



## CITY COUNCIL STAFF REPORT

DATE: November 7, 2012

PUBLIC HEARING

SUBJECT: PALM GROVE GROUP, LLC FOR CASE 5.1284 PLANNED DEVELOPMENT DISTRICT 360; "THE ARRIVE HOTEL"; A 32-ROOM HOTEL DEVELOPMENT ON AN APPROXIMATELY 1.27-ACRE SITE AT 1551 NORTH PALM CANYON DRIVE; ZONE C-1 / R-3, RESORT COMBINING ZONE (APNS 5105-165-002, 003, 007, 009, 011, AND 012)

FROM: David H. Ready, City Manager

BY: Department of Planning Services

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### SUMMARY

The City Council will review a Planned Development District (PDD) application seeking approval for development of a 32-room hotel with accessory restaurant and retail uses, off-street parking and landscaping at 1551 North Palm Canyon Drive.

### RECOMMENDATION:

Adopt Resolution No. \_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 5.1284, PLANNED DEVELOPMENT DISTRICT 360, FOR "THE ARRIVE HOTEL"; A 32-ROOM HOTEL WITH ACCESSORY RESTAURANT AND RETAIL USES, OFF-STREET PARKING AND LANDSCAPING ON A ROUGHLY 1.27-ACRE PARCEL LOCATED AT 1551 NORTH PALM CANYON DRIVE."

### PRIOR ACTIONS:

On September 10, 2012, the project was reviewed by the Architectural Advisory Committee. The Committee voted unanimously to recommend approval of the project by the Planning Commission, subject to the following recommendations:

- Clarify the entry/check-in sequence for the hotel (how it works) and massing.
- Clarify the landscape plan in terms of sizes, quantities and location of plant materials as well as cut sheets on the site lighting fixtures.
- Clarify the location and details for trash rooms (odors, trucks, timing, etc)

ITEM NO. 13

PLANNED DEVELOPMENT DISTRICT

- Revise civil drawings to match site plan.
- Clarify the green roof component and how it will survive the summer.
- Consider green roof (if it can be designed to survive the summer) on the housekeeping and restroom buildings since they are closest to the second floor rooms).
- Provide material samples.

The applicant has provided the clarifications in the items noted above and they are incorporated in the materials presented today.

Although not part of the conditions of their approval, AAC members offered the following observations and suggestions:

- Consider adding windows below the clerestories by the doors of the hotel rooms.
- Consider a design for the concrete block screen walls that would "reinterpret" them in a contemporary expression.
- Review the ramps and circulation areas in the courtyard to make them as generous as possible.<sup>1</sup>

On October 10, 2012, the Planning Commission reviewed the subject project and voted unanimously to approve the PDD and to recommend approval by the City Council.

### BACKGROUND AND SETTING

The applicant proposes a small hotel with related restaurant and retail uses. The project is comprised of the following components:

- A 32-room boutique hotel
- An 80-seat restaurant with mostly outdoor covered seating overlooking the pool and courtyard (anticipated for use by hotel guests and the public)
- Two, roughly 560 square foot retail buildings
- A 47-car parking lot
- Courtyard with pool and landscaping, poolside cabanas and terraces.
- A service building and toilet room building which serves the restaurant and pool area.

The site has frontages on Wawona Road (a local street) and North Palm Canyon Drive (a major thoroughfare on the City's General Plan Circulation Map). The applicant is proposing to develop the project to achieve a gold-level LEED certification (Leadership in

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<sup>1</sup> The applicant has increased the width of the ramps and created a backlit lighting concept on the screen-block enclosures that creatively weaves new lighting technologies with the classic concrete block material. Windows below the clerestories were not added as it was determined the blinds for such windows would need to be kept closed to maintain privacy in the rooms.

Energy and Environmental Design).

Surrounding Land Uses and Existing Development

The site is comprised of six vacant lots located on North Palm Canyon Drive, south of Vista Chino Road and east of Wawona Street. The site slopes downward from north to south with approximately a four foot elevation change from north to south.



AERIAL VIEW OF SITE

The table below shows the surrounding existing land uses.

**Table 1.0: Surrounding land uses, General Plan, Zoning**

	Land Use	General Plan	Zoning
North	Liquor/Convenience Store and offices	Mixed Use / Multi Use	C-1/R-3
South	Retail and Office Uses / Residential	Mixed Use / Multi Use	C-1/R-3
East	Multi-family Residential	Mixed Use / Multi Use	C-1
West	Multi-family Residential	Mixed Use / Multi Use	R-2

The project density is proposed at 30 dwelling units per acre. This is consistent with the General Plan for mixed use with the approval of a PDD.

*Site*

The proposed plan is designed with a 47-car landscaped and screened off-street parking lot on roughly the western third of the parcel. Vehicular access is proposed off Wawona Road via two driveways. A vehicular drop-off / valet lane is proposed along the easterly frontage of the project along Palm Canyon Drive. The eastern two-thirds of the site is proposed with nine one and two-story prefabricated buildings arranged around a large open landscaped courtyard. The courtyard would include a central swimming pool, outdoor dining (associated with the proposed restaurant), poolside cabanas and open terraces for poolside lounging.

Along the north and south property lines are two-stories in height and contain hotel rooms. The southernmost building is approximately 27 feet in height and roughly 22 feet at the northernmost building. Three, one-story buildings along Palm Canyon Drive contain restaurant and retail uses. There are also two, one-story buildings along the west side of the courtyard that contain hotel rooms and have "green" roofs with plant material. The one story buildings vary between roughly 12 feet and 17 feet in height. The remaining two, one-story buildings contain housekeeping and toilet rooms for poolside and restaurant use.

The placement of the buildings that front Palm Canyon Drive align with the existing adjacent buildings, such that they continue the "building edge" along this block. Deep overhangs are provided on the retail buildings for solar control and a distinctive lighting integrated into the handrails and landscaping as well as signage and a drop-off vehicle lane demarcates the entry. The one-story building height of these street-front buildings, as well as the openings between them, allow westerly views of the mountains to be preserved. The restaurant building is located slightly further back from the property line to provide more space at the valet / drop-off lane and to provide variation in the building surfaces of along Palm Canyon.

The hotel rooms at ground level feature individual semi-private courtyards with gas fireplaces. The second floor rooms are accessed via exterior stairs and exterior corridors that overlook the courtyard and pool area. The pool deck is slightly lower than the floor elevation of the first floor rooms, allowing a view over the pool area by all hotel rooms (this is also in response to the site topography). By creating multiple buildings on the site instead of one large one, the scale and massing of the proposed project is low and intimate.

*Landscape*

The project proposes a desert-appropriate plant palette with cactus, agave, Robusta palms, bougainvillea, mesquite, Palo Verde, and other species for shade, color and texture. In selected small areas near the pool, accent panels of synthetic turf are proposed. River rock, boulders, crushed granite, paved terraces and walkways fill out the balance of the landscape. The western edge of the site is proposed with low landscape berms and block walls to provide screening for the parking lot.

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*Architecture.*

The architecture of the proposed project is contemporary with a subtle reference to the mid-century modern period. The buildings incorporate "folded plate" and "butterfly" roofs. Clerestory windows are provided in the hotel rooms and a limited amount of insulated glass curtainwall / storefront for the retail and restaurant buildings.

