A photograph of the Palm Desert Civic Center building, a curved, tan-colored structure. The building has "PALM DESERT CIVIC CENTER" and "73-510" inscribed on its facade. The scene is set outdoors with palm trees on the left and flowering bushes on the right. A white horizontal line is positioned below the main title.

# Pulte/Refuge Final Map 38434-1

City Council  
July 11, 2024



# Residents Concerns

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Numerous communication and questions on project approvals, code requirements, and activity. Staff has conducted inspections, responded to questions via e-mail, and talked on phone and counter with residents.

Staff working to centralize and streamline questions and responses and suggests sending e-mail questions to [cflores@palmdesert.gov](mailto:cflores@palmdesert.gov)

Staff has set up appointments to discuss project and will continue to offer in person, phone, or virtual meeting with any resident(s) wanting to discuss the project further.

# Tentative Map vs. Final Map

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## Tentative Map

Approval of a tentative map is “discretionary” because it requires findings and may be subject to reasonable conditions.

Discretionary means that the city is granted police power, under the Map Act, to deny the map if they believe it will, “place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health and safety.”

The tentative map is the last ‘discretionary’ approval required.

## Final Map

Approval of a final map is "ministerial" because it must be approved if it is in substantial conformance with the approved tentative map.

Converts a tentative map from a conceptual approval into a legal subdivision of land.

- How many lots will be created
- What shape they will take
- What rights-of-way and easements will be dedicated

# Final Map Review Criteria

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The city engineer shall submit their report to city council within 20-days following the satisfactory submission of the final map and accompanying documents by the subdivider (PDMC § 26.24.220).

- ✓ That the subdivision as shown is substantially the same as it appeared on the approved tentative map, and any approved conditions or amendments;
- ✓ That all code requirement applicable at the time of approval of the tentative map have been complied with; and
- ✓ That the map is technically correct.

# PDMC Requirements

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Following required as part of Final Map submittal (Per 26.24):

- Subdivision Improvement Agreement (including bonds), Deeds, easements, Taxes and assessments certificates, Engineer's estimate of improvement costs, Map notes, coordinate system, boundaries, lots and blocks, streets, monuments, certificates and acknowledgements.

# Final Map City Council Action

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The City Council shall approve the map if it is determined to be in conformity with the requirements of this chapter and the conditions of approval of the tentative map (PDMC § 26.24.230).

- ✓ Public improvement plans are approved by the City Engineer.
- ✓ Subdivision agreement between the city and the subdivider is executed.
- ✓ Security (bonds) is posted by the subdivider for the public improvements.

# Tract Map 38434 History

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Project	Approval Date	Approval Authority	Changes
Specific Plan and TTM 38434	August 11, 2022	City Council	N/A
TTM 38434 Revision	September 9, 2023	Planning Commission	Reduced # of lots, changed circulation, added open space + retention area/capacity, revised pad elevations
TTM 38434 Revision 2	March 4, 2024	Planning Commission	Revised pad elevations



# Tract 38434

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Approved TTM 38434 (March 2024) includes:

- 332 single family detached units
- Revised pad elevations
- 20 lots (16.65 acres) of open space and retention area, including 45' landscape buffer
- 1 Lot for future condominium project
- Capacity of retention basins increasing from 100-year storm capture to 500-year storm



