



staff report

Agenda Item No.

To: Imperial City Planning Commission

From: Lisa Tylenda, Planner

Date: March 6, 2020

Project: Specific Plan Amendment

Summary:

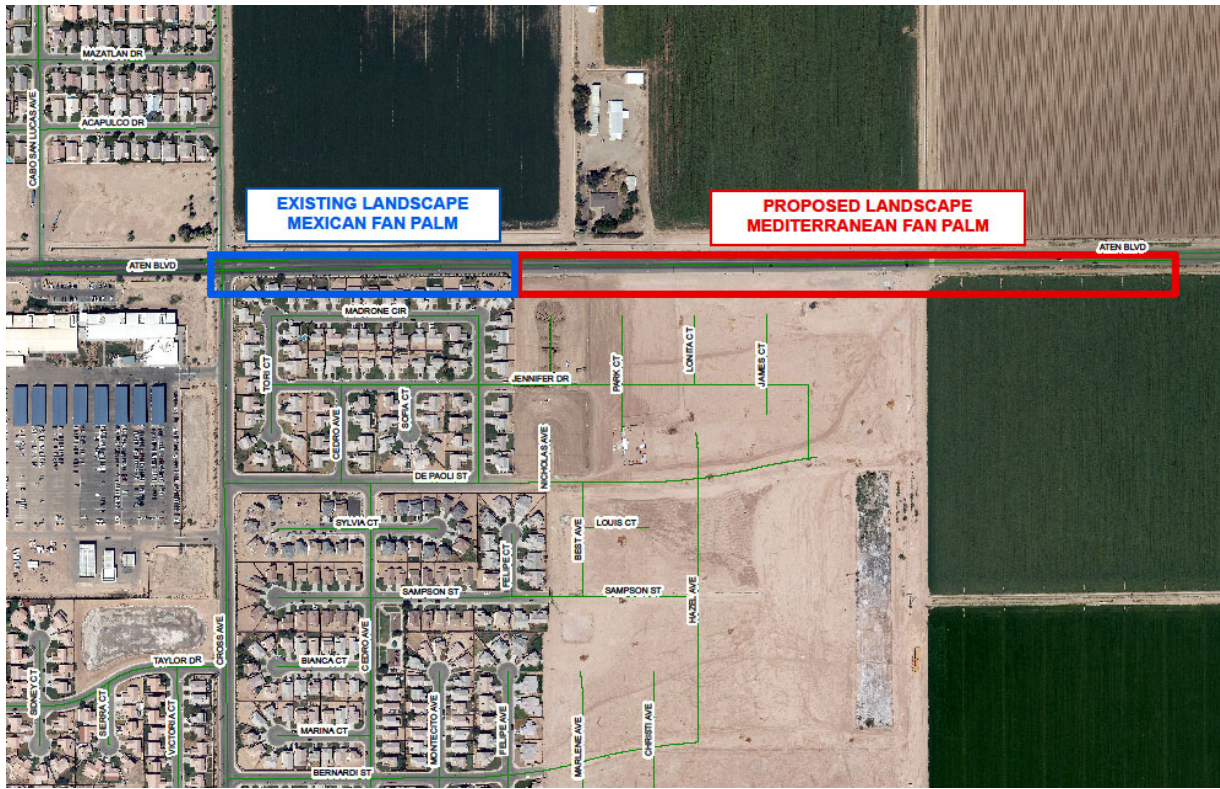
Applicant:	Tory Lessley-VR 5A Inc.
Project Location:	Along Aten Road (Approx. 0.50 Miles). See attached Map and Landscape Plans
Zoning:	City of Imperial – VR Specific Plan
General Plan:	Medium Low Density Residential (Under Specific Plan)
Environmental:	CEQA Exempt Section 15304 (b)
Recommendation:	Approve Specific Plan Amendment-Replacement of "Theme Tree" (From Mexican Palm to Mediterranean Fan Palm)

INTRODUCTION AND BACKGROUND

Tory Lessley submitted an application for a Specific Plan Amendment to change a "Theme Tree" from Mexican Palm to Mediterranean Fan Palm (*Chamaerops Humilis*) along Aten Boulevard. The reason of this change is that the Imperial Irrigation District (IID) will not allow the planting of Mexican Palm trees at the proposed location (shown in the below map, plans and pictures attached), because this type of tree has a deep root system that grows down rather than out and has the potential of damaging a distribution underground feeder located on the South side of Aten Road.

The proposed replacement and best selection, is the Mediterranean Fan Palm trees that has adventitious root system, this means the roots develop are non-invasive system and are not likely to interfere with the sidewalk in front of the proposed location as well as the distribution underground feeder. Also, one of the best aspects of this palm is durability, requires minimal maintenance and cleanup, requires minimal water once planted, and over time becomes drought tolerant once established (See additional specifications attached). Furthermore, the Imperial Irrigation District will allow the developer to plan a Mediterranean Fan Palm, as long as during

the installation of the palm trees, if the Imperial Irrigation District Facilities (IID) facilities are damaged, the contractor will bear the cost of repairs (See IID letter attached).



SPECIFIC PLAN LANDSCAPE OBJECTIVES

The goal for the landscape section of the Victoria Ranch Planned Community Specific Plan is to provide a landscape design that identifies with the Victoria Ranch Community. The landscaping design should reflect the scale and hierarchy of vehicular travel ways and should complement the architectural design of homes, public facilities, and the commercial center.

Objective 1: Xeriscape landscaping techniques using drought tolerant plant species shall be encouraged along right-of-way and parkway plantings within the project area.

