	
SOUTH	GOLF COURSE / RESIDENTIAL (ZONED: M-1P)	
EAST	RESIDENTIAL (ZONED: M-1P)	
WEST	VACANT (ZONED: M-1P)	
PUBLIC UTILITY PURVEYORS:		
ELECTRIC:	SOUTHERN CALIFORNIA EDISON	(760) 324-4991
GAS:	SOUTHERN CALIFORNIA GAS COMPANY	(800) 427-2200
TELEPHONE:	FRONTIER COMMUNICATIONS	(800) 921-8101
WATER:	DESERT WATER AGENCY	(760) 323-4971
CABLE:	SPECTRUM	(800) 892-4357
SEWER:	CITY OF PALM SPRINGS	(760) 323-8166
USA:	UNDERGROUND SERVICE ALERT	(800) 227-2600
FEMA FLOOD ZONE DESIGNATION:		
ZONE X - AREA WITH REDUCED FLOOD RISK DUE TO LEVEE AS SHOWN ON RIVERSIDE COUNTY, CALIFORNIA, FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL MAP NUMBERS 06065C1599G, EFFECTIVE DATE: AUGUST 28, 2008.		
LIQUEFACTION: MODERATE LIQUEFACTION ZONE		
NOTES:		
1. THIS MAP DOES INCLUDE THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND DIVIDER.		
2. THERE ARE NO EXISTING DWELLINGS, BUILDINGS, OR OTHER STRUCTURES KNOWN ON THIS PROPERTY.		

ABBREVIATIONS

(E)	EAST
(N)	NORTH
(S)	SOUTH
(W)	WEST
A.C.	ACREAGE
APN	ASSESSOR'S PARCEL NUMBER
BNDRY	BOUNDARY
C/L	CENTERLINE
C&G	CURB AND GUTTER
E/P	EDGE OF PAVEMENT
E	EASEMENT
EX.	EXISTING
MAX.	MAXIMUM
M.B.	MAP BOOK
MIN.	MINIMUM

LEGEND

NO.	NUMBER
N.T.S.	NOT TO SCALE
O/H	OVERHEAD
OS/PP	OPEN SPACE / PARKS
PG.	PAGE
P/L	PROPERTY LINE
PROP.	PROPOSED
P.U.E.	PUBLIC UTILITY EASEMENT
R	RADIUS
R-L	RIGHT OF WAY
R/W	RIGHT OF WAY
SF	SQUARE FEET
STD.	STANDARD
TP.	TYPICAL
UG	UNDERGROUND



MSA CONSULTING, INC.
 Civil Engineering • Land Surveying • Landscape Architecture
 Planning • Environmental Services • Dry Utility Coordination • GIS
 34200 Bob Hope Drive Rancho Mirage, CA 92270 | (760) 320-9811 | MSAConsultingInc.com