The exterior materials proposed are Cor-Ten steel, poured-in-place architectural concrete, triple-insulated low-emissivity glass, porcelain wall tiles that are designed to simulate wood<sup>2</sup>, and concrete block screen walls. As noted above, the roofs on the two westernmost buildings are proposed to be "green roofs" with live plant material. According to the applicant there are grasses and green roof systems that have been successfully used in Arizona and New Mexico and he believes there are appropriate plant material for these roofs that will survive the harsh desert summer<sup>3</sup>. The other roofs are proposed as standing seam Cor-Ten steel that wraps the edge and continues as part of the exterior wall surface. A large covered dining patio is an integral part of the restaurant building and overlooks the pool area. The ceiling of the covered dining area is proposed in a hardwood known as Ipei (this ceiling will not be exposed to direct sun).

Mechanical systems including a central refrigerant loop system for air conditioning are proposed to be integrated in mechanical rooms under the buildings, (created by the elevation change in the site). Condensing units will be located in two decorative screen block masonry enclosures.

*Parking, Loading and Trash/Recycling.*

The project proposes forty-seven (47) off-street parking spaces<sup>4</sup>. Shading requirements for the parking lot are proposed to be satisfied with Chilean Mesquite and Palo Verde trees. Trash and recycling areas are proposed to be handled adjacent to the parking lot within cor-ten trash enclosures with gates and locks. Deliveries and loading is proposed to be accommodated in the proposed valet lane along Palm Canyon Drive.

STAFF ANALYSIS:

General Plan:

The General Plan land use designation for this site is "Mixed-use / Multi-use"; (15du/ac for residential uses, maximum 0.5 FAR for non residential uses) The proposed development has 32 rooms on 1.27 acres and an FAR of 0.23, (less than half the allowable density/intensity for this area) and is thus consistent with the General Plan in terms of density.

<sup>2</sup> The simulated wood tile provides the warmth of wood while integrating a more durable material for the harsh desert environment.

<sup>3</sup> The applicant has selected grasses that go dormant in the summer months and tray systems are deep enough to prevent the roots from burning in the intense summer heat.

<sup>4</sup> The application has been submitted as a PDD to seek relief from the off-street parking requirements (69 spaces would be required based on the proposed design. The applicant has submitted a comprehensive parking study that proposes shared or joint-use of parking spaces on site.

The proposed use is in harmony with the General Plan as noted in the following goals and policies from the General Plan:

Policy LU2.5: *"Encourage lot consolidation and mixed-use development to reduce fragmentation of parcels and to facilitate infill development."*

The project proposes to consolidate a series of small contiguous lots to enable development of a mixed-use project of hotel, restaurant and retail uses on an infill lot in the Uptown district.

Policy LU 8.1: *"Encourage new mixed / multi-use development in areas that are currently vacant or underutilized"*

The project proposes a new mixed-use hotel / restaurant / retail complex on a site facing Palm Canyon Drive in the Uptown district that has been vacant for many years.

Policy LU 8.7: *"On-site parking is encouraged to be accessed from side streets or public alleys to minimize traffic impacts on major streets and to avoid interruption in the street-front design of commercial centers."*

The project proposes a 47-space on-site parking lot that is accessed from Wawona Road, a local street on the west side of the project site and a valet drop-off lane along Palm Canyon Drive that does not interrupt the pedestrian movement along Palm Canyon Drive.

Based on the above, staff believes the project is consistent with the General Plan.

Zoning:

The project site has split zoning; the eastern half of the parcel is zoned C-1 (Commercial) and the western half is zoned R-3 (high density residential). Hotels are permitted in the R-3 zone subject to a Conditional Use Permit and "by right" in the C-1 zone.<sup>5</sup>

Development Standards:

The following table provides a summary of the development standards for the R-2 zone compared to the parameters of the proposed development.

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<sup>5</sup> The PDD functions in place of a CUP, proposing the hotel and ancillary uses as "by right" uses for this entire parcel.

**TABLE 2 - Comparison of development regulations & proposed conditions**

	<b>C-1 Required/Allowed</b>	<b>R-3 Required/Allowed</b>	<b>Proposed PDD 360</b>
Lot Area	Minimum 20,000 sf	Minimum 20,000 sf	52,677 sf (conforms)
Lot Width	100 feet	130 feet	354 feet (conforms)
Lot Depth	150 feet	175 feet when fronting a major thoroughfare	220 feet (conforms)
Density	No requirements	General Plan: 15 du/ac; / 0.5 FAR for non-res. uses. Up to 30 du/ac w/PDD. (38 du max) PSZC: 1000 sf net lot area/hotel room (55 hotel rooms max).	32 hotel rooms <b>(Conforms only with approval of PDD)</b> FAR: 0.23 FAR (conforms)
Building Height	30 feet	30 feet max. height over a max. of 50% of the ground floor area of all bldgs.	27 feet at highest point, 24 feet average (conforms)
Set Back Front yard	5 feet average	30 feet on major thoroughfares 25 feet for local streets	0; aligns with adjacent commercial building frontages <b>(does not conform)</b>
Interior setback side yard	None	10 feet or equal to height for bldgs greater than 12 feet	Average 5 feet <b>(does not conform)</b>
Distance between bldgs.	None	15 feet	7 feet at the closest point <b>(does not conform)</b>
Rear Yard Set Back	None	10 feet or equal to height for bldgs. greater than 12 feet	74 feet
Parking	Based on use (74 off-street parking spaces required)	Based on use; (64 off-street parking spaces required) driveway widths minimum 26 ft	47 spaces proposed (Assumes joint use of spaces for various uses) <b>(Conforms only with approval of PDD);</b>
Height of walls	6 feet pursuant PSZC 93.02	6 feet max.	Walls conform where proposed (frontage of parking lot)
Lot Coverage	No requirement	30% maximum on sites with structure over 18 feet in height	23%
Open / usable landscape / recreational Space	50% of open space created by front setback shall be landscaped, the remainder may be decorative pavement	45% of the site shall be usable landscaped open space. Front 15 feet of the front yard setback is to be landscaped	50% landscaped open space proposed
Outdoor Uses	Outdoor Dining accessory to a permitted use & outdoor uses permitted with a Land Use Permit	No requirement	Restaurant use
Minimum Bldg. Area	2,000 gsf per commercial building	No requirement	14,213 sf total

**PLANNED DEVELOPMENT DISTRICT**



*Planned Development District (PDD)*

The project has been submitted as a Planned Development District (PDD). The PDD has been proposed in this case seeking minor deviations in the development standards of the zones and establishing the proposed uses as "by right" within the PDD. The requested deviations are summarized below:

- Reduce front yard setback from five feet to 0 (to ultimate front PL aligns with adjacent existing commercial structures)
- Side yard setbacks average of 5 feet.
- Reduce on-site parking from the code-required 64 spaces to 47 spaces.
- Reduce distance between buildings from 15 feet to 7 feet.
- Density at 30 du/ac

*Zoning Density*

The project proposes 32 hotel rooms. The C-1 / R-3 zones allow hotels at a density of 1,000 square feet of net lot area per hotel room. Thus, the maximum allowable density of the roughly 1.27 acre lot would be 55 rooms; the applicant proposes 32 and is thus conforming.