RECOMMENDATION

Staff recommends the Planning Commission approve the Specific Plan Amendment- Replacement of "Theme Tree" (From Mexican Palm to Mediterranean Fan Palm) and recommend for approval to City Council.

RESOLUTION NO. PC2020-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA,
APPROVING AN AMENDMENT OF SPECIFIC PLAN-REPLACEMENT OF "THEME TREE"
(From Mexican Fan Palm to Mediterranean Fan Palm) ALONG ATEN BOULEVARD FOR
VICTORIA RANCH SUBDIVISION.**

WHEREAS, Tory Lessley-VR5 Inc., has submitted an application for an Specific Plan Amendment to replace the Theme Tree that runs along Aten Boulevard.

WHEREAS, a duly notified public hearing was held by the Planning Commission on March 11, 2020; and

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff and considering any written comment received, the Planning Commission considered all facts relating to the request for a Specific Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES** the Specific Plan Amendment to replace the "Theme Tree" that runs along Aten Boulevard from Mexican Fan Palm to Mediterranean Fan Palm Exhibit B; and Conditions of Approval outlined in Exhibit A
- C) All approvals made by the City Council are based on the following findings:
 - 1. The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act.
 - 2. That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is Categorically Exempt under Section 15304 (b) of the California Environmental Quality Act; and
 - 3. There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial,
this 20th day of March 2020.

Planning Commission Chairman

ATTEST:

City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL

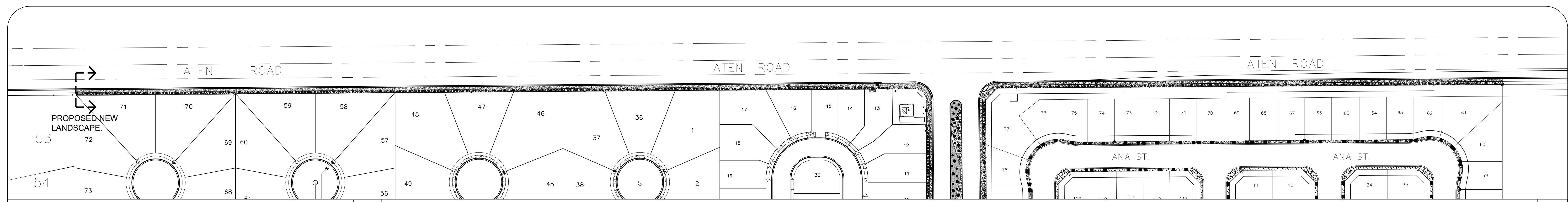
For

SPECIFIC PLAN AMENDMENT-REPLACEMENT OF "THEME TREE" (From Mexican Palm to Mediterranean Fan Palm) ALONG ATEN BOULEVARD FOR VICTORIA RANCH SUBDIVISION

1. A Landscaping Plan shall be submitted to the City of Imperial for review and approval prior to the issuance of a permit. All landscaped areas shall be irrigated with automatic sprinkler systems.
2. Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
3. The Developer/Applicant shall offer for dedication all rights of way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities and the storm water retention basin.
4. The City Council shall have final approval of the Specific Plan Amendment-Replacement of "Theme Tree".
5. The Applicant shall agree to defend, indemnify and hold harmless the City of Imperial and its agents, including consultants, officers and employees from any claim, action or proceeding against the City or its agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the project. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness costs that may be asserted by any person or entity, including the Property Owner/Applicant arising out of or in connection with the approval of the Conditional Use Permit, including any claim for private attorney general fees claimed by, or awarded to any party from the City.
6. The Developer/Applicant shall pay all applicable impact and capacity fees.
7. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply.
8. All maps, plans, studies, cost estimates; designs and calculations required for this project shall be subject to the review and approval of the Department of Public Works and Department of Community Development prior to issuance of building permit.
9. Prior to the start of any construction activity, a qualified biologist shall survey the site for any active owl burrows. Any burrows found shall be identified and flagged. Burrows

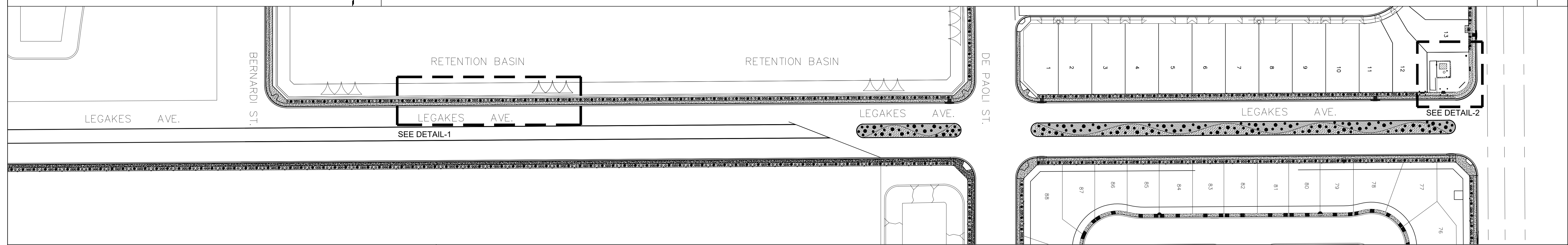
shall not be disturbed during the mating season (February 15 to August 15). After the mating season ends, the burrows will be destroyed to prevent the return of the owls to these burrows during the next mating season.

