

**RESOLUTION NO. 2017-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, CONCURRING WITH THE PLANNING COMMISSION'S DETERMINATION TO DENY A REQUEST FOR EXTENSION OF TIME FOR (1) TENTATIVE TRACT MAP NO. 33746, WHICH MAP IS LOCATED AT THE SOUTHEAST CORNER OF MISSION LAKES BLVD AND KAREN AVE, EFFECTIVELY DENYING THE REQUEST FOR EXTENSION OF TIME FOR THE TENTATIVE TRACT MAP.**

**WHEREAS**, the Applicant Neil Gascon ("Applicant"), has filed an application with the City of Desert Hot Springs for an Extension of time for Tentative Tract Map 33746 to subdivide approximately 165.7 acres into 499 residential lots within the City of Desert Hot Springs, California ("Extension"); and

**WHEREAS**, on October 10, 2017, a duly noticed public hearing on the Extension was held by the Planning Commission; and

**WHEREAS**, the Planning Commission considered the staff report and all of the information, testimony, and evidence presented during the Planning Commission's public hearing and denied the Applicant's request based upon the following findings:

1. The Style of houses are outdated;
2. Lot sizes are too small (6,100 square feet)
3. Project is too dense for the area
4. There are minimal amenities for the tract
5. The Map has been sitting idle since 2006

**WHEREAS**, on October 24, the Applicant filed an appeal to the action of denial made by the Planning Commission; and

**WHEREAS**, notice of a public hearing of the City Council of the City of Desert Hot Springs to consider Applicant's appeal of the Planning Commissions determination was given in accordance applicable law; and

**WHEREAS**, on November 21, 2017, a public hearing on the Extension was held by the City Council; and

**WHEREAS**, the City Council has reviewed the proposed Extension, the entire record, all evidence and testimony, and has determined that Planning Commission's determination should be upheld and that the extension of Tentative Map No. 33746 should be denied, based upon the findings detailed below.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.     Recitals.**

That the Recitals set forth above are true and correct and are hereby incorporated herein by this reference.

**Section 2. Findings.**

That the City Council makes the following findings regarding the Extension:

1. The style of houses are outdated;
2. Lot sizes are too small (6,100 square feet)
3. Project is too dense for the area;
4. There are minimal amenities for the tract;
5. The Map has been sitting idle since 2006.

**Section 3. Concurrence with Planning Commission Determination and Denial of Extension of Time Request for Tentative Map Nos. 35488 and 35009.**

That the City Council hereby (1) concurs with the Planning Commission's determination to deny the request for extension of time regarding Tentative Map No. 33746 and (2) hereby denies the extension of time for Tentative Tract Map No.33746 based upon the findings articulated in this Resolution.

**Section 4. Certification.**

That the City Clerk shall certify to the passage and adoption of this resolution, enter the same in the book

**Section 5. Severability.**

That if any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 6. Repeal of Conflicting Provisions.**

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting held on the 21st day of November 2017 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

[SIGNATURES FOLLOW ON THE NEXT PAGE]

**ATTEST:**

---

Jerryl Soriano, CMC City Clerk

**APPROVED:**

---

Scott Matas, Mayor

**APPROVED AS TO FORM:**

---

Jennifer A. Mizrahi, City Attorney