

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: March 13, 2025

PREPARED BY: Carlos Flores, AICP, Principal Planner

SUBJECT: RESOLUTION APPROVING FINAL TRACT MAP NO. 38434-2

RECOMMENDATION:

Adopt a Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION OF FINAL TRACT MAP NO. 38434-2."

BACKGROUND/ANALYSIS:

On November 17, 2022, the City Council approved the Refuge Specific Plan (SP22-0001), a request by Refuge Palm Desert, LLC (Applicant), 17755 Sky Park Cir, Ste 101, Irvine, CA 92614 to establish five planning areas, up to 969 residential dwelling units, and related improvements on a 106.4-acre site located at the southwest corner of Gerald Ford Drive and Rembrandt Parkway. Concurrently, the City Council approved Tentative Tract Map 38434 (TTM 38434) by Resolution No. 2022-94, to subdivide a 93.56-acre portion of the proposed site into one condominium lot (14.29 acres) and 339 single-family residential lots and its associated clubhouse, open space, retention basins, and infrastructure (approximately 78 acres).

On September 5, 2023, the Planning Commission approved, by Resolution No. 2841, a request to modify the layout to reduce the previously approved TTM 38434 to 332 single-family residential lots and modify pad elevations. On March 5, 2024, the Planning Commission approved, by Resolution No. 2859, an additional request by the Applicant to modify pad elevations.

On August 22, 2024, the City Council adopted Resolution 2024-066 which approved Final Tract Map No. 38434-1 (FTM 38434-1). FTM 38434-1 is a phased portion of the map that includes 135 single-family residential lots, 10 public street and infrastructure lots, 11 lots of open space including retention basins, and one lot for the clubhouse (approximately 38.23 acres). The phasing of TTM 38434 was permitted through Condition of Approval No. 21 of Resolution No. 2022-94, with approval of the City Engineer and financial securities for all public improvements associated with the phase. Resolution 2024-066 approval included a Grading Agreement and Subdivision Improvement Agreements (SIA) for phase 1 and 2, and maintenance and easement agreements.

The Final Tract Map No. 38434-2 (FTM 38434-2) is the second phased portion of the map that includes 197 single family residential lots, 10 lots for public streets, and 7 lots for private open space. FTM 38434-2 is the final phase of 38434 and would complete the entirety of the subdivision. Previously approved Resolution 2024-066 approved and recorded the SIA and Grading Agreement with necessary financial securities that covers FTM 38434-2 to guarantee the completion of construction (Attachment 5 and 6). The City Engineer has determined that

FTM 38434-2 meets the application requirements of the Subdivision Map Act and the City's ordinances. The Final Map has been deemed technically correct by the City Engineer, and the Conditions of Approval in the resolution have been satisfied for FTM 38434-2.

The Covenants, Conditions, and Restrictions (CC&Rs) of the Homeowner's Association (HOA) document the maintenance obligations for the proposed site, which includes maintaining all lots reserved for open space, landscaping and storm drain purposes, and all landscaping located in the public right-of-way adjacent to private property and within medians and roundabouts within the community.

Public Input:

Leading up to the City Council approval of FTM 38434-1, the City received multiple complaints on the project with a focus on construction activity, pad elevations, and drainage. In response, City staff held individual meetings with homeowners and launched a project website on the City's webpage to centralize project history, plans, and inspections. Additionally, staff conducted a community meeting at City Hall on June 25, 2024, to respond to residents' questions and concerns.

Following the approval of FTM 38434-1, the City continued to receive multiple complaints on the project with a continued focus on construction activity, elevations, drainage, as well as the final design of the landscape buffer on the south and east perimeters of the project. City staff, including the City Manager, Assistant City Manager, Principal Planner, and Development Services Director, held two (2) meetings in January 2025 with neighboring homeowners to discuss their comments. The discussions centered around the following topics:

- Building pad height
- Landscape buffer distance
- Drainage and grading
- Access and design
- Neighboring walls
- View protections.

City staff provided clarification on each topic discussed and provided a list of requests to the Applicant. While the Applicant declined to increase the landscape buffer distance, they agreed to:

- Re-design the slopes along the perimeters
- Construct all perimeter walls as block walls
- Maintain private access along the landscape buffer.

Attachment 10 provides a summary of discussions, clarifications, requests, and the Applicant's responses.

On February 4, 2025, residents were invited to City Hall to receive a project update from the Applicant, focusing on responses to resident requests, wall designs, landscape buffer modifications, grading, and drainage. The City remains committed to transparency, regularly updating project information on its website and maintaining ongoing communication with the developer to track and respond to resident concerns.

Legal Review:

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

Environment 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.

FINANCIAL IMPACT:

There is no immediate impact to the General Fund with this action. However, once the proposed public streets are completed and accepted, their long-term maintenance will be the responsibility of the City of Palm Desert.

ATTACHMENTS:

1. Resolution 2025-
2. Conditions of Approval Res No. 2859, 2841, 2022-94
3. Tentative Tract Map 38434
4. Final Tract Map 38434-2
5. Grading Agreement and Bonds
6. Subdivision Improvement Agreement and Bonds
7. Explore Action Plan
8. Community Meeting Applicant Presentation February 4, 2025
9. Resolution 2024-066
10. Pulte Request Matrix