

**CITY OF PALM DESERT  
PLANNING COMMISSION  
STAFF REPORT**

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MEETING DATE: March 5, 2024

PREPARED BY: Carlos Flores, AICP, Principal Planner

REQUEST: ADOPT A RESOLUTION APPROVING A REVISION TO APPROVED PAD ELEVATIONS FOR TENTATIVE TRACT MAP 38434 AND FIND THE PROJECT CONSISTENT WITH A PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION IN ACCORDANCE WITH CEQA

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**RECOMMENDATION:**

Adopt Resolution No. 2859 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING A REVISION TO APPROVED PAD ELEVATIONS FOR TENTATIVE TRACT MAP 38434 TO ACCOMMODATE A 332 SINGLE-FAMILY HOME RESIDENTIAL DEVELOPMENT ON A 93.56-ACRE PROJECT SITE SOUTH OF GERALD FORD DRIVE AND WEST OF PORTOLA ROAD WITHIN THE REFUGE SPECIFIC PLAN AREA (APNS: 694-310-009 & 694-31-011) CASE NOS. TTM 38434 (TTM23-0002)".

**BACKGROUND/ANALYSIS:**

On November 17, 2022, the City of Palm Desert City Council (Council) approved the Refuge Specific Plan (Plan), which included the following approvals under City Council Resolution No. 2022-93 and 2022-94:

- A Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the development of 969 dwelling units on a 106.4-acre site area located at the southwest corner of Gerald Ford Drive and Rembrandt Parkway, approved under EA22-0001.
- Refuge Specific Plan (SP22-0001) to set forth site-specific development and design standards, land use regulations, infrastructure, and circulation for the 106.4-acre site. This included establishing five (5) planning areas within the Plan.
- Tentative Tract Map (TTM) 38434, which subdivided a 93.56-acre portion of the project to establish the following:
  - Three hundred thirty-nine (339) single-family residential lots on 43.64 acres within Planning Area 3 of the Plan.
  - One (1) condominium project lot totaling 14.29 acres within Planning Area 2 of the Plan.
  - Twenty (20) lots for retention and open spaces areas on 14.15 acres.
  - Thirteen (13) lots for public streets and eight (8) lots for private alleyways on 21.49 acres.

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TTM 38434 Pad Elevation Revisions

On September 5, 2023, the City of Palm Desert Planning Commission (Commission) adopted Resolution No. 2841 to approve a request by Pulte Home Company (Applicant) for a revision to TTM 38434, which revised the 93.56-acre portion of the Refuge project and established the following:

- Three hundred thirty-two (332) single-family residential lots on 40.93 acres within Planning Area 3 of the Plan.
- One (1) condominium project lot totaling 14.29 acres within Planning Area 2 of the Plan.
- Twenty (20) lots for retention and open space areas on 16.65 acres.
- Twenty-three (23) lots for public streets on 21.70 acres.
- Revised circulation, including establishing cul-de-sacs and additional traffic calming circles throughout the project site.

Planning Commission Resolution No. 2841 was approved with a set of conditions, including the following:

11. *The pad elevations of all lots shall be consistent with the approved preliminary grading plan included in the project file. Adjustments that increase or decrease the pad elevation by six inches (0'-6") or less shall be subject to review and approval by the Director of Development Services and City Engineer. Any change to a pad elevation shall require an adjustment to the grading and drainage plan for consistency.*
  - A. *Adjustments that increase the approved pad elevations on Lots 1-46 by more than six (6) inches shall require approval by the Planning Commission. Exhibit B, attached to this resolution, provides the approved plan elevations for these lots, per the preliminary grading and drainage exhibit drafted by MSA Consulting, dated August 17, 2023.*
  - B. *Adjustments that increase the pad elevations by more than six (6) inches on all other lots must be reviewed by the City Engineer and approved through the Director of Development Services. The Director of Development Services may refer the request to the Planning Commission for approval.*

The Applicant subsequently applied for a Rough Grading plan which proposed pad elevations (Elevations) for all 332 single-family residential lots within TTM 38434 that differed from the Elevations shown on the preliminary grading plan approved and referenced within Resolution No. 2841. The Rough Grading plan proposes the grading work to be completed in two phases which changes the lot numbers from TTM 38434. No changes to total number of lots, site design, or sizes of lots are proposed as part of the Rough Grading Plan. Exhibit A on the attached Resolution provides a breakdown of proposed changes to Elevations and is summarized below:

- A total of 307 out of 332 lots have a revised Elevation (93% of lots)
- 239 lots have a revised Elevation of six inches or less (72% of lots)
- 62 lots (18% of total lots) have a proposed Elevation that is more than 6" higher than the approved Elevation. Most of the lots proposing more than 6" are located on the northern part of the project, as shown in Attachment 3.
- The largest proposed increase to Elevation is 1'-4" at Lots 50, 61, and 107.

TTM 38434 Pad Elevation Revisions

- 6 lots (2% of total lots) have a proposed Elevation that is more than 6” lower than the approved Elevation.

Condition of approval #11 had specific requirements for Lots 1-46, which are located on the eastern boundary of the project site adjacent to existing residential. The following summarizes the proposed changes to these lots:

- 37 out of these 46 lots have a revised Elevation.
- Two (2) of these lots have a proposed Elevation that is more than 6” lower than the approved Elevation.
- Six of these lots propose an increase to the Elevation, ranging from 1-6”. No proposed Elevation is more than 6” higher than the approved Elevation.
- 31 of these lots proposed a decrease to the Pad elevation, ranging from 1-7”

The 2023 revision to TTM 38434 lowered the Elevations for Lots 9-46, which directly abuts the eastern boundary when compared to the Elevations in the original 2022 approval. Lots 1-8 were changed in configuration to not be directly abutting the eastern boundary and did not have an equivalent location when compared to the 2022 approval. The currently proposed Elevations for Lots 9-46 do not propose an Elevation that is higher than the original 2022 approval equivalent.

As provided in Condition #11, the Development Services Director is referring this request to the Planning Commission for consideration since the proposed development abuts an existing single-family neighborhood.

**Public Notification:**

A public hearing notice was published a minimum of ten (10) days before the hearing date in *The Desert Sun* newspaper. Notices were mailed to all property owners within 1,000 feet of the project site. No comments have been received as of the date of this report.

**Environment Assessment/Environmental Review:**

Pursuant to CEQA and the State CEQA Guidelines, the project was found to not require further environmental review. The original Specific Plan and tentative map were evaluated for environmental impacts, and a Mitigated Negative Declaration was adopted per CEQA requirements, via City Council Resolution No. 2022-093. The number of residential lots proposed in the revised tentative map are within the range of residential lots evaluated by the adopted Mitigated Negative Declaration, and the revisions to the map cannot be found to increase environmental impacts or create any new impacts. The project will be conditioned to comply with the previously adopted Mitigated Negative Declaration and Mitigation Monitoring Reporting Program.

**Findings of Approval:**

Findings can be made in support of the project under the City’s Municipal Code. Findings in support of this project are contained in Planning Commission Resolution No. 2859, attached to this staff report.

**ATTACHMENTS:**

1. Planning Commission Resolution 2859
2. Proposed Rough Grading Plan

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TTM 38434 Pad Elevation Revisions

3. Pad Elevation Revisions Exhibit
4. Preliminary Grading Plan
5. Public Hearing Notice