10. The project shall comply with ICAPCD's standard mitigation measures for construction combustion equipment and mandatory Rule VIII to ensure that adequate air quality is maintained.
11. Construction sites shall control dust (PM-10) generation through daily watering in accordance with a dust control plan submitted to and approved by the Air Pollution Control District as required by Imperial APCD Rule 800.
12. A Grading and Drainage Plan shall be submitted to the City Engineer for review and approval. The Grading and Drainage Plan shall address property grading and erosion control which shall include the prevention of sedimentation or damage to off-site properties. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of Imperial for review and approval. Best Management Practices shall be utilized to minimize or prevent storm water pollution.
13. The developer shall reduce potential impacts to the nearby noise-sensitive residential uses. During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile with properly operating and maintained mufflers, consistent with the manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
14. Construction scheduling for the project area shall be limited to the hours of 7 a.m. and 8 p.m. Monday through Friday with the exception of legal holidays. The Building Department may issue a written "early work permit" if hot or inclement weather creates a need to start earlier than 7 a.m. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land or residential dwellings.
15. The approval of the Specific Plan Amendment shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.
16. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
17. All conditions of approval for this project shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the Applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Community Development Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.



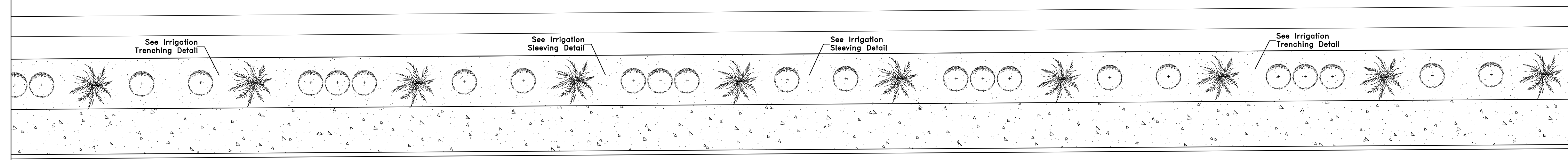
LANDSCAPE ON LEGAKES AVE. (BETWEEN DE PAOLI ST. & BERNARDI ST.)

N.T.S.



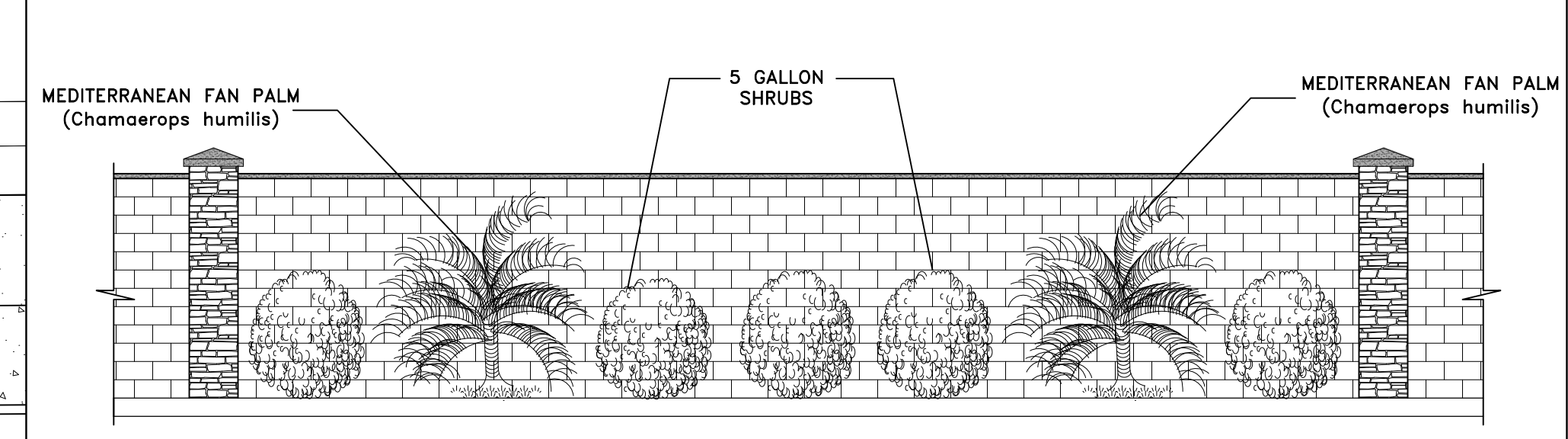
LANDSCAPE PLAN ALONG LEGAKES AVE. (BETWEEN DE PAOLI ST. & BERNARDI ST.)