The retail/restaurant uses total roughly 3,377 square feet. This is roughly 0.06 FAR, well within the 0.50 FAR limit for non-residential uses pursuant to the General Plan. The zoning code does not set density restrictions for non-hotel commercial uses in the C-1 / R-3 zones as long as other development standards are met. In this case, the PDD proposes unique development standards for the proposed development; if approved, the development standards proposed would be deemed to be in conformance.

*Parking*

Section 93.06.00 of the zoning code outlines the off-street parking requirements; which for this project are 64 spaces. (32 for the hotel, 5 for the retail and 27 for the restaurant). The project proposes 47 parking spaces. The applicant has prepared a "shared parking" study. The study uses industry-accepted standards for quantifying peak demand, and for daily, weekly and seasonally adjusted parking demand. The key assumptions in the parking study are as follows

- Roughly 25% of the hotel guests would also be guests of the restaurant.
- Roughly 5 to 10% of the employees of the complex would walk, bike, or use mass transit.
- Roughly 10% of the hotel guests will arrive by taxi from the airport.
- December is the estimated peak month in terms of parking demand.
- 8:00 to 9:00 p.m. is the estimated peak time of day/evening parking demand.
- Weekend parking demand is slightly higher than weekday.

The report concludes that peak demand requires 48 spaces, and 47 are provided.

Furthermore, the applicant is prepared if need be, to utilize valet parking during peak times and season. In addition, the applicant has been in consultation with the neighboring Pizza Hut restaurant for a possible reciprocal parking agreement that would augment the proposed 47-car parking lot on the site, but is not proposed at this time.

The zoning code permits the concept of "a specific plan for parking" for mixed use projects such as this. The code also permits shared or "joint use" of parking spaces when it can be determined that no substantial conflict would occur in the principal hours or periods of peak demand for the various uses within the site. Staff believes the assumptions in the parking study are reasonable in terms of shared use or joint parking and has concluded that the parking as proposed is adequate for the quantity and mix of uses within this project site. To provide further assurance that the project will not have problems with parking, a condition of approval that requires the applicant to institute a valet parking program in the event parking complaints or shortages occur has been included.

*Bicycle Parking:*

Section 93.06.00(C)(5) of the PSZO states that bicycle racks or bicycle parking facilities may be required on projects submitted for architectural approval. Bicycle parking facilities are proposed for this project.

*Off Street loading, Trash Enclosures and Recycling:*

Section 93.07.00 of the PSZO regulates development standards for off-street loading and trash enclosures. Pursuant to 93.07.01(A), every commercial building shall have and maintain loading spaces. The subject project does not have a loading dock. PSZO Section 93.07.01(A)(8) notes that parking areas and drive aisles may be used for the loading space for a project subject to approval of the Planning Commission. Freight entry is handled from the proposed valet / drop-off lane along Palm Canyon. Trash removal is from Wawona Drive.

*Public Benefit Policy for Planned Development Districts*

On September 17, 2008, the City Council adopted a policy requiring public benefits be provided with every proposed Planned Development District. The policy states that the public benefit should be proportionate to the deviation or relief sought from the underlying development standards for the zone.

The findings for the PDD, including "Public Benefit" are analyzed later in this staff report. In this case, the applicant proposes the following public benefit:

- The project is proposed to be a Gold-level certified LEED (Leadership in Environmental and Energy Design) design.
- The project adds new boutique hotel rooms to the City's stock of this unique hotel type.
- An example of prefabricated construction as a type of sustainable, environmentally friendly construction methodology.

- Jobs, Revenue from Transient Occupancy Tax (TOT) and Sales tax.

Staff believes the degree of relief sought by the applicant is moderate and that the proposed public benefit is proportionate with the deviations being sought with the PDD.

*The Resort Combining zone:*

The project is located within the Resort-Combining overlay zone. Section 92.25.00 of the Zoning Code states that:

*"all multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging houses, and condominiums) shall be permitted only by conditional use permit. Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone."*

The Resort overlay is intended to provide accommodations and services for visitors to the city while guarding against the intrusion of competing land uses. The Resort Overlay finding is analyzed below.

**REQUIRED FINDINGS:**

*Planned Development District Findings.*

Findings for a Planned Development District are the same as findings for the Conditional Use Permit. The process outlined in Section 94.02.00 of the Zoning Code requires the Planning Commission and the City Council to make a number of findings for approval of the PDD application. The findings are listed below followed by an evaluation of the project by Staff against these findings.

- 1) *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

Pursuant to Section 92.04.01 and 92.12.01, hotels, restaurants and retail uses are allowed in the C-1 and R-3 zones. The project therefore conforms to this finding.

- 2) *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed use of this site for a hotel with accessory restaurant and retail uses are uses which are consistent with the Mixed-use / Multi-use designation in the General Plan. The proposed uses support the tourist/resort nature of Palm Springs and therefore are

desirable for the development of the community. The project proposes development that is compatible and complementary to the existing and permitted uses in the Uptown district. Thus, the proposed use is not detrimental to existing or future uses. The proposed use is in harmony with the General Plan as noted in the following goals and policies from the General Plan:

*Policy LU2.5: "Encourage lot consolidation and mixed-use development to reduce fragmentation of parcels and to facilitate infill development."*

The project proposes to consolidate a series of small contiguous lots to enable development of a mixed-use project of hotel, restaurant and retail uses on an infill lot in the Uptown district.

*Policy LU 8.1: "Encourage new mixed / multi-use development in areas that are currently vacant or underutilized"*

The project proposes a new mixed-use hotel / restaurant / retail complex on a site facing Palm Canyon Drive in the Uptown district that has been vacant for many years.

*Policy LU 8.7: "On-site parking is encouraged to be accessed from side streets or public alleys to minimize traffic impacts on major streets and to avoid interruption in the street-front design of commercial centers."*

The project proposes a 46-space on-site parking lot that is accessed from Wawona Road, a local street on the west side of the project site and a valet drop-off lane along Palm Canyon Drive that does not interrupt the pedestrian movement along Palm Canyon Drive.

3) *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The site is roughly 1.27 acres in size. It conforms to the minimum size and shape requirements for the zones in which it is located. The applicant has requested minor adjustments in setbacks via the PDD, including a reduction of the front yard setback from five feet to zero in order to allow the buildings along that frontage to align with the existing adjacent structures. Staff believes the project conforms to this finding.

4) *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The site has two street frontages; one on North Palm Canyon Drive, which is a major thoroughfare on the City's General Plan Circulation Map and Wawona Road, which is a

local street. The project proposes to take vehicular access off Wawona Road via four driveway curb cuts into the parking lot. The project also proposes a drop-off / valet lane along Palm Canyon Drive. The project proposes buildings in alignment with adjacent existing buildings, thereby continuing the "street pedestrian edge" along Palm Canyon Drive. Staff believes the project properly relates to streets and the adjacent roads are capable of handling the proposed traffic generated by this project.

5) *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A set of draft conditions of approval are attached to this staff report as Exhibit A for the City Council's consideration.