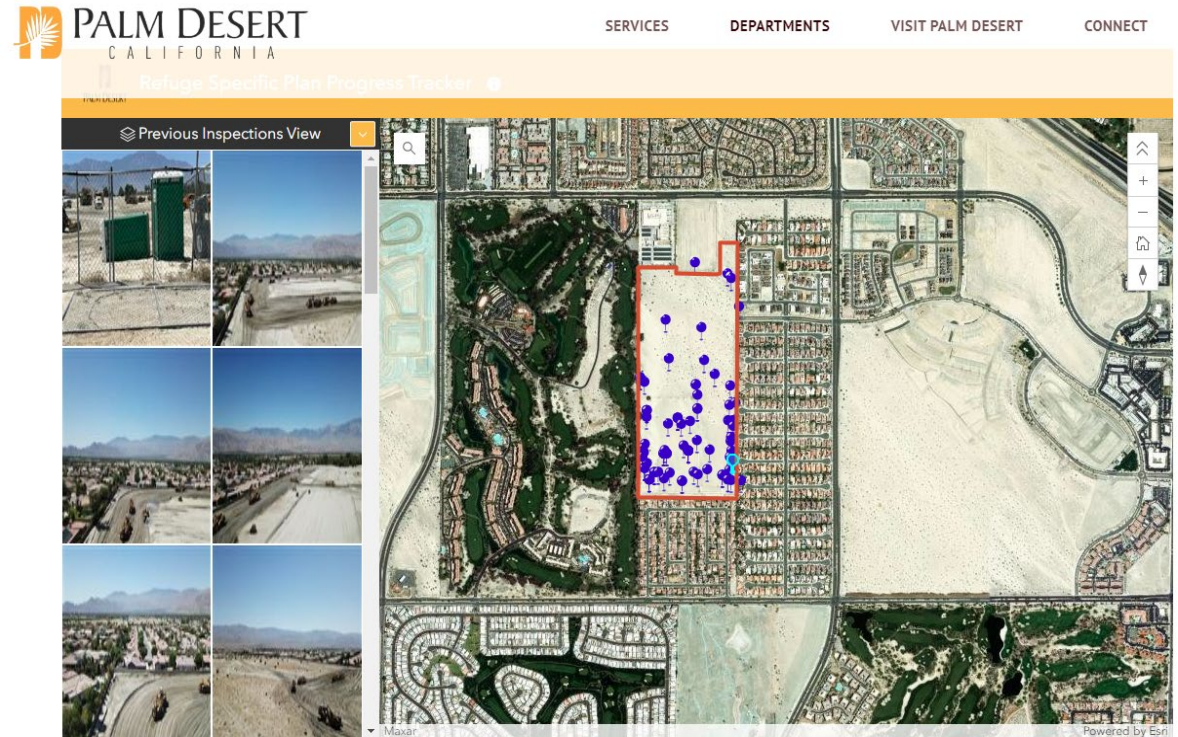
# Residents Concerns

Rough Grading permit issued – April 25, 2024

Community Meeting - June 25, 2024

Concerns:

- Pad Elevations
- Drainage
- Construction Activity: Noise, damage to homes, dirt in pools, site access, hours, and refueling activity



Project Web Site

<https://www.palmdesert.gov/refuge>

# Residents Concerns

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## Pulte Response after concerns:

- Changed construction site access, additional water truck, relocation of staging area, additional PM10/Dust Control Measures.
- Provided the "Pulte Action Plan":
  - Email ([DWEXPLORELAND@pultegroup.com](mailto:DWEXPLORELAND@pultegroup.com)) and phone number (1-877-724-6593) for resident complaints and claims. Pulte will provide bi-weekly updates to the City
  - Pad certifications provided for all perimeters and offered homeowners pad certifications
  - Additional landscaping in buffer areas and an additional community meeting for landscaping

# Residents Concerns

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## Drainage:

- 2/3 of site drained to the south and east in pre-development condition; development would drain to the north
- Retention basins will capture 500-year storm, an improvement from the 2022 plan and City code on the required 100-year storm capture.
- City Engineer and independent third party engineering firm reviewed hydrology plans and confirmed that development would drain properly

