

# CITY OF PALM DESERT STAFF REPORT

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MEETING DATE: September 26, 2024

PREPARED BY: Michael S. Rowe, PE, City Engineer

SUBJECT: RESOLUTION APPROVING FINAL PARCEL MAP 37234 AND  
ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT

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## **RECOMMENDATION:**

1. Adopt Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP OF PARCEL MAP NO. 37234"
2. Authorize the City Attorney to make necessary nonmonetary changes to the agreement.
3. Authorize the City Manager to execute the Subdivision Improvement Agreement.

## **BACKGROUND/ANALYSIS:**

On March 12, 2020, the Palm Desert City Council adopted Resolution No. 2020-17, which approved the MCP Specific Plan and Tentative Parcel Map (TPM 37234). The MCP Specific Plan and TPM 37234 regulate the development of a 32+ acre area of land comprised of two existing parcels located at the southeast corner of Monterey Avenue and Dick Kelly Avenue. The original life of the tentative map was 24 months.

On April 19, 2022, the Palm Desert Planning Commission, by Minute Motion, granted an 18-month extension of time for TPM 37234 until September 12, 2023.

On July 18, 2023, the Palm Desert Planning Commission adopted Planning Commission Resolution No. 2835, granting an additional 12-month extension of time for TPM 37234 until September 12, 2024.

On September 3, 2024, the Palm Desert Planning Commission adopted Planning Commission Resolution No. 2880, granting an additional 6-month extension of time for TPM 37234 until March 12, 2025.

Resolution No. 2880 included Conditions of Approval for certain improvements to be constructed and impact fees to be paid. These improvements include:

1. Payment of fair share (25%) for the traffic signal modifications at Monterey and Street A is deferred since the traffic study did not warrant it at this time. The City of Rancho Mirage is neutral on this matter since there is no project to warrant its need or location at this time. The future project will therefore be required to pay for any installation if their future project desires a signal or median modification mid-block on Monterey, and their project-specific Traffic Study warrants its installation.
2. The costs for future relocation of power lines along Monterey, to accommodate a future deceleration lane into the project, were established with a preliminary plan showing a

reasonable location for a project entrance. This plan included a left-in off southbound Monterey along with the right-in/right-out entrance from northbound Monterey. This preliminary plan was used to establish a reasonable estimate of probable costs that included moving two power poles, replacement of the sidewalk along Monterey, and median improvements in Monterey. This plan and estimate was submitted and approved by the City Engineer.

3. The applicant's traffic consultant developed a fair-share cost for necessary modifications to the existing signal at Monterey Avenue and Dick Kelly, which was included in the cost estimate approved by the City Engineer.
4. The pedestrian and vehicular access easements through each parcel were satisfied with a note in the Owner's Statement. Each parcel will allow reciprocal rights through each other, with the locations determined through the entitlement process of each parcel and their individual Conditions of Approval.

Applicant has entered into a Subdivision Improvement Agreement with bonds for the completion and payment of these improvements based on the Preliminary Cost Estimates provided to the City and approved by the City Engineer.

Applicant has also paid their impact fees for Drainage and Art in Public Places.

**Legal Review:**

This report has been reviewed by the City Attorney's Office.

**Environment Assessment/Environmental Review:**

The proposed Final Map is a project under CEQA. The adoption of the Final Map is exempt from CEQA under Section 15268(b) of Chapter 3 of Title 14 of the California Code of Regulations (State CEQA Guidelines). Section 15628(b) exempts ministerial approval by public agencies from CEQA. Final Maps are specifically cited as a type of ministerial permit. Therefore, this project qualifies for the identified exemption.

The original Specific Plan and tentative map were evaluated for environmental impacts, and a Mitigated Negative Declaration was adopted per CEQA requirements.

**FINANCIAL IMPACT:**

There are no direct impacts to the General Fund with this action. However, when the modifications of the public streets and signals are completed their long term maintenance will be the responsibility of the City of Palm Desert

**ATTACHMENTS:**

1. Resolution
2. Planning Commission Resolution 2880
3. City Council Reso 2020-17
4. Conditions of Approval
5. TPM 37234

6. Final Parcel Map 37234
7. Subdivision Improvement Agreement
8. Subdivision Improvement Bond