*Findings for the Resort Combining Zone Overlay*

The project is located within the Resort-Combining overlay zone. Section 92.25.00 of the Zoning Code states that:

*"...the planning commission (shall) make findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone."*

The project is located in an area of the Uptown neighborhood in which existing hotel and commercial uses are located. The project proposes a boutique style hotel, restaurant and retail uses in walkable proximity to other commercial amenities in the area. The neighborhood has a number of existing commercial-retail uses and several vintage / boutique hotels and resorts. Staff believes the project would enhance the vitality of the neighborhood and would be compatible with its surroundings. While other "by-right" uses would be possible, there are none that Staff believes is of particularly greater benefit or appropriateness for this parcel. Therefore staff believes the project conforms to this finding. The Planning Commission made affirmative findings in support of the project with respect to the Resort Combining Zone.

CONCLUSION:

The proposed Planned Development District proposes a 32-room hotel with accessory restaurant and retail uses. The project is in harmony with the General Plan and relates well to the surrounding neighborhood, roadway network and general development pattern for this area. The proposed density of the project is consistent with both the General Plan and the Zoning Code. The applicant has proposed public benefits that Staff believes are proportionate to the development standard relief sought via the PDD. Therefore Staff recommends approval of the preliminary PDD, subject to attached conditions of approval.

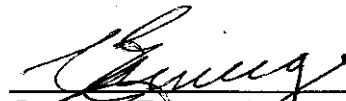
ENVIRONMENTAL DETERMINATION:

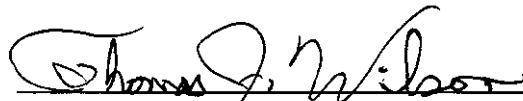
The proposed project has been evaluated pursuant to the guidelines of the California Environmental Quality Act (CEQA) and has been deemed "Categorically Exempt" under CEQA Section 15332 "In-fill development projects".


NOTIFICATION:

A notice was mailed to all listed property owners within a four hundred foot radius in accordance with state law. As of the writing of this staff report, staff received correspondence from the public which is attached to this report.

FISCAL IMPACT: No fiscal impact.

  
\_\_\_\_\_  
Craig A. Ewing, AICP  
Director of Planning Services

  
\_\_\_\_\_  
Thomas Wilson, Assistant City Manager

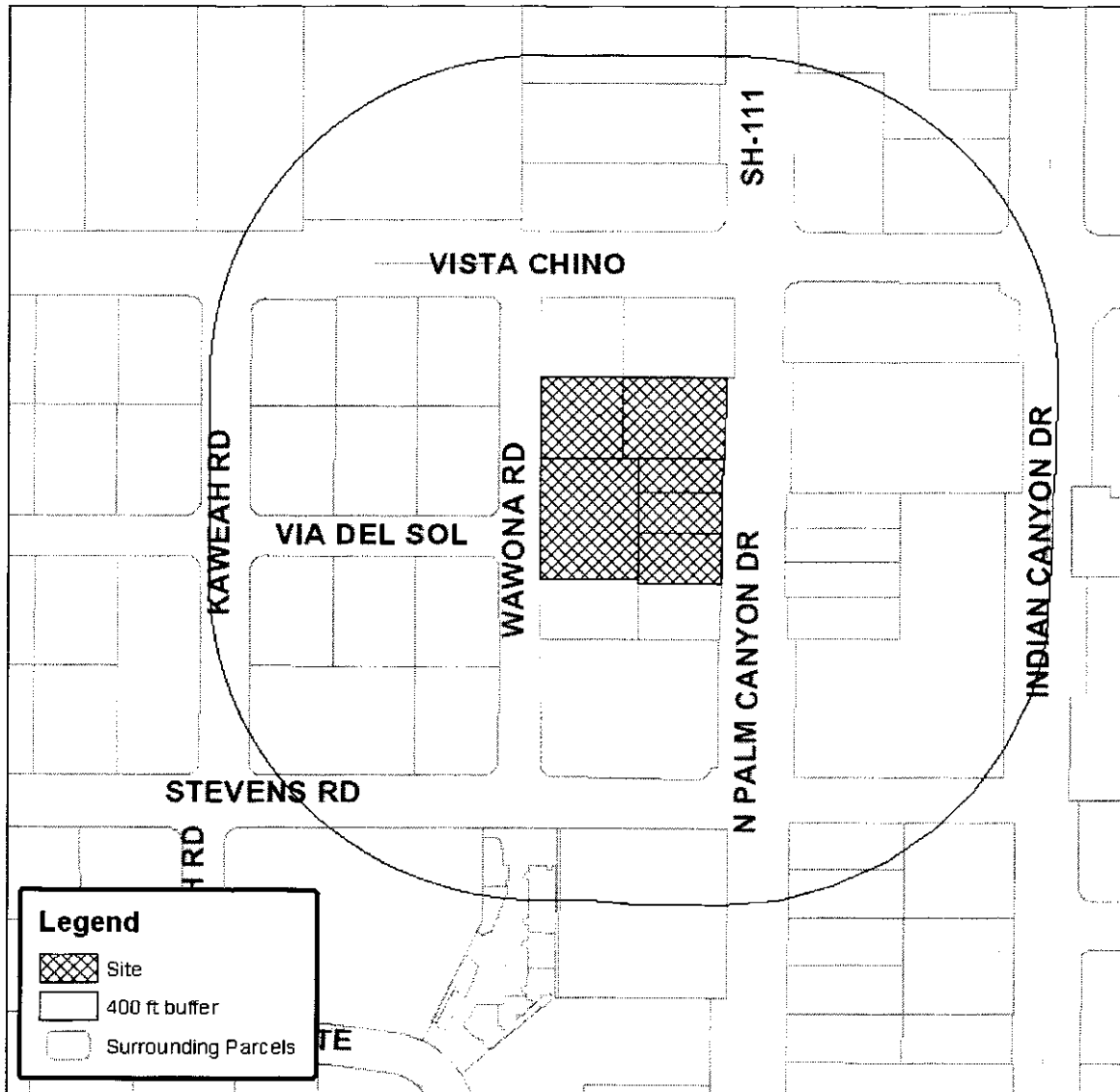
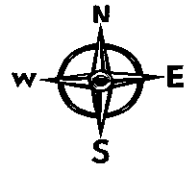
  
\_\_\_\_\_  
David H. Ready, City Manager

Attachments:

- 400' Radius Vicinity Map
- Draft Resolution and Conditions of Approval
- Planning Commission staff report and resolution
- Site Plan, elevations, landscape plan, perspective images
- Excerpts from the Parking Demand Study
- Public Correspondence



**Department of Planning Services  
Vicinity Map**



**CITY OF PALM SPRINGS**

**CASE NO:** 5.1284 PDD 360

**APPLICANT:** Palm Grove Group, LLC

**DESCRIPTION:** An application for a Planned Development District (PDD) proposing a hotel, a restaurant, other retail, and parking on approximately 1.27 acres at 1551 North Palm Canyon Drive, Zone C-1/R-3 Resort Combining Zone. APN 505-165-002, -003, -007, -009, -011 and -012.