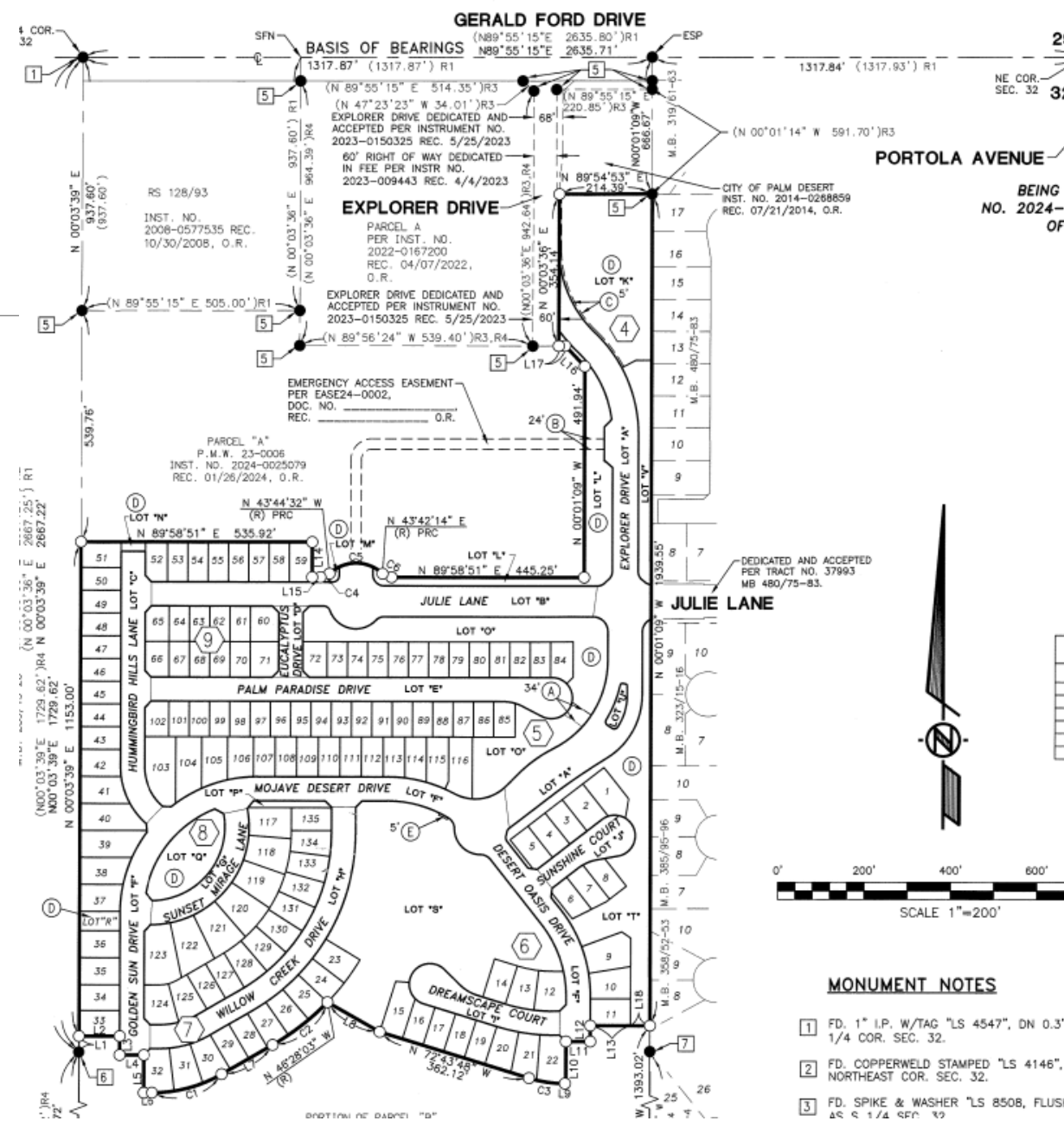
# Final Tract Map 38434-1

Phased portion of Tract 38434 (allowed through COA 21 of Reso 2022-93)

Includes: 135 single family residential lots, 10 public street and infrastructure lots, 11 open space and retention lots and 1 clubhouse lot

Omits "excess right of way" portion of Lot A (Item 14d)

Emergency Access Easement



# Conditions of Approval

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Resolutions: PC 2859, PC 2841, and 2022-94	
Satisfied	Division
✓	Planning
✓	Land Development Engineering/Public Works
✓	Fire



PC Resolution 2859 (TIM38434 Revision 2, March 2024)

Satisfied	Condition	Division
✓	1. The development of the property shall conform substantially with exhibits on file with the Development Services Department, as modified by the following conditions.	Planning
✓	2. The approved pad elevations for this project shall remain consistent with the pad elevations identified on Exhibit B of this resolution, as shown on the Rough Grading plan dated 2-12-2024, prepared by MSA Consulting, as part of Rough Grading permit RG23-0005.	Planning
✓	3. The Applicant agrees that in the event of any administrative, legal, or equitable action instituted by a third party challenging the validity of any of the procedures leading to the adoption of these project approvals for the Project, or the project approvals themselves, the Developer and City each shall have the right, in their sole discretion, to elect whether or not to defend such action. Developer, at its sole expense, shall defend, indemnify, and hold harmless the City (including its agents, officers, and employees) from any such action, claim, or proceeding with counsel chosen by the City, subject to the Developer's approval of counsel, which shall not be unreasonably denied, and at the Developer's sole expense. If the City is aware of such an action or proceeding, it shall promptly notify the Developer and cooperate in the defense. The Developer, upon such notification, shall deposit with City sufficient funds in the judgment of the City Finance Director to cover the expense of defending such action without any offset or claim against said deposit to assure that the City expends no City funds. If both Parties elect to defend, the Parties hereby agree to affirmatively cooperate in defending said action and to execute a joint defense and confidentiality agreement in order to share and protect the information under the joint defense privilege recognized under applicable law. As part of the cooperation in defending an action, City and Developer shall coordinate their defense in order to make the most efficient use of legal counsel and to share and protect information. Developer and City shall each have sole discretion to terminate its defense at any time. The City shall not settle any third-party litigation of project approvals without the Developer's consent, which consent shall not be unreasonably withheld, conditioned, or delayed unless the Developer materially breaches this indemnification requirement.	Planning
✓	4. All conditions of approval included in Planning Commission Resolution No. 2841 shall be adhered to as part of this approval and project.	Planning



Satisfied	Condition	Division
✓	1. The development of the property shall conform substantially with exhibits on file with the Development Services Department, as modified by the following conditions.	Planning
✓	2. The Applicant agrees that in the event of any administrative, legal, or equitable action instituted by a third party challenging the validity of any of the procedures leading to the adoption of these project approvals for the Project, or the project approvals themselves, the Developer and City each shall have the right, in their sole discretion, to elect whether or not to defend such action. Developer, at its sole expense, shall defend, indemnify, and hold harmless the City (including its agents, officers, and employees) from any such action, claim, or proceeding with counsel chosen by the City, subject to the Developer's approval of counsel, which shall not be unreasonably denied, and at the Developer's sole expense. If the City is aware of such an action or proceeding, it shall promptly notify the Developer and cooperate in the defense. The Developer, upon such notification, shall deposit with City sufficient funds in the judgment of the City Finance Director to cover the expense of defending such action without any offset or claim against said deposit to assure that the City expends no City funds. If both Parties elect to defend, the Parties hereby agree to affirmatively cooperate in defending said action and to execute a joint defense and confidentiality agreement in order to share and protect the information under the joint defense privilege recognized under applicable law. As part of the cooperation in defending an action, City and Developer shall coordinate their defense in order to make the most efficient use of legal counsel and to share and protect information. Developer and City shall each have sole discretion to terminate its defense at any time. The City shall not settle any third-party litigation of project approvals without the Developer's consent, which consent shall not be unreasonably withheld, conditioned, or delayed unless the Developer materially breaches this indemnification requirement.	Planning
✓	3. The development of the property described herein shall be subject to the restrictions and limitations set forth herein, which are in addition to the approved development standards listed in the PDMC, and state and federal statutes now in force, or which hereafter may be in force.	Planning
✓	4. The TIM shall expire if recordation of the said Project is not completed within two (2) years from date of the original approval (November 17, 2022) unless an extension of time is granted by the Palm Desert Planning Commission; otherwise, said approval shall become null, void, and of no effect whatsoever. Expiration date of this map is November 17, 2024.	Planning
✓	5. The approved TIM shall only be modified with written City approval in accordance with the requirements of the Specific Plan and Chapter 26.20 of the Palm Desert Municipal Code (PDMC).	Planning
✓	6. All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Development Services Department.	Planning