RETENTION BASIN

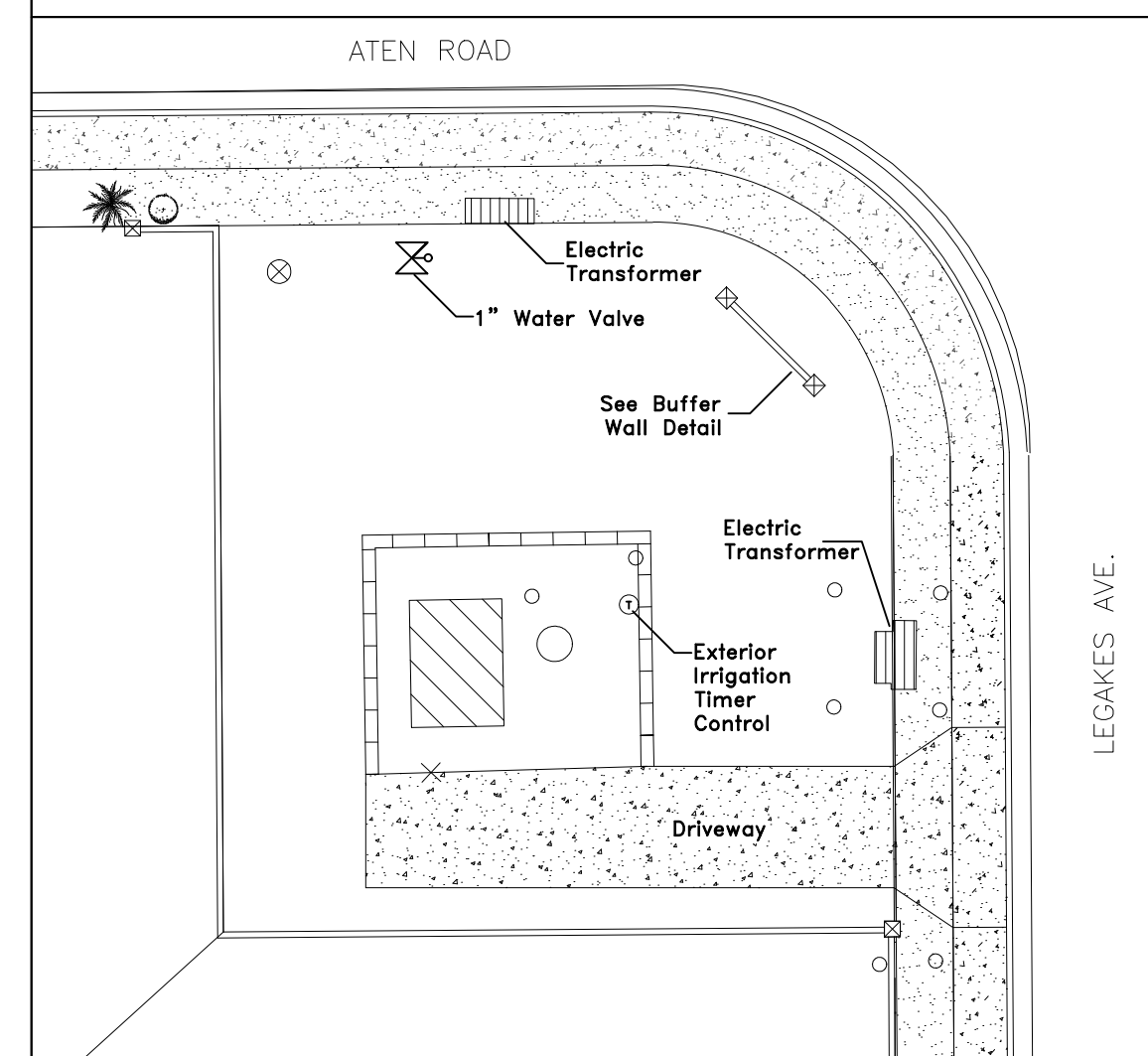


LEGAKES AVE.

DETAIL-1 LANDSCAPE ON LEGAKES AVE. (BETWEEN DE PAOLI ST. & BERNARDI ST.)

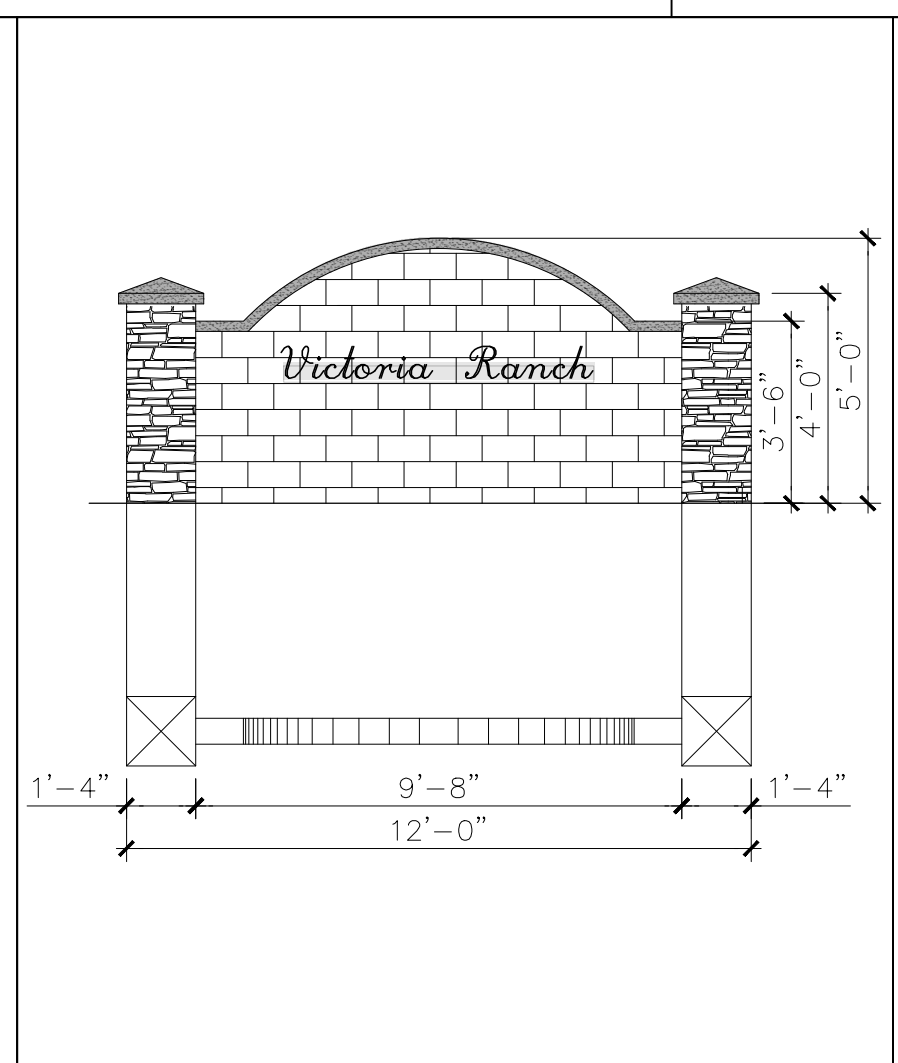


TYPICAL ELEVATION ON ATEN RD.