**EXHIBIT A**  
**Case 5.1284 PDD 360**  
**1551 North Palm Canyon Drive**  
**PDD 360 Development Standards**

	<b>C-1 Standards</b>	<b>R-3 Standards</b>	<b>PDD 360 Standards</b>
Lot Area	Minimum 20,000 sf	Minimum 20,000 sf	52,677 sf (conforms)
Lot Width	100 feet	130 feet	354 feet (conforms)
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Density	No requirements	General Plan: 15 du/ac; / 0.5 FAR for non-res. uses. Up to 30 du/ac w/PDD. (38 du max) PSZC: 1000 sf net lot area/hotel room (55 hotel rooms max).	32 hotel rooms ( <b>Conforms with approval of PDD</b> ) FAR: 0.23 FAR (conforms)
Building Height	30 feet	30 feet max. height over a max. of 50% of the ground floor area of all bldgs.	27 feet at highest point, 24 feet average (conforms)
Set Back Front yard	5 feet average	30 feet on major thoroughfares 25 feet for local streets	0; aligns with adjacent commercial building frontages
Interior set back side yard	None	10 feet or equal to height for bldgs greater than 12 feet	Average 5 feet
Distance bet. bldgs.	None	15 feet	7 feet at the closet point
Rear Yard Set Back	None	10 feet or equal to height for bldgs. greater than 12 feet	74 feet
Parking	Based on use (74 off-street parking spaces required)	Based on use; (66 off-street parking spaces required) driveway widths minimum 26 ft	47 spaces (Assumes joint use of spaces for various uses);
Height of walls	6 feet pursuant PSZC 93.02	6 feet max.	Walls conform where proposed (frontage of parking lot)
Lot Coverage	No requirement	30% maximum on sites with structure over 18 feet in height	23%
Open / usable landscape / recreational Space	50% of open space created by front setback shall be landscaped, the remainder may be decorative pavement	45% of the site shall be usable landscaped open space. Front 15 feet of the front yard setback is to be landscaped	50% landscaped open space proposed
Outdoor Uses	Outdoor Dining accessory to a permitted use & outdoor uses permitted with a Land Use Permit	No requirement	Restaurant use
Minimum Bldg. Area	2,000 gsf per commercial building	No requirement	14,213 sf total

Planned Development District (PDD) 360 establishes minor deviations in certain development standards as noted in the table above and summarized below:

- Reduce front yard setback from five feet to 0 (to ultimate front PL aligns with adjacent existing commercial structures)
- Side yard setbacks average of 5 feet.
- Reduce on-site parking from 66 spaces to 47 spaces.
- Reduce distance between buildings from 15 feet to 7 feet.
- Density at 30 du/ac



RESOLUTION NO. 6292

**EXHIBIT B**

Case 5.1284 PD 360 "Arrive Hotel"  
1551 North Palm Canyon Drive

November 7, 2012

**CONDITIONS OF APPROVAL**

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case 5.1284 PDD 360; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1284 PDD 360. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against

the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of the (Planned Development District (PDD) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. Maintenance of Outdoor Seating/Dining. Daily cleaning and wash down of sidewalks for any outdoor seating areas or patios will be required. Contact Parks & Recreation at 760 323 8281 for information regarding the proper method of cleaning of sidewalks and pavers within the public rights-of-way.
- ADM 12. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 13. Seating Count. The applicant shall be limited to the total number of restaurant seats as follows: a maximum of 80 seats inside and outside in an outdoor patio area (including bar stools),. Any deviation from these numbers shall require prior approval by the Director of Planning. The applicant shall maintain the minimum clearance as specified by the Fire Department between the front entrance and the outdoor tables and chairs. This includes games, pool tables, and other amenities.
- ADM 14. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

## **ENVIRONMENTAL ASSESSMENT CONDITIONS**

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) NOT required.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$64 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the

County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

- ENV 3. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at [www.dfg.ca.gov](http://www.dfg.ca.gov) for more information.
- ENV 4. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 5. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- ENV 6. a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
- b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

## PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 3. Submittal of Final PDD. The Final Planned Development plans shall be submitted in accordance with Section 94.03.00 (Planned Development District) of the Zoning Ordinance. Final development plans shall include site plans, building elevations, floor plans, roof plans, grading plans, landscape plans, irrigation plans, exterior lighting plans, sign program, mitigation monitoring program, site cross sections, property development standards and other such documents as required by the Planning Commission and Planning Department. Final Planned Development District applications must be submitted within two (2) years of the City Council approval of the preliminary planned development district.
- PLN 4. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:
- Clarify the entry/check-in sequence for the hotel (how it works) and massing.
  - Clarify the landscape plan in terms of sizes, quantities and location of plant materials as well as cut sheets on the site lighting fixtures.
  - Clarify the location and details for trash rooms (odors, trucks, timing, etc)
  - Revise civil drawings to match site plan.
  - Clarify the green roof component and how it will survive the summer.
  - Consider green roof (if it can be designed to survive the summer) on the

housekeeping and restroom buildings since they are closest to the second floor rooms).

- Provide material samples.

- PLN 5. Palm Tree Requirement. In accordance with Planning Commission Resolution No. 1503, dated November 18, 1970, the developer is required to plant *Washingtonia Fillifera* (California Fan) palm trees (14 feet from ground to fronds in height) 60 feet apart along the entire frontage of Palm Canyon Drive and/or Tahquitz Canyon Way median. (for projects on Palm Canyon or Tahquitz Canyon Way).
- PLN 6. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 7. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 8. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 9. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 10. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 11. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 12. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 13. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

The applicant proposes 47 parking spaces. If it is determined that the parking is inadequate for the proposed and approved uses, the applicant shall

institute a valet parking program and/or establish a long term reciprocal parking agreement with a nearby parking lot owner to provide sufficient parking for the proposed project.

- PLN 14. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by residents and commercial/retail patrons and owners. Location and design shall be approved by the Director of Planning.
- PLN 15. (add any additional conditions imposed by the Planning Commission or City Council here)

#### **POLICE DEPARTMENT CONDITIONS**

- POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

#### **BUILDING DEPARTMENT CONDITIONS**

- BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

#### **ENGINEERING DEPARTMENT CONDITIONS**

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

#### **STREETS**

- ENG 1. The Engineering Division recommends deferral of off-site improvement items (identified as "**Deferred**") at this time due to lack of full improvements in the immediate area. The owner shall execute a street improvement covenant agreeing to construct all required street improvements upon the request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner(s) prior to approval of the Grading Plan or issuance of grading or building permits. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant

preparation fee in effect at the time that the covenant is submitted shall be paid by the applicant prior to issuance of any grading or building permits.

- ENG 2. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 3. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.