✓	7. The Applicant shall execute a written acknowledgment to the Planning Division stating acceptance of and compliance with all the Conditions of Approval of Resolution No. 2841 for TIM 38434, and that the plans submitted are in compliance with the Conditions of Approval. No modifications shall be made to said plans without written approval from the appropriate decision-making body.	Planning
✓	8. Prior to the issuance of a building permit for construction of any use or structure contemplated by this approval, the Applicant shall first obtain permits and or clearance from the following agencies: Coachella Valley Water District (CVWD) Fire Department Building and Safety Division Public Works Department  Evidence of said permit or clearance from the above agencies shall be presented to the Building & Safety Division at the time of issuance of a building permit for the use contemplated herewith.	Planning
✓	9. The Applicant shall establish a homeowners' association (HOA). The HOA's responsibility for maintenance shall include but is not limited to maintenance of private amenity areas and open space, landscaping, stormwater retention, and related infrastructure. The final maintenance plan shall include detailed text and illustrative diagrams indicating areas of responsibility for maintenance and shall be subject to approval by the Director of Development Services and City Engineer.	Planning
✓	10. Prior to approval of the final map, the Applicant shall submit a final phasing plan, which identifies the timing of roadway improvements and open space.  A The phasing plan shall indicate that full segments of Planning Area 5, shown as Lot "K" shall be completed and fully landscaped prior to the occupancy of any adjacent homes on Lots 1 through 46.  B. The entire amenity area shown on Lot O shall be completed prior to the occupancy of the 200th unit within Planning Area 3.	Planning

✓	<p>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.</p> <p>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.</p> <p>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 Planning Commission for approval.</p>	Planning
✓	12. The Applicant shall construct the circulation network for Street "A" and Street "B" as shown on the approved Specific Plan prior to any development within Planning Area 2 and/or Planning Area 3.	Planning
✓	13. All mitigation measures identified in the Specific Plan Mitigated Negative Declaration (SCH# 2022100013) and the accompanying Mitigation Monitoring and Reporting Program (MMRP), shall be incorporated into the planning, design, development, and operation of the Project.	Planning
✓	14. At recordation of the final map, the Applicant shall record an easement for a secondary Fire Department emergency access across Lot 333, which provides a connection between Street "A" and Street "B."	Planning
✓	15. The following plans, studies, and exhibits are hereby referenced: Specific Plan, prepared by MSA Consulting and dated August 2022; TIM 38434 and dated August 25, 2023; Preliminary Grading, prepared by MSA Consulting, Inc. and dated August 17, 2022; Preliminary Utility Plan, prepared by MSA Consulting, Inc. and dated June 2022; Preliminary Hydrology Report, prepared by MSA Consulting, Inc. and dated August 18, 2022; and Preliminary Water Quality Management Plan, prepared by MSA Consulting, Inc. and dated August 19, 2022.	Land Development/ Public Works (ID)
✓	16. The map shall comply with the State of California Subdivision Map Act and with the City of PDMC Title 26, unless otherwise modified by the conditions listed herein.	ID

✓	17. It is assumed that easements shown on the preliminary grading exhibit are shown correctly and include all the easements that encumber the subject property. A current preliminary title report for the site will be required to be submitted during the technical plan review. The Applicant shall secure approval from all, if any, easement holders for all grading and improvements, which are proposed over the respective easement or provide evidence that the easement has been relocated, quitclaimed, vacated, abandoned, easement holder cannot be found, or is otherwise of no effect. Should such approvals or alternate actions regarding the easements not be provided and approved by the City, the Applicant may be required to amend or revise the proposed site configuration as maybe necessary.	ID
✓	18. It is understood that the conceptual exhibits correctly show acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Qs, and that the omission or unacceptability may require that the Applicant amend or revise the site plan as maybe.	ID
✓	19. All common areas will be permitted as shown on the tentative exhibit, subject to these Conditions of Approval and the Applicant providing adequate provisions, by means of a homeowners' association (HOA) or another equivalent responsible mechanism as approved by the City Engineer and City Attorney, for the continued and perpetual maintenance of these common areas, and on-site post-construction Best Management Practices (BMPs) to the satisfaction of the City Engineer and City Attorney.	ID
✓	20. The Applicant shall pay all, appropriate signalization fee prior to the issuance of the first building permit for the development in accordance with the City's Resolution No. 79-17 and 79-55.	ID
✓	21. The Applicant may choose to develop the tentative map in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utility, street, or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Applicant submitting a Phasing Plan to the California Bureau of Real Estate.	ID



