

RESOLUTION NO. 2004-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, ADOPTING ENVIRONMENTAL ASSESSMENT NO. 07-04, A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM AND APPROVING TENTATIVE TRACT MAP NO. 31235, TO SUNSET SPRINGS DEVELOPMENT LLC, TO SUBDIVIDE APPROXIMATELY 19.6 GROSS ACRES INTO 63 RESIDENTIAL LOTS, SUBJECT TO CONDITIONS OF APPROVAL, LOCATED NORTH OF MISSION LAKES BLVD., WEST OF SONORA DRIVE [APN NOS: 661-230-006 AND 007] WITHIN THE CITY OF DESERT HOT SPRINGS, RIVERSIDE COUNTY, CALIFORNIA.

WHEREAS, Sunset Springs LLC (the "Applicant"), has filed an application with the City of Desert Hot Springs (the "City") for Tentative Tract Map (No. 31235) to subdivide 19.6± acres of land into 63 single family residential lots (the "Project"), located north of Mission Lakes Blvd., west of Sonora Drive [APN Nos: 661-230-006 and 007] within the City of Desert Hot Springs, California (the "Site"); and

WHEREAS, notice of a public hearing of the Planning Commission of the City of Desert Hot Springs to consider Applicant's applications was given in accordance with applicable law; and

WHEREAS, on May 11, 2004 a public hearing on the Applicant's applications 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 hearings and adopted Resolution No. PC 18-04 recommending that the City Council approve the Applicant's applications; and

WHEREAS, notice of a public hearing of the City Council of the City of Desert Hot Springs to consider Applicant's applications was given in accordance with applicable law; and

WHEREAS, on June 15, 2004 a public hearing on the requested applications was held by the City Council; and

WHEREAS, after careful consideration of the staff report and all of the information, evidence, and testimony presented at its public hearing, the City Council finds as follows:

Tentative Tract Map Findings:

1. The proposed subdivision, together with the provisions for its design and improvements, are consistent with the General Plan (as amended) which designates the project site as Residential Low/Specific Plan (R-L/SP). The project, as proposed, is consistent with that designation in that the entire project is a subdivision developed for detached, single-family residences only. The proposal is on property that has been planned for single-family residential development so this request is consistent with the overall goals for the area. Furthermore, the request complies with the overall density limitation for the zoning on the property.

2. The design or improvement of the proposed subdivision is consistent with the City's Municipal Zoning Code. The proposed subdivision contains lots that meet the minimum lot size, the overall density is less than designated in the General Plan; the streets, both on and off site, are required to meet the minimum standards of the City; sewer and water will be provided to the property and meet the standards of the Mission Springs Water District; storm water facilities must meet the requirements of the City and Riverside County Flood Control; all utilities must meet the requirements of the applicable utility provider; and the project must meet the development parameters established in the General Plan and the Zoning Ordinance.
3. That the rather limited conditions and/or requirements imposed upon the proposed subdivision would not render unfeasible the development of housing for all segments of the economic community on the site. In considering its actions, the City has given due consideration of the public service needs of its residents and the available fiscal and environmental resources.
4. The proposed Tentative Map design will permit to the extent feasible, passive or natural heating and cooling opportunities to each of the proposed parcels. Development of said parcels will transpire under the auspices of the Municipal Zoning Code and other such documents that will include such elements (setbacks, clustering, etc.) to promote optimum spacing of structures and uniform building heights that will provide opportunities for the use of solar energy.
5. That unless otherwise waived by the City, as part of the development approval process the Tentative Tract Map has been conditioned to comply with the City's local requirements for park and recreation dedications (Quimby Act).
6. That the proposed design or improvements of the proposed Map complies with all applicable sections and requirements of the City's Subdivision Code.

Environmental:

1. The Project will have no significant effect on the environment. A Mitigated Negative Declaration and Mitigation Monitoring Program was prepared for the Project and publicly noticed, in accordance with applicable law.

NOW, THEREFORE, the City Council of the City of Desert Hot Springs resolves as follows:

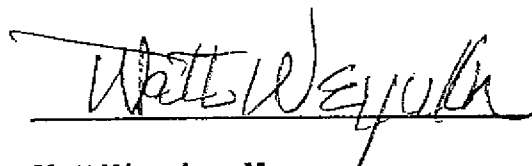
1. That the aforementioned findings are hereby approved.
2. That the City Council has independently reviewed and considered Environmental Assessment No. 07-04 and the Mitigated Negative Declaration, which reflects the independent judgment of the City and determines that the Initial Study adequately addresses the impacts of the Project and that the issuance of a Mitigated Negative Declaration is appropriate.
3. The City Council **Adopts** Environmental Assessment (No. 07-04) and the Mitigated Negative Declaration for Tentative Tract Map No. 31235, as shown in Exhibit "B", which Declaration is on file with the City of Desert Hot Springs Planning Department, and is incorporated herein by reference.

4. That the City Council **Adopts** the Mitigation Monitoring Program for the Project as shown in Exhibit "C" hereto and by this reference incorporated herein.
5. That the City Council **Approves** Tentative Tract Map No. 31235, a request subdivide to subdivide 19.6± acres of land into 63 single family residential lots (the "Project"), located north of Mission Lakes Blvd., west of Sonora Drive [APN Nos: 661-230-006 and 007] within the City of Desert Hot Springs, California, subject to the conditions of approval, shown in Exhibit "A", hereto and by this reference incorporated herein.
6. That the City Clerk shall certify to the adoption of this Resolution and shall mail by first class, prepaid, United States mail, a certified copy of this Resolution to Applicant.

PASSED AND APPROVED, at a regular meeting of the City Council of the City of Desert Hot Springs on this 15th day of June, 2004.

AYES: Weyuker, Stephens
Bosworth, Hohenstein & Pieper.
NOES: None.

ABSENT: None.
ABSTAIN: None.



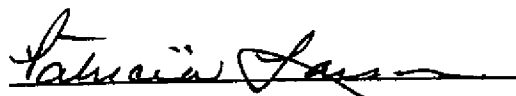
Matt Weyuker, Mayor

ATTEST:



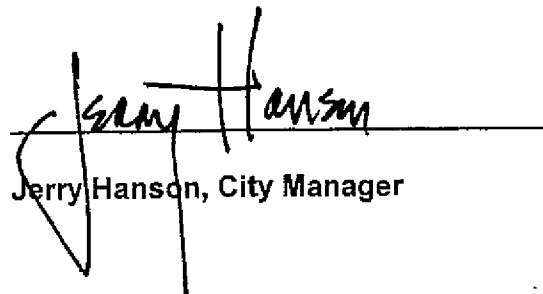
Rossie Stobbs, City Clerk

APPROVED AS TO FORM:



City Attorney

REVIEWED BY:



Jerry Hanson, City Manager