#### N. PALM CANYON DRIVE

- ENG 4. Dedicate additional right-of-way to provide the ultimate half street right-of-way width of 50 feet along the entire frontage.
- ENG 5. Dedicate additional right-of-way to provide the right-of-way necessary to construct the proposed valet turn-out lane that is 10 feet wide with 8 inch curb at the west side of the turnout with a 5 feet wide sidewalk behind the curb along the entire valet turn-out area.
- ENG 6. Remove existing street improvements (including driveway approach), palm trees, and tree wells as necessary to construct a valet turn-out lane that has a straight section that is approximately 80 feet long (which is long enough to store three vehicles). Two 20 feet radius reverse curves shall be provided on each end of the valet turn-out lane. The west side of the valet turn-out lane shall have 8 inch curb constructed in accordance with City of Palm Springs Standard Drawing No. 200, with 5 feet wide sidewalk behind the curb along the entire frontage of the valet turn-out lane, in accordance with City of Palm Springs Standard Drawing No. 210. The valet turn-out lane sidewalk shall taper into the existing sidewalk at each end of the valet turn-out lane. Construct a curb ramp providing a 20 feet wide loading zone with truncated domes in accordance with City of Palm Springs Standard Drawing No. 213. The valet turn-out lane shall be constructed with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed valet turn out lane to clean sawcut edge of pavement. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval. The owner(s) of the hotel shall be responsible for the maintenance of the valet turn-out lane.
- ENG 7. In accordance with the City of Palm Springs Bikeways Map (approved by City Council and added to the 2007 City General Plan in 2007), the applicant shall construct a Class 2 Bike Lane along the project frontage. **Deferred**



- ENG 8. Contact Rick Minjares (with City Parks at (760) 567-1034) and Patrick Sweeney (with City Facilities Maintenance at (760) 567-2976) to determine if the existing palm trees, irrigation, and street lights along the North Palm Canyon Drive frontage will have to be replaced in conjunction with this project. (Any *Washingtonia Robustas* street trees must be replaced with *Washingtonia Filliferas*) The palm trees shall have tree wells and grates installed in conjunction with this project, as required by the City Engineer.
- ENG 9. If any of the existing palm trees need to be replaced, the applicant shall furnish and install new *Washingtonia filifera* palm trees along the North Palm Canyon Drive frontage, at equal spacing, as approved by the Director of Planning Services and the City Engineer. The applicant shall be responsible for installation of a new irrigation and electrical system for the palm trees to the satisfaction of the City Engineer.
- ENG 10. New or transplanted palm trees shall be guaranteed for a period of one year from the date of acceptance by the City Engineer. Any palm trees that fail during the one-year landscape maintenance period shall be replaced with a new palm tree of similar trunk diameter and height to the satisfaction of the City Engineer, and shall be subject to a subsequent one-year landscape maintenance period.
- ENG 11. All broken or off grade street improvements shall be repaired or replaced.

#### WAWONA ROAD

- ENG 12. Remove the existing driveway approach located adjacent to the southwest corner of the site as necessary and replace with 6 inch curb and gutter to match existing curb and gutter on each side of the existing driveway approach in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 13. Remove existing street improvements as necessary to construct two 24 feet wide driveway approaches in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approaches shall be located approximately 18 feet north of the south property line and 18 feet south of the north property line.
- ENG 14. Construct a Type A curb ramp meeting current California State Accessibility standards at each side of the two proposed driveway approaches on Wawona Road in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across each of the driveways, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. Dedicate additional pedestrian and sidewalk easements as necessary.

ENG 15. Construct a 5 feet wide sidewalk behind the curb along the entire frontage, in accordance with City of Palm Springs Standard Drawing No. 210.

ENG 16. All broken or off grade street improvements shall be repaired or replaced.

#### ON-SITE

ENG 17. The minimum pavement section for all on-site drive aisles and parking spaces shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 18. An accessible pedestrian path of travel shall be provided throughout the development, as may be required by applicable state and federal laws. An accessible path of travel shall be constructed of Portland cement concrete, unless alternative materials meeting state and federal accessibility standards is approved by the City Engineer.

#### SANITARY SEWER

ENG 19. All sanitary facilities shall be connected to the public sewer system. The existing sewer services to the property may be used for new sanitary facilities. New laterals shall not be connected at manholes. The on-site sewer system shall connect to the existing sewer main with a standard sewer lateral connection in accordance with City of Palm Springs Standard Drawing No. 405.

ENG 20. All on-site sewer systems shall be privately maintained.

#### GRADING

ENG 21. Submit a Precise Grading and Paving Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the

applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that has completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Precise Grading and Paving plan.

- b. The first submittal of the Precise Grading and Paving Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report; and a copy of the project-specific Final Water Quality Management Plan.

- ENG 22. Prior to issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- ENG 23. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 24. Perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 25. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs

Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

- ENG 26. Coordinate with Desert Water Agency at (760) 323-4971 Ext. 146 to determine relocation requirements for the existing Whitewater Mutual Water Company water lines and other facilities to determine relocation requirements for the existing water lines and other facilities located within the property. The applicant shall be required to make appropriate arrangements to relocate the existing facilities that are affected by the development. A letter of approval from Desert Water Agency for relocated water lines and other facilities shown on the Precise Grading and Paving Plan, shall be submitted to the Engineering Division prior to approval of the Precise Grading and Paving Plan.
- ENG 27. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 28. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 29. Project must comply with the General Permit for Stormwater Discharges Associated with Construction Activity and shall prepare and implement a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. The project applicant shall cause the approved final project-specific Water Quality Management Plan to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 30. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 31. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils

Report shall be submitted to the Engineering Division with the first submittal of a grading plan.

- ENG 32. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 33. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 34. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

#### WATER QUALITY MANAGEMENT PLAN

- ENG 35. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater runoff and non-stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater runoff and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer.

- ENG 36. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property or public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 37. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits. The Final Project-Specific Water Quality Management Plan *Covenant and Agreement* shall reserve the right of the City to inspect and ensure that the underground detention systems are operable, and in the event of their failure, shall provide the City the right to advise the owner(s) of the development and require its repair or replacement within 30 days notice, to the satisfaction of the City Engineer.
- ENG 38. Prior to issuance of certificate of occupancy or final City approvals, the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

## DRAINAGE

- ENG 39. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer, shall be required to contain the increased stormwater runoff generated by the development of the property, as described in the Preliminary Hydrology & Hydraulics Calculations for the Palm Springs Hotel located at 1551 N. Palm Canyon, prepared by MDS Consulting,

Inc. and dated July, 2012. Final sizing of all on-site storm drainage improvements shall be determined in the final hydrology study and approved by the City Engineer. Provisions for on-site retention of increased stormwater runoff shall be required.

- ENG 40. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to N. Palm Canyon Drive or Wawona Road. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
- ENG 41. Submit storm drain improvement plans for all on-site storm drainage facilities for review and approval by the City Engineer.
- ENG 42. Construct all necessary on-site storm drain improvements, including but not limited to catch basins and storm drain lines, for drainage of site into the on-site underground retention systems, as described in a final Hydrology Study for the Active Hotel with Retail Stores of Palm Springs (Eng. File No. E-3915), reviewed and approved by the City Engineer.
- ENG 43. All on-site storm drain systems shall be privately maintained.
- ENG 44. The underground stormwater detention systems shall be sized to have sufficient capacity equal to the volume of increased stormwater runoff due to development of the site, as identified in a final hydrology study approved by the City Engineer. A decrease to the required detention volume may be allowed for percolation of the stormwater runoff into the underlying gravel and soil, not to exceed 2 inches per hour. Maintenance of the underground stormwater detention systems are the sole responsibility of the development owner(s); maintenance and/or replacement of the systems may require removal of existing drive aisle improvements, parking spaces, or pool area improvements at the southern end of the site, at the sole expense of the development owner(s). The Final Project-Specific Water Quality Management Plan *Covenant and Agreement* shall reserve the right of the City to inspect and ensure that the underground detention systems are operable, and in the event of its failure, shall provide the City the right to advise the owner(s) of the development and require its repair or replacement within 30 days notice, to the satisfaction of the City Engineer.
- ENG 45. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

## GENERAL

- ENG 46. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.
- ENG 47. All proposed utility lines shall be installed underground.
- ENG 48. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities adjacent to the east property line of that parcel identified by Assessor's Parcel No. 505-165-003 and running northerly from the most southerly property line of the site, approximately 160 feet, meet the requirement to be installed underground. Utility undergrounding shall extend to the nearest off-site power pole; no new power poles shall be installed unless otherwise approved by the City Engineer. A letter from the owners of the affected utilities shall be submitted to the Engineering Division prior to approval of a grading plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, the utility undergrounding plan shall be submitted to the Engineering Division identifying all above ground facilities in the area of the project to be undergrounded. Undergrounding of existing overhead utility lines shall be completed prior to issuance of a certificate of occupancy.
- ENG 49. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.