✓	22. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.	ID
✓	23. Prior to map approval, the Applicant shall pay all, appropriate drainage fee in accordance with the City's Municipal Code Section 26.49 and Palm Desert Ordinance No. 653.	ID
✓	24. Prior to map approval, the Applicant shall pay all appropriate park fees in accordance with the City's Municipal Code Section 26.48.060.	ID
✓	25. The Applicant shall comply with Palm Desert Ordinance No. 843, Section 24.20 Stormwater Management and Discharge Ordinance.	ID
✓	26. All utility extensions within the site shall be placed underground unless otherwise specified or allowed by the respective utility purveyor.	ID
✓	27. Prior to approval of any implementing development project, planning area, parcel/tract map within the Refuge Specific Plan area, a development specific traffic letter shall be submitted to the City. The letter shall address consistency with the approved Specific Plan Traffic Impact Analysis assumptions. If it is determined that the proposed development is inconsistent with the approved report, the Applicant shall file an amendment to the approved traffic report describing the impacts of any proposed changes.	ID
✓	<p>28. Prior to precise grading plan approval, the Applicant shall provide a Pedestrian Accessibility Route Plan that labels and indicates the path location and conceptual design of the following structures and facilities:</p> <ul style="list-style-type: none"> <li>A. Sidewalks and walks (public right of way sidewalk, walks within the development.</li> <li>B. Directional curb ramps.</li> <li>C. Vehicular crossings (at driveways) shall meet state and federal requirements.</li> </ul> <p>The Pedestrian Accessibility Route Plan shall clearly indicate structures that are proposed with the development and future per other phases and/or site plans. Pedestrian facilities (privately or publicly owned) that are open to the public shall comply with accessibility standards in the California Building Code (current) and Americans with Disability Act (ADA) regulations.</p>	ID

✓	29. Public improvements, constructed as part of the requirements for this project, that are non-compliant with the accessibility standards in effect at the time of construction or alteration, shall be brought up to current accessibility standards. This work shall be incorporated into the scope of this project and shall be completed prior to acceptance by the City. Improvements that are compliant with the accessibility standards in effect at the time of construction, shall be documented on a separate construction plan with detailed specifications (running and cross slopes of all pedestrian walking surfaces, locations and dimensions and slopes of maneuvering spaces and landings, width of sidewalk, width, and vertical clearance from obstructions). The accessibility of existing improvements will be verified by City inspection staff upon completion of the project. Discrepancies between documented existing conditions and existing conditions as measured by City staff shall be remedied and brought up to accessibility standards as part of the Project.	ID
✓	30. Prior to a grading permit, the Applicant shall prepare a final grading plan for the site. No grading or other improvements shall be permitted until a final grading plan has been approved by the City Engineer. Grading plans and all grading shall conform to the approved Conceptual Grading Plan, the California Building Code, PDMC Title 27 Grading, and all other relevant laws, rules, and regulations governing grading in the City of Palm Desert.	ID
✓	31. The grading plan shall provide for acceptance and proper disposal of all off-site drainage flowing onto or through the site. Should the quantities exceed the street capacity, the Applicant shall provide adequate drainage facilities and/or appropriate easements as approved by the City Engineer.	ID
✓	32. Pad elevations, as shown on the conceptual exhibit, are subject to review and modification per Chapter 27 of the PDMC.	ID
✓	33. Prior to approval of the grading plan, the Applicant shall prepare a detailed final flood hazard/hydrology and hydraulics report for approval of the City Engineer. The report shall encompass the entire area of the subdivision and comply with all relevant laws, rules, and regulations governing the City of Palm Desert. Development specific recommendations for sizing of drainage facilities, systems, and conveyance systems shall be included for all areas within the subdivision.	ID
✓	34. All drainage and storm drain improvements shall be designed per PDMC Title 24, Riverside County Flood Control and Water Conservation District's standards for the Drainage Element of the Palm Desert General Plan, and all other relevant laws, rules, and regulations governing grading in the City of Palm Desert.	ID

✓	35. Prior to approval of the grading plans, the Applicant shall provide the City Engineer with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such Evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed. More detailed information regarding this General Permit, applicable fee information and the necessary forms to complete the NOI are available by calling (916) 341-5537 or on the SWRCB web site at: Construction Stormwater General Permits   California State Water Resources Control Board. <a href="https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.html">https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.html</a>	ID
✓	36. Prior to the issuance of a grading permit, the Applicant shall submit a PM10 application for review and approval. The Applicant shall comply with all provisions of PDMC Section 24.12 regarding Fugitive Dust Control.	ID
✓	37. Prior to issuance of grading permit, the Applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for review and approval of the Land Development department.	ID
✓	38. Where grading involves import or export, the Applicant shall obtain permits from the Public Works Department, including import/export quantities and hauling route.	ID
✓	39. Prior to grading permit, it shall be the sole responsibility of the Applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading shown on the grading plan exhibit. Proof shall be provided to the Land Development Division prior to issuance of grading permit.	ID
✓	40. It is assumed that the grading and the provisions for water quality management shown on the conceptual grading exhibit can comply with all requirements for a Final Water Quality Management Plan (F-WQMP), without substantial change from that shown. Prior to approval of the grading plan for each Precise Plan Landowner shall prepare, or cause to be prepared, a Final WQMP in conformance with the requirements of the Riverside County Flood Control and Water Conservation District (RCFC&WCD) Whitewater River Watershed area for approval of the City Engineer.	ID
✓	41. All post-construction BMPs shall be designed based on the City of Palm Desert's maximum infiltration criteria of one (1) inch/hour.	ID

