

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: September 14, 2023

PREPARED BY: Christina Canales, Land Development Technician

REQUEST: ADOPT A RESOLUTION APPROVING FINAL TRACT MAP NO. 37639
AND AGREEMENTS

RECOMMENDATION:

1. Adopt a resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP OF TRACT MAP 37639.
2. Authorize the Mayor to execute the Agreement for the Exchange of Real Property and any documents necessary to effectuate and implement the actions taken herewith.
3. Authorize the Mayor to execute a Master Agreement for Grant of Temporary Construction, Access, and Parking Easements.
4. Authorize the City Attorney to make non-substantive changes to the Agreements and City Manager to execute any changes to said Agreements.

BACKGROUND/ANALYSIS:

On January 27, 2022, the City Council approved Tentative Tract Map 37639 Amendment No. 1 for condominium purposes by Resolution No. 2022-09 including a Disposition and Development Agreement (DDA) and its amendments, requested by Desert Wave Ventures, LLC (DWV) 1555 Camino Del Mar, #315C, Del Mar, CA 92014, for the development of a surf lagoon and surf center (restaurant, bar, retail, and support facilities), up to 350-room hotel, and 88 residential villas on 17.69 acres located within Desert Willow (Project).

The Final Subdivision Map of Tract Map No. 37639 conforms to all 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 Resolution No. 2022-09 have been satisfied. Grading and Subdivision Improvement agreements and associated bonds were submitted by the applicant to guarantee the completion of construction.

The Agreement for the Exchange of Real Property is between DWV and the City of Palm Desert (City). The agreement exchanges approximately 2,139 square feet of property owned by DWV with approximately 4,604 square feet of property owned by the City and provides terms of the exchange as stipulated in the agreement.

In addition, the Master Agreement for Grant of Temporary Construction, Access, and Parking Easements is between DWV and the City providing DWV temporary construction access, and parking easements during construction activities on City property.

These agreements are pursuant to, and consistent with, the amended DDA, approved for the Project.

Legal Review:

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

FINANCIAL IMPACT:

Once the proposed public streets are completed and accepted, their long-term maintenance will be the responsibility of the City of Palm Desert as stipulated in the DDA between the City of Palm Desert and Desert Wave Ventures, LLC.

ATTACHMENTS:

1. Resolution
2. Conditions of Approval of Resolution No. 2022-09
3. Tentative Tract Map 37639
4. Final Tract Map 37639
5. Grading Agreement
6. Grading Bond
7. Subdivision Improvement Agreement
8. Subdivision Improvement Bonds
9. Master Agreement for Grant of Temporary Construction, Access, and Parking Easements
10. Agreement for the Exchange of Real Property