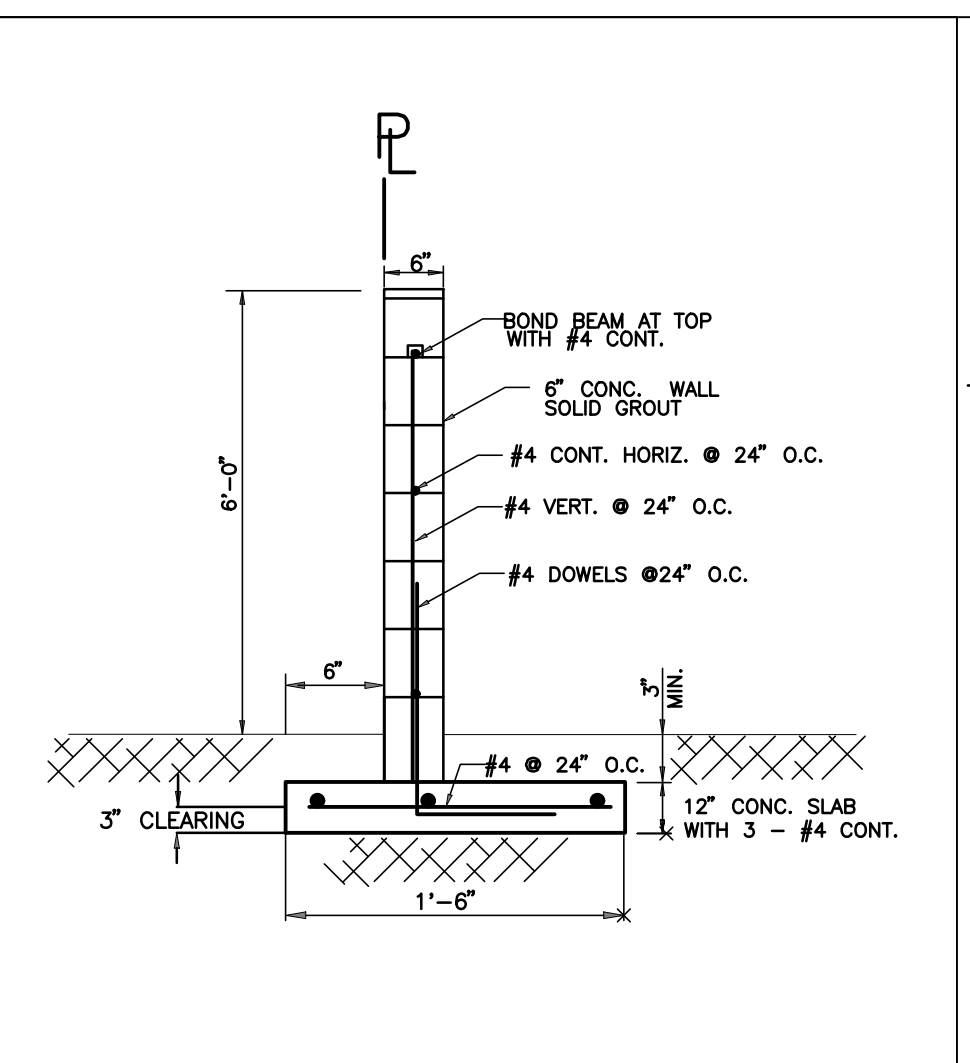
DETAIL-2 CORNER ON ATEN RD. AND LEGAKES AVE.

N.T.S.