✓	42. Prior to the issuance of a grading permit, the Applicant shall submit a signed and notarized WQMP Operations and Maintenance Agreement to the City. The agreement shall provide for the maintenance and operation of open space areas, common spaces such as parking lot and recreational facilities, trash disposal for common areas, and water quality BMP facilities, by either the property owners' association or the owners of each individual lot or unit as tenants in common.	ID
✓	43. The Applicant's Civil Engineer shall field verify that all BMPs are designed, constructed, and functional in accordance with the approved WQMP. BMPs shall be inspected and signed-off by the City Public Works/CIP inspector. Coordinate inspection with staff and submit a completed verification form for review and approval. This condition will be at the discretion of the City Engineer.	ID
✓	44. Prior to the issuance of grading permit and in compliance with the City of PDMC Chapter 27.24, the Applicant shall enter into an agreement and post financial security guarantee for all grading work related to this Project.	ID
✓	45. Prior to the issuance of grading permit for each Precise Plan, the Applicant shall submit for review and approval of the City Engineer a final Geotechnical Report that includes project specific recommendations.	ID
✓	46. Prior to the start of grading activities, the Applicant shall install all erosion and dust control mechanisms for the site as approved by the City.	ID
✓	47. Upon completion of grading of each Precise Plan, the Project's Geotechnical Engineer shall certify to the completion of grading in conformance with the approved grading plans and the recommendations of the geotechnical report approved for this Project. A licensed land surveyor shall certify to the completion of grading in conformance with the lines and grades shown on the approved grading plans.	ID
✓	48. Prior to map recordation, the Applicant shall submit improvement plans for all public streets and improvements.	ID
✓	A Dedication of street on the final map shall be for public right-of-way purposes inclusive of street, drainage, and utility installation.	ID
✓	B The following streets have been identified as future public streets during the review process and are identified in the referenced tentative map exhibit: Portion/Extension of Julie Drive, Street "A", Street "B", Street "C", Street "D", Street "E", Street "F", Street "G", Street "H", Street "I", Street "J", Street "K", Street "L", Street "M", Street "N", Street "O", Street "P", Street "Q", and Street "R".	ID

✓	49. Final map shall show, as part of the Owner's Statement, retention of open space lots identified in the referenced tentative map exhibit. The following lots were identified as to be retained by ownership: Lot A through Lot O inclusive.  A Any changes to the ownership of the lots will require approval by the City Engineer and the Director of Public Works. B Maintenance responsibilities for private common spaces and lots retained on the map shall be clearly detailed on the CC&Rs for the subdivision.	ID
✓	50. Final map shall show corner cutback dedication at all corner lots and public street intersections. Dedication at corner lots shall be adequate to accommodate all public infrastructure within the public street, including ADAcompliant curb ramps.	ID
✓	51. Prior to the map recordation, the Applicant shall provide full-scale signing and striping improvement plans for all public streets as a separate set of plans from street improvement plans for review and approval by the City Engineer. Signing and striping plans shall show existing improvements and modifications including, but not limited to, bike lanes, roundabout(s), travel lanes, pavement markings, turning arrows, etc.	ID
✓	52. Prior to final map approval, the Applicant shall pay a fair share contribution equivalent to 42.9% of the design and construction cost for the signalization of Gerald Ford Drive and Rembrandt Way/Vitalia Way intersection.	ID
✓	53. The final map may not be approved until the required improvements, as identified on these Conditions of Approval, have been satisfactorily constructed and approved by the City Engineer; or until an adequate security has been posted with the City, in accordance with PDMC Title 26. If construction is not completed prior to map recordation, the Applicant shall enter into a subdivision improvement agreement and post financial securities with the City for the required public improvements prior to map approval. The form and amount of the financial security shall be reviewed and approved by the City and be in compliance with PDMC Sections 26.28.030 and 26.28.040.	ID
✓	54. Prior to map recordation, unless corresponding securities are posted per Condition No. 53, the Applicant is responsible for the construction and installation of improvements on Gerald Ford Drive in compliance with the Refuge Specific Plan. Improvements generally include, but not limited to: A If not in place or constructed by others prior to the proposed map recordation: Street improvements, including meandering sidewalk, curb and gutter, and landscape and irrigation improvements along the Refuge Specific Plan boundary and transitioning to existing improvements to the east and west of the site. B A Class II bicycle lane in accordance with Coachella Valley Association of Governments Active Transportation Planning (CVAG ATP) Design Guidelines Section 5.3. C Improvements identified in these Conditions of Approval for public streets. D The Applicant shall show, as reference only, all existing and proposed utility connections. Utility plans shall be processed and approved by CVWD.	ID