- ENG 50. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 51. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a "final" approval by City. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 52. Nothing shall be constructed or planted in the corner cut-off area of any driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 53. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 54. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

#### MAP

- ENG 55. The existing parcels currently identified by Assessor's Parcel No. (APN) 505-165-002, APN 505-165-003, APN 505-165-007, APN 505-165-009, APN 505-165-011, and APN 505-165-012, shall be merged. An application for a parcel merger shall be submitted to the Engineering Division for review and approval. A copy of a current title report and copies of record documents shall be submitted with the application for the parcel merger. The application shall be submitted to and approved by the City Engineer prior to issuance of building permit.
- ENG 56. Easements for the existing overhead utility lines extending across the site shall be quit-claimed by the owners thereof as necessary to facilitate development of the subject property. Issuance of a building permit shall be withheld until all easements extending across the property are quit-claimed, and copies of the recorded documents are provided to the City Engineer.

## TRAFFIC

- ENG 57.* A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 58.* All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 59.* Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 60.* This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

## FIRE DEPARTMENT CONDITIONS

### GENERAL CONDITIONS

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

- FID 1**        These conditions are subject to final plan check and review. Initial fire department conditions have been determined on review of the preliminary PDD site plan. Additional requirements may be required at that time based on revisions to site plans as submitted for the Final PDD.
- FID 2**        Fire Department Conditions were based on the 2010 California Fire Code. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.
- FID 3**        **Plot Plan:** Prior to completion of the project, an 8.5"x11" plot plan or drawing, and an electronic version in an industry standard file format capable of being used in a geographical information system (GIS) preferably an ESRI shape file(s) shall be provided to the fire department. The GIS file shall be projected in the California State Plane Zone VI coordinate system and capable of being re-projected into the North American Datum 1983 coordinate system. PDF files by themselves will not

meet this requirement. The GIS and ESRI shape file(s) shall clearly show all access points, fire hydrants, KNOX™ box locations, fire department connections, dwelling unit or suite identifiers, main electrical panel location(s), sprinkler riser and fire alarm locations. Industry standard symbols used in emergency management and pre-fire planning are encouraged. Large projects may require more than one page. AutoCAD files will be accepted but must be approved prior to acceptance.

FID 4

#### **PLANS AND PERMITS**

When there are significant changes in occupancy, water supply, storage heights, type, and quantity of storage, storage configurations, Tenant Improvements or any other changes which may affect the fire sprinkler system design, the owner, tenant or contractor shall submit plans and secure permits.

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain two sets.

Plans shall be submitted to:

**City of Palm Springs  
Building and Safety Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262**

**Counter Hours: M – TH, 8:00 AM – 11:00 AM and 2:00 PM – 6:00 PM**

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. The minimum fee is \$ 208.00. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

Plot Plan: Prior to completion of the project, an 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.

- FID 5      **Public Safety CFD:** The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 et seq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.
- FID 6      **Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 7      **Fencing Requirements (8.04.260 PSMC):** Construction site fencing with 20 foot wide access gates is required for all combustible construction over 5,000 square feet. Fencing shall remain intact until buildings are stuccoed or covered and secured with lockable doors and windows.
- FID 8      **Fire Apparatus Access Gates (8.04.260 PSMC):** Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock.
- FID 9      **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the Fire Chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to

comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

- FID 10      **Premises Identification (505.1):** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public* way, a monument, pole or other sign or means shall be used to identify the structure.
- FID 11      **Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5):** Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this project is 1,500 gallons per minute (CFC Appendix B) and one available fire hydrant must be within 250 feet from any point on your lot street frontage. (CFC Appendix C)
- FID 12      **NFPA 13 Fire Sprinkler System is Required:** An automatic fire sprinkler system is required for intended occupancy use. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA 13, 2010 Edition and using Cp of 0.74 and l/r Ratio of 200. No portion of the fire sprinkler system shall be installed prior to plan approval. Prior to final approval of

the installation, contractor shall submit a completed Contractors Material and Test Certificate for Aboveground Piping to the Fire Department. (NFPA 13: Figure 24.1)

**FID 13**      **Trash Dumpster (CFC 304.3.3)** Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m<sup>3</sup>)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

**Exceptions:**

1. Dumpsters or containers in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.

**FID 14**      **Identification (CFC 510.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

**FID 15**      **Balconies and Decks (903.3.1.2.1).** Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

**FID 16**      **Fire Sprinkler Supervision and Alarms System (CFC 903.4/4.1):** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all fire sprinkler systems shall be electrically supervised by a listed Fire Alarm Control Unit (FACU). The listed FACU alarm, supervisory and trouble signals shall be distinctly different and shall be monitored at a UL listed central station service. The fire sprinkler supervision and alarms system shall comply with the requirements of NFPA 72, 2010 Edition. All control valves shall be locked in the open position.

- FID 17 Audible Water Flow Alarms (CFC 903.4.2 & Appendix K: 4.3):** An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be outdoor rated. A second horn/strobe shall be installed in the interior of the building in a normally occupied location. In multiple suite buildings, additional interior horn/strobes shall be installed in all suites with 50 or more occupant load. Power shall be provided from a fire alarm control unit. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.
- FID 18 Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.
- FID 19 Fire Department Connections (CFC 912.2.1 & 912.3):** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 20 Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 21 Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 22 Storage Beneath Overhead Projections From Buildings (CFC 315.3.1):** Where buildings are protected by automatic sprinklers, the outdoor storage, display and handling of combustible materials under eaves, canopies or other projections or overhangs is prohibited except where automatic sprinklers are installed under such eaves, canopies or other projections or overhangs.
- FID 23 HVAC Duct Smoke Detection/Shut Down with a Fire Sprinkler Supervision & Alarm System or Fire Alarm System (CFC 907.4.1,**

**CMC 609.0 & NFPA 72):** All HVAC systems supplying greater than 2,000 CFM shall require a duct detector and HVAC shut down when smoke is detected. HVAC shut down shall be on an individual basis, not global. These systems shall supervise the Duct Detectors and activate the notification appliances. An accessory module shall be installed for each unit, including alarm LED, pilot LED and key-operated test/reset switch.

**FID 24 Elevator Stretcher Requirement (CBC 3002.4):** Elevator shall be designed to accommodate medical emergency service in buildings four or more stories above grade plane or four or more stories below grade plane, at least one elevator shall be provided for fire department emergency access to all floors. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches in the horizontal position.