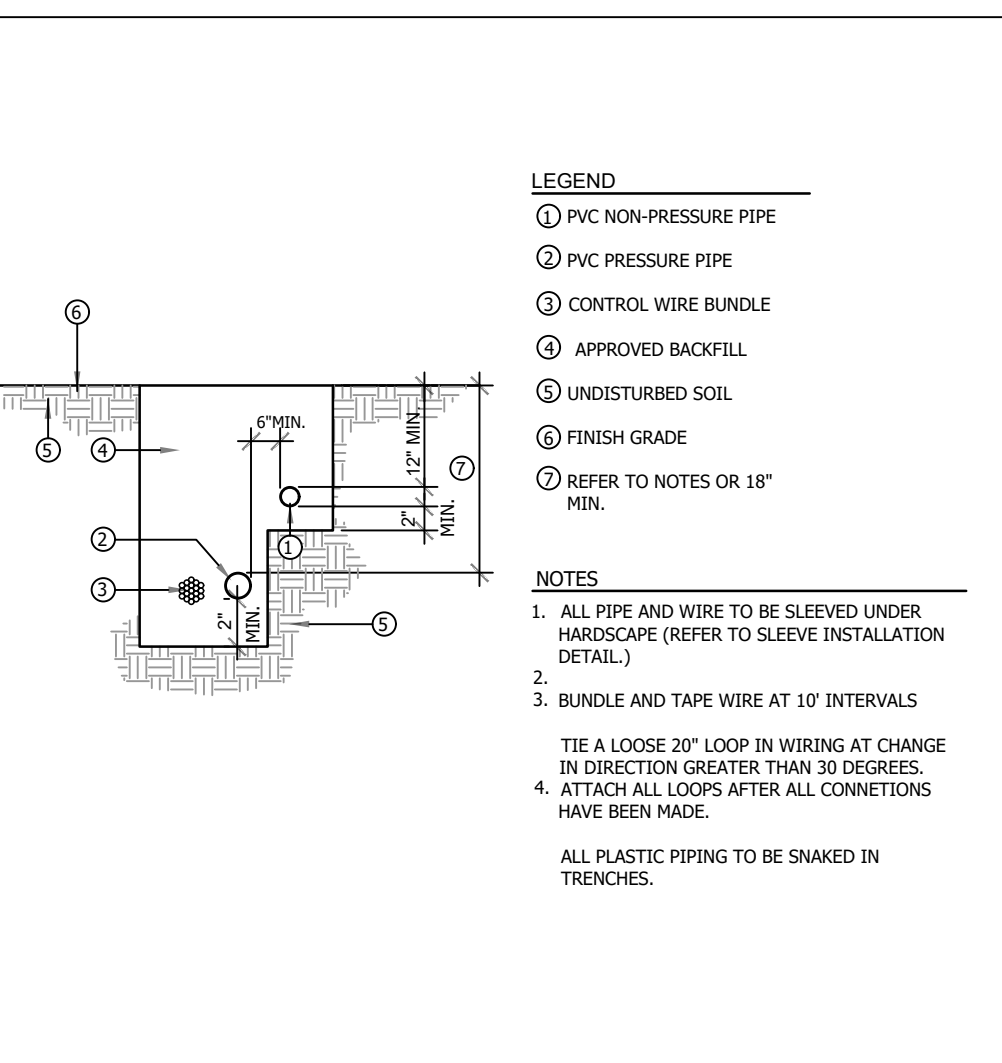
BUFFER WALL

N.T.S.



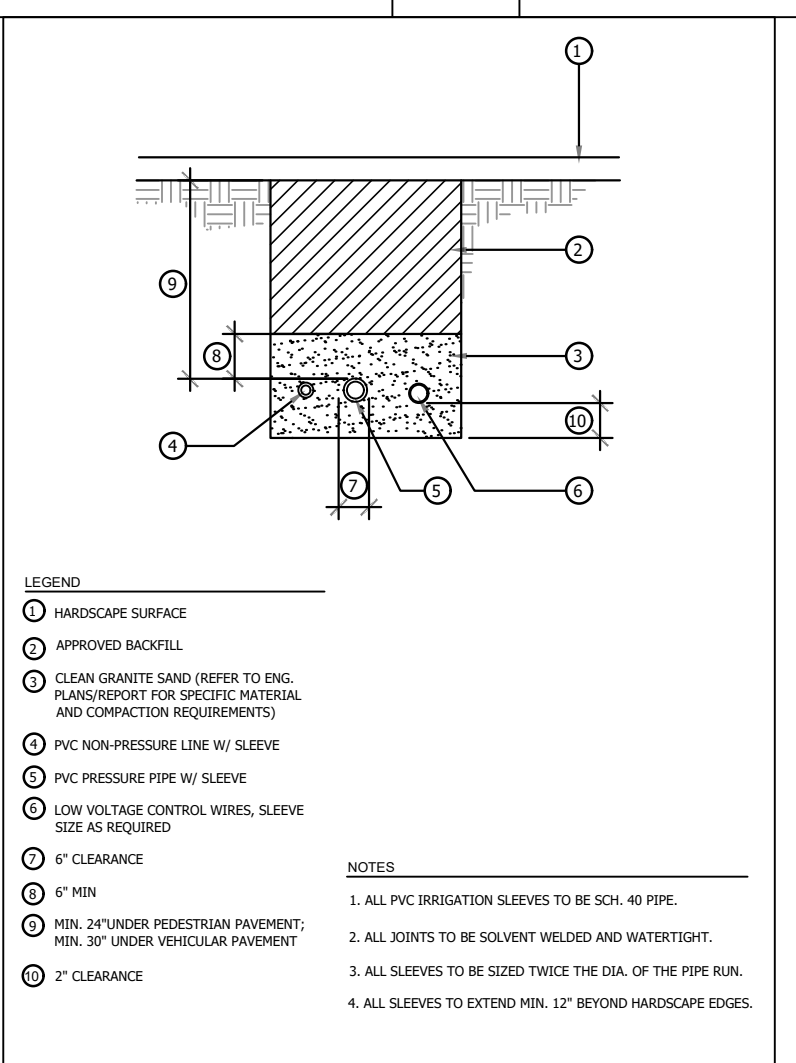
BUFFER WALL-FOUNDATION DETAIL

N.T.S.