✓	55. Prior to map recordation, unless securities are posted per Condition No. 53, the Applicant is responsible for the construction and installation of Gerald Ford Drive/Rembrandt Parkway intersection improvements in compliance with the traffic report prepared for Refuge Specific Plan and approved by the City. Improvements generally include, but are not limited to:  A ADAcompliant curb ramps. B Installation of intersection improvements to provide: i. Northbound: one LT/TH lane, one (125 ft) RT lane ii. Southbound: one shared LT/TH/RT lane iii. Eastbound: one LT lane, two TH lanes, one (150 ft) RT lane iv. Westbound: one (150 ft) LT lane, three TH lanes, one RT lane v. Signalized intersection  C Applicant to pay for full cost of intersection and roadway improvements, excluding traffic signal. D In addition, Applicant shall contribute a 42.9% of the total design and construction cost for intersection signalization and improvements. The amount shall be per the City's approved cost estimate and a form approved by the City Engineer. E Design for traffic signal shall consider interconnect to adjacent signals on Gerald Ford Drive at Portola Avenue and at Gateway Drive shall be included as part of the design and construction cost estimates.	ID
✓	56. Prior to map recordation, unless securities are posted per Condition No. 53, the Applicant is responsible for the construction and installation of improvements on Street "A" south of Gerald Ford Drive transitioning to proposed Street "A" in compliance with the Refuge Specific Plan and as identified in the traffic study. Improvements generally include but are not limited to:  A ADAcompliant curb ramps at driveway crossings. B Widening of Street "A" to a 44-foot roadway, north of the subdivision boundary to Gerald Ford Drive providing landscape and sidewalk along both sides of the street. Street section shall provide for 44-foot roadway with the following geometries: i. Northbound: one lane ii. Southbound: one lane C In addition, the design shall include shared bicycle and golf cart lanes between Gerald Ford Drive and the extension of Julie Lane.	ID
✓	57. Prior to map recordation, unless securities are posted per Condition No. 53, the Applicant is responsible for the construction and installation of Street "A"/Julie Lane intersection improvements in compliance with the Specific Plan Traffic Report recommendations.  A Applicant will be responsible for providing a adequate right-of-way on the final map to accommodate all public infrastructure within the public right-of-way. Applicant will be the sole responsible party for any right-of-way acquisition, if any, that may be required in order to satisfy this Condition of Approval. B Install intersection improvements: i. Roundabout per California Highway Design Manual (CA HDM) and Federal Highway Administration (FHWA) guidelines, including enhanced central island and accessible pedestrian crossing. ii. Modify existing westerly terminus of Julie Lane to join with required roundabout improvements. iii. Sidewalk facilities shall be provided surrounding the roundabout. iv. Landscape improvements within public right-of-way will be required surrounding the roundabout.	ID



✓	58. Prior to map recordation, unless securities are posted per Condition No. 53 or the improvements are found by the City Engineer to no longer be required, the Applicant is responsible for the construction and installation of Julie Lane/Portola Road intersection improvements in compliance with the Specific Plan traffic report recommendations.  A Install geometries to provide: i. Northbound: one LT, three TH lanes, one RT lane ii. Southbound: one LT, two TH lanes, one shared TH/RT lane iii. Eastbound: one LT lane, one shared TH/RT iv. Westbound: one LT lane, one TH lane, one RT lane	ID
✓	59. Prior to map recordation, unless securities are posted per Condition No. 53, the Applicant is responsible for the construction and installation of improvements of Street "B", the westerly extension of existing Julie Lane. Improvements shall be provided on both sides of the street and generally include, but not limited to: curb and gutter, landscape and irrigation improvements, landscape buffered sidewalks along roadways.  A Proposed Street "B" shall extend and connect to proposed Street "F" as generally shown on the tentative map exhibit. Connection and roadway alignment shall be reviewed and approved by the City Engineer. B All signing and striping shall follow California MUTCD standards. C Proposed Street "B" and future condominium development parcel intersection shall be designed to include a mini roundabout per CA HDM and FHWA guidelines or as a three-legged intersection (T-intersection). Final design shall be reviewed and approved by the City Engineer.	ID
✓	60. Prior to map recordation, unless securities are posted per Condition No. 53, the Applicant is responsible for the construction and installation of improvements on proposed local streets. Improvements shall be provided on both sides of the streets unless otherwise specified on these conditions of approval and generally include, but not limited to: curb and gutter, and landscape and irrigation improvements, and landscape buffered sidewalks along roadways.  A All signing and striping shall follow California MUTCD standards and be submitted as a separate set of plans for review and approval of the City Engineer. B Parking along 36-foot-wide interior streets shall be limited to one side of the street only. C Horizontal curves shall be designed per Highway Design Manual and shall provide adequate roadway expansion (widening) to safe vehicle circulation and movements. D Street design shall incorporate a roundabout per CA HDM and FHWA guidelines at the intersection of proposed Street "C" and Street "G". E Streets design shall incorporate mini roundabouts per CA HDM and FHWA guidelines at the intersection of proposed Street "G" and Street "J," as generally shown on the referenced tentative map exhibit. Final design shall be reviewed and approved by the City Engineer.	ID
✓	61. Prior to issuance of encroachment permit for public improvements and/or map recordation, whichever comes first, the Applicant shall enter into an agreement and post financial security guarantee for the construction of all off-site/public improvements in accordance with Chapter 27.24 of the PDMC. The form and amount of the financial security shall be reviewed and approved by the City Engineer. The Applicant shall guarantee all improvements for a period of one (1) year from the date of final acceptance and the improvement guarantee shall be backed by a bond or cash deposit in the amount of ten percent of the surety posted for the improvements.	ID

