

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING A DENSITY BONUS AGREEMENT AND APPROVING ONE (1) WAIVER FOR THE AFFIRMED HOUSING AFFORDABLE HOUSING PROJECT LOCATED AT THE NORTHWEST CORNER OF COOK STREET AND FRANK SINATRA DRIVE (ASSESSOR'S PARCEL NUMBER 694-200-021)  
CASE NO. PP23-0019

WHEREAS, Affirmed Housing ("Applicant") submitted a Precise Plan (PP) application to construct a 289-unit, multi-family affordable housing project on a 7.74-acre site at the northwest corner of Cook Street and Frank Sinatra Drive (APN 694-200-021); and

WHEREAS, On May 23, 2024, the City received a resubmittal of documents that included a revised set of project plans and a written request for a waiver of a development standard pursuant to the California Density Bonus Law, Government Code § 65915 and deemed the project met all applicable objective standards and approved, subject to City Council approval of a Density Bonus agreement and waiver of a development standard; and

WHEREAS, in accordance with the State Density Bonus Law (California Government Code Section 65915), the requirements of Senate Bill 35 (California Government Code § 65913.4, and Palm Desert Municipal Code § 25.34.040(G), the City Council has the authority to review the proposed Density Bonus and one (1) waiver for the Affirmed Housing project; and

WHEREAS, the Project includes one hundred percent of the units affordable to low-income households (excluding those reserved for manager's units) as provided in the breakdown in the attached Density Bonus Agreement and is located within a very low vehicle travel area, as defined in Government Code § 65915; and

WHEREAS, pursuant to the requirements of the CEQA, the State Guidelines for Implementation of CEQA (State CEQA Guidelines) and the City of Palm Desert CEQA Implementation Requirements Resolution No. 2024-034, the project is exempt from review under the California Environmental Quality Act (CEQA) because the project is being processed under Senate Bill 35, which requires ministerial review and approval of the project; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, as follows:

SECTION 1. That the above recitations are true and correct and constitute the findings of the City Council in this matter.

SECTION 2. That it does hereby approve the Density Bonus Agreement as set forth in Exhibit "A", attached hereto, and the following concession for the Affirmed Housing project (P23-0019):

PDMC Section 27.12.045 Control of Building Pad Elevation requires that "Where the existing grade is at or below street elevation, {...} the maximum finished pad height shall

be no more than twelve inches above the top of curb elevation, measured at the lowest point along the lot frontage curb line, and be compatible with surrounding adjacent properties, as determined by the city engineer”.

The Applicant requests a deviation of 29 feet, 6 inches from this requirement. Using the “NAD83” datum, the northeast corner of the site is the lowest point of the site at an elevation of 223’-6”, and the southwest corner of the site is the highest point at an elevation of 260’. Adherence to PDMC 27.12.045 would require a maximum finished pad height of 224’-6”. The Waiver request is for a maximum finished pad height of 254’, a deviation of 29’-6”. Waivers are allowed to be granted through a Density Bonus Agreement, as currently proposed.

SECTION 3. Pursuant to the requirements of the CEQA, the State Guidelines for Implementation of CEQA (State CEQA Guidelines) and the City of Palm Desert CEQA Implementation Requirements Resolution No. 2024-034, the project is exempt from review under the California Environmental Quality Act (CEQA) because the project is being processed under Senate Bill 35, which requires ministerial review and approval of the project.

ADOPTED ON \_\_\_\_\_, 2025.

\_\_\_\_\_  
JAN HARNIK, MAYOR

ATTEST:

\_\_\_\_\_  
ANTHONY J. MEJIA  
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2025-\_\_\_ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on \_\_\_\_\_, 2025, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on \_\_\_\_\_, 2025.

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ANTHONY J. MEJIA  
CITY CLERK