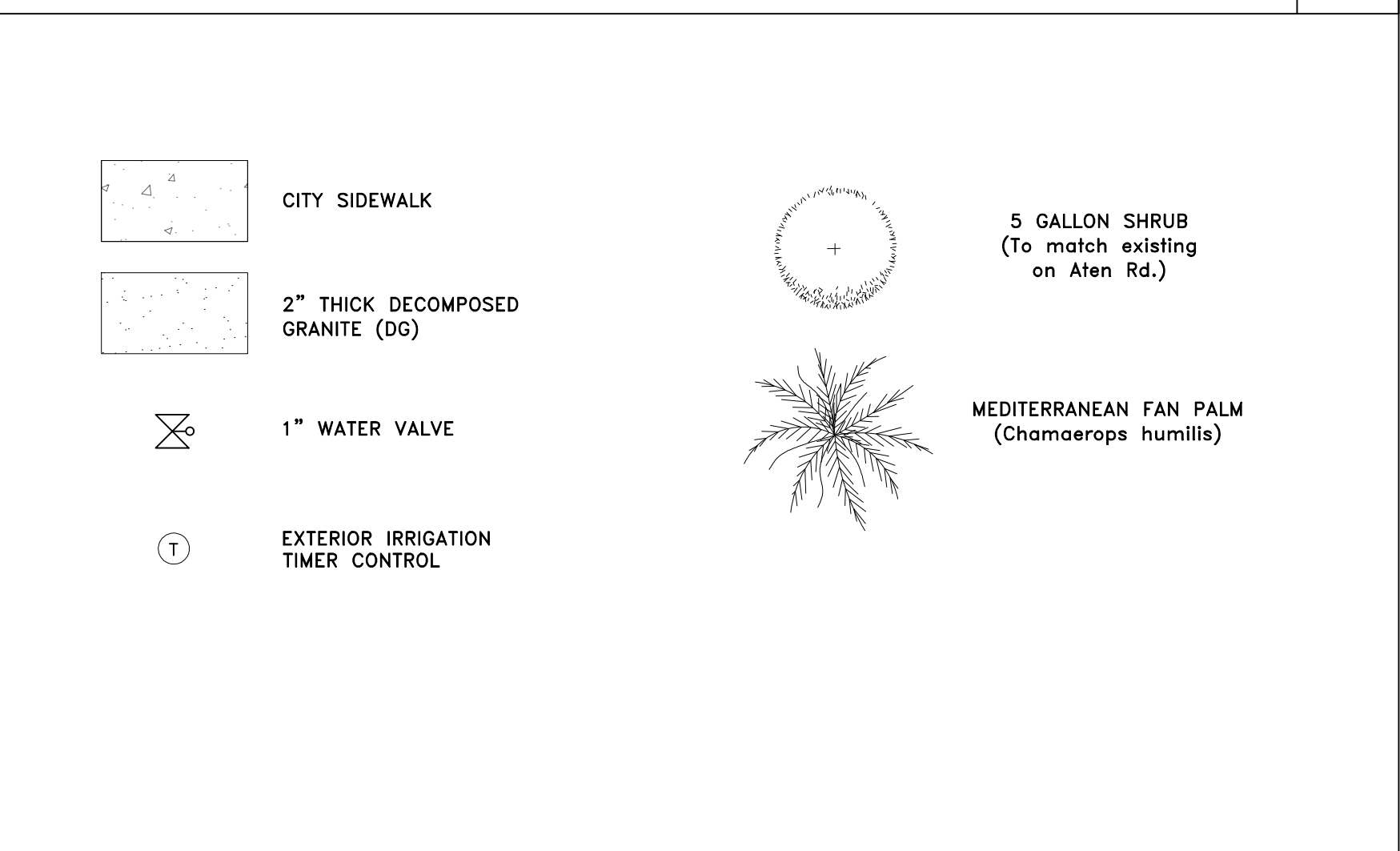
IRRIGATION TRENCHING

N.T.S.



IRRIGATION SLEEVING

N.T.S.



LEGEND

No.	DESCRIPTION	BY	DATE

DATE:	01/08/2020
DRAWN:	E.Q.A.
SCALE:	INDICATED

LANDSCAPE PLAN
 VICTORIA RANCH UNIT 3B AND 5A
 FOR LANDSCAPE ALONG
 ATEN RD. & LEGAKES AVE.



VR5A INC.
 IMPERIAL, CALIFORNIA 92251

SHEET:
1-1

Aten Rd Streetscape Landscaping



Aten Rd Streetscape Landscaping



Aten Rd Streetscape Landscaping



Aten Rd Streetscape Landscaping



Aten Rd Streetscape Landscaping



Aten Rd Streetscape Landscaping



CHAMAEROPS HUMILIS

Common Names:

The Mediterranean Fan Palm, The "Med Fan",

Type of Plant:

This is a suckering, armed fan palm

The Genus:

From a taxonomic point of view, this is the only species of the genus *Chamaerops*. See comments above.

Sun Tolerance:

This species prefers full sun and is very tolerant of high heat, even in the desert. It does poorly in shade or in a filtered light interior environment. During the winter it does tolerate humid cold weather as you would see in its native habitat.

Mature Height:

There are various clones of this species, some shorter, some taller. Figure the heights at anywhere between six feet and fifteen feet.

Leaves:

The leaves are of the fan type with divided segments. Leaf segments come to a point but are not sharp. Typical leaf diameter is two feet, perhaps a bit more.

Leaf Stem:

Depending on conditions, the petiole (leaf stem) can be between two and five feet long. It is armed with sharp barbs.

Leaf Color:

Leaf color in green to blue green. Often the underside of the leaf is more silver than the top side although this is variable. There are intensely blue forms of this plant given the name *Chamaerops cerifera*. The latter may soon be given species status.

Trunk:

The trunk is typically six to eight inches thick and has retained leaf bases and fibers. Thus, it is not a smooth trunk palm. With the fiber and old stems attached, a trunk may look like its twelve inches thick.