✓	62. Prior to the map recordation, the Applicant shall submit grading and improvement plans for all private improvements and common areas for review and approval of the City Engineer. A Signing and striping shall be part of the plans and shall include stop signs and stop bars for vehicles exiting the amenities area parking lot. B All private improvements shall be kept within private property. Non-standard encroachments into proposed public right-of-way will not be permitted, unless clearly identified on these Conditions of Approval.	ID
✓	63. Prior to approval of the improvement plans, the Applicant shall provide a full-scale signing and striping improvement plan for all public streets as a separate set of plans from street improvement plans for review and approval of the City Engineer. Signing and striping plans shall show existing improvements and modifications including, but not limited to, bike lanes, median break(s), travel lanes, pavement markings, turning arrows, etc.	ID
✓	64. Prior to a building permit for the first developed phase, proposed Street "A", Julie Lane, and Street "A"/Julie Lane intersection improvements shall be in constructed and accessible. Recommendations of the traffic report may be phased as approved by the City Engineer, but in no case shall defer installation or payment of fair share for traffic signal at Gerald Ford beyond the first developed phase.	ID
✓	65. Prior to a building final inspection, the Applicant is responsible for the completion of construction of all grading and improvements for which plans are required.	ID
✓	66. Prior to final building permit inspection or certificate of occupancy, the Applicant is responsible for the completion of all public improvements within the corresponding development phase.	ID
✓	67. Prior to City acceptance of all public streets, the Applicant shall have completed all building and construction activities related to each construction phase. Street capping shall be performed after the last Certificate of Occupancy is released.	ID
✓	68. Prior to bond release, punch list work for improvements and capping of streets for each construction phase shall be completed and approved for acceptance by the City Engineer.	ID

✓	69. Fire Hydrants and Fire Flow: The water system shall be capable of delivering the required fire flow. Prior to PP (plot plan) approval, information shall be provided to the Office of the Fire Marshal regarding the building's occupancy type, construction type, building area, and whether the buildings will be protected with fire sprinklers.	Fire
✓	70. Fire Department Access: Access roads shall extend to within 150 feet of all portions of the exterior building walls and shall have an unobstructed width of not less than 24 feet. Fire access driveways with a dead-end exceeding 150 feet in length shall be provided with an approved space to turn around the fire apparatus. The access roads shall be capable of sustaining 60,000 lbs. over two axles and 75,000 lbs over three axles in all-weather conditions. Approved vehicle access, either permanent or temporary, shall be provided during construction. CFC 503.1.1, 3310.1 and 503.2.1	Fire
✓	71. Requests for installation of traffic calming designs/devices on fire apparatus access roads shall be submitted and approved by the Office of the Fire Marshal. Ref. CFC 503.4.1.	Fire
✓	72. Phased Construction Access: If construction is phased, each phase shall provide approved access for fire protection prior to any construction.	Fire
✓	73. Fire Sprinkler System: All new commercial structures 3,600 square feet or larger shall be protected with a fire sprinkler system. Ref CFC 903.2 as amended by the City of Palm Desert.	Fire
✓	74. Residential Fire Sprinklers: Residential fire sprinklers are required in all one and two-family dwellings per the California Residential Code (CRC). Plans must be submitted to the Office of the Fire Marshal for review and approval prior to installation. Ref. CRC 313.2.	Fire
✓	75. Knox Box and Gate Access: Buildings shall be provided with a Knox Box installed in an accessible location approved by the Office of the Fire Marshal. Manual gates shall be equipped with approved Knox equipment. Electric gates shall be provided with Knox key switches. Electric gate operators shall also be connected to a remote signal receiver compatible for use with the preemption devices on the Riverside County fire apparatus. The gate shall automatically open upon receiving a remote signal from the fire apparatus. Ref. CFC 506.1.	Fire
✓	76. Addressing: All residential dwellings and commercial buildings shall display street numbers in a prominent location on the street side of the premises and additional locations as required. Ref. CFC 505.1 and County of Riverside Office of the Fire Marshal Standard #07-01.	Fire
✓	77. The proposed Project may have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic, and population. The Project proponents/developers will be expected to provide for a proportional mitigation of these impacts via capital improvements and/or impact fees.	Fire

# Consideration

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1. Final Map 38434-1 - documents includes Subdivision Improvement Agreement and Grading Agreement, with associated bonds and address the TTM conditions of approval.
2. Construction and Maintenance Easement Agreement (0.13 acre ROW)
  - Final version executed by the Applicant provided yesterday around 5:00 PM for City Council consideration
  - Not a condition of approval from the TTM; BUT
  - Needed to exclude City ownership obligations on this Final Map

# Recommendation

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1. Adopt a resolution entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP OF FINAL TRACT MAP NO. 38434-1.”
2. Authorize the Mayor to execute agreement for the construction and maintenance of a portion of public right of way
3. Authorize the City Attorney to make necessary, non-monetary changes to the agreements and City Manager to execute any changes to said Agreements.