Suckers:

This species produces addition trunks off the primary trunk. These offset trunks are densely attached and close together.

Spines:

It is important for the reader to realize there are curved and rather sharp spines on the leaf stems. Use protective gloves when pruning. Protect your eyes with goggles as well.

Cold Tolerance:

This species is remarkably cold hardy and is on a short list of the world's most cold hardy palms. It can usually tolerate 15 degrees F. weather

Growth Rate:

Medium growth rate. Not super slow but certainly not fast.

Native Habitat:

As mentioned above from most of the coasts of the Mediterranean Sea and on islands within this sea.

Landscape Usages:

This species should be given room as it can be as wide as it is tall. This is because of the suckering nature of this species. It should be considered where one experiences severe cold or where one has extreme summer heat. It can be used as a specimen, centerpiece palm but may need a decade's growth to mature to this size. If a smaller clone is picked, it can be used where views are a concern. Typically it allows a view above the crown of leaves.

Varieties and Clones:

Chamaerops cerifera is the blue form from northern Africa and may someday be considered a species. However, there are also varieties that come from particular habitats and are known to be smaller, more compact or have somewhat different appearance or leaf characteristics. This will not be covered here.

Single Trunk Form:

A peculiar and very rare form of this species does not sucker. It only has one main stem and never produces offset stems. We do not know why this occurs. See photos below. One can remove stems from a clustering form but the plant will typically keep producing more stems over time. The single trunk form never does this.

Victoria Homes Propose Mediterranean Fan Palm Tree (aka Chamaerops Humilis)



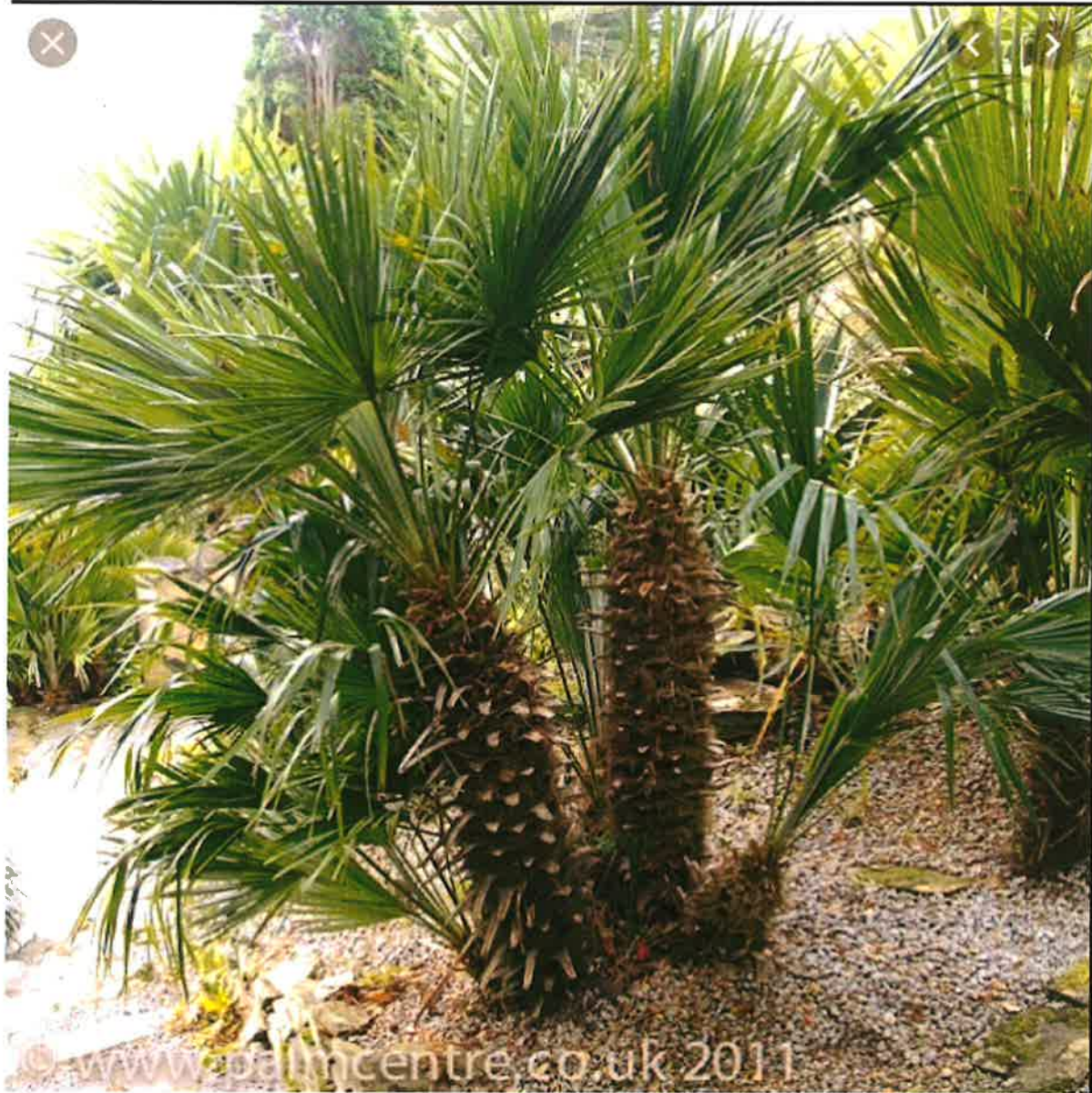
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Victoria Homes Propose Mediterranean Fan Palm Tree (aka *Chamaerops Humilis*)



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