**FID 25 Posting of Occupant Load (CFC 1004.3):** Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

**FID 26 Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

Secured emergency access gates serving apartment, town home or condominium complex courtyards must provide a key box in addition to association or facility locks. The nominal height of Knox lock box installations shall be 5 feet above grade. Location and installation of Knox key boxes must be approved by the fire code official.

**FID 27 Key Box Contents (CFC 506.1):** The Knox key box shall contain keys to all areas of ingress/egress, alarm rooms, fire sprinkler riser/equipment rooms, mechanical rooms, elevator rooms, elevator controls, plus a card containing the emergency contact people and phone numbers for the building/complex.

**END OF CONDITIONS**



RESOLUTION NO \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA FOR APPROVAL OF CASE 5.1284 PDD 360, A PLANNED DEVELOPMENT DISTRICT APPLICATION FOR DEVELOPMENT OF A 32-ROOM HOTEL WITH ACCESSORY RESTAURANT AND RETAIL USES, OFF-STREET PARKING AND LANDSCAPING ON A ROUGHLY 1.27 ACRE PARCEL LOCATED AT 1551 NORTH PALM CANYON DRIVE; ZONE C-1 / R-3, RESORT COMBINING ZONE (APN'S 505-165-002, 003, 007, 009, 011, AND 012)

WHEREAS, Palm Grove Group LLC, "applicant", has filed an application with the City pursuant to Sections 94.02.00 (Conditional Use Permit) and 94.03.00 (Planned Development District) of the Zoning Code requesting approval of a Planned Development District (PDD) that seeks adjustments in the underlying development standards for a development comprised of a hotel, restaurant, retail uses, off street parking and landscaping on a roughly 1.27 acre lot at 1551 North Palm Canyon Drive, zone C-1 / R-3, Resort Combining Zone; and

WHEREAS, a notice of public hearing for Case 5.1284 PDD 360 was given in accordance with applicable law; and

WHEREAS, on October 10, 2012, a public meeting on Case 5.1284 PDD 360 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the guidelines of the California Environmental Quality Act ("CEQA") and has been determined to be Categorically Exempt under CEQA Section 15332 "In-fill development projects"; and

WHEREAS, the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented and voted unanimously to approve the project subject to the conditions of approval and to recommend approval by the City Council subject to the attached conditions of approval, and

WHEREAS, on November 7, 2012, a properly noticed public meeting on Case 5.1284 PDD 360 was held by the City Council in accordance with applicable law; and

WHEREAS, the City Council carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE CITY COUNCIL HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is determined to be Categorically Exempt under CEQA Section 15332 ("in-fill development").

Section 2: Pursuant to PSZC Section 94.02.00 (Conditional Use Permit) and Section 94.03.00 (Planned Development District), the Planning Commission finds as follows:

- 1) *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

Pursuant to Section 92.04.01 and 92.12.01, hotels, restaurants and retail uses are allowed in the C-1 and R-3 zones. The project therefore conforms to this finding.

- 2) *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed use of this site for a hotel with accessory restaurant and retail uses are uses which are consistent with the Mixed-use / Multi-use designation in the General Plan. The proposed uses support the tourist/resort nature of Palm Springs and therefore are desirable for the development of the community. The project proposes development that is compatible and complementary to the existing and permitted uses in the Uptown district. Thus, the proposed use is not detrimental to existing or future uses. The proposed use is in harmony with the General Plan as noted in the following goals and policies from the General Plan:

*Policy LU2.5: "Encourage lot consolidation and mixed-use development to reduce fragmentation of parcels and to facilitate infill development."*

The project proposes to consolidate a series of small contiguous lots to enable development of a mixed-use project of hotel, restaurant and retail uses on an infill lot in the Uptown district.

*Policy LU 8.1: "Encourage new mixed / multi-use development in areas that are currently vacant or underutilized"*

The project proposes a new mixed-use hotel / restaurant / retail complex on a site facing Palm Canyon Drive in the Uptown district that has been vacant for many years.

*Policy LU 8.7: "On-site parking is encouraged to be accessed from side streets or public alleys to minimize traffic impacts on major streets and to avoid interruption in the street-front design of commercial centers."*

The project proposes a 47-space on-site parking lot that is accessed from Wawona Road, a local street on the west side of the project site and a valet drop-off lane along Palm Canyon Drive that does not interrupt the pedestrian movement or the street-front design of the commercial area along this segment of Palm Canyon Drive.

- 3) *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The site is roughly 1.27 acres in size. It conforms to the minimum size and shape requirements for the zones in which it is located. The applicant has requested minor adjustments in setbacks and other development standards via the PDD, and as shown in the attached Exhibit A, including a reduction of the front yard setback from five feet to zero in order to allow the buildings along that frontage to align with the existing adjacent structures. The project conforms to this finding.

- 4) *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The site has two street frontages; one on North Palm Canyon Drive, which is a major thoroughfare on the City's General Plan Circulation Map and Wawona Road, which is a local street. The project proposes to take vehicular access off Wawona Road via two driveway curb cuts into the parking lot. The project also proposes a drop-off / valet lane along Palm Canyon Drive. The project proposes buildings in alignment with adjacent existing buildings, thereby continuing the "street pedestrian edge" along Palm Canyon Drive. The project properly relates to streets and the adjacent roads are capable of handling the proposed traffic generated by this project.

- 5) *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A set of conditions of approval are attached as Exhibit B.

Section 3: Pursuant to City Council Policy on Public Benefit associated with Planned Development Districts dated September 18, 2008, the City Council has considered the proposed public benefits listed below and believes they are proportionate to the degree of deviations in the underlying development standards being sought by the applicant:

The applicant proposes the following public benefits:

- The project is proposed to be a Gold-level certified LEED (Leadership in Environmental and Energy Design) design.
- The project adds new boutique hotel rooms to the City's stock of this unique hotel type.
- The project provides an example of prefabricated construction as a type of sustainable, environmentally friendly construction methodology.

- The project will generate permanent jobs, transient occupancy tax, and sales tax revenues beneficial to the City.

Section 4: Pursuant to Section 92.25.00 (Resort Combining Zone) of the Palm Springs Zoning Code, the project is located within the Resort-Combining overlay zone. The Planning Commission made affirmative findings on October 10, 2012 as follows:

*"...that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone."*

The project is located in an area of the Uptown neighborhood in which existing hotel and commercial uses are located. The project proposes a boutique style hotel, restaurant and retail uses in walkable proximity to other commercial amenities in the area. The neighborhood has a number of existing commercial-retail uses and several vintage / boutique hotels and resorts. The project would enhance the vitality of the neighborhood and would be compatible with its surroundings. While other "by-right" uses would be possible, there are none that are of particularly greater benefit or appropriateness for this parcel in support of the tourist/resort nature of Palm Springs.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council hereby approves Case 5.1284 PDD 360 a preliminary Planned Development District (PDD) comprised of a 32-room hotel, an 80-seat restaurant, roughly 1,120 square feet of retail uses, a 47-car off-street parking lot and landscaping on a roughly 1.27-acre site at 1551 North Palm Canyon Drive and to adopt adjustments in the development standards for the parcel as shown in the attached Exhibit A, subject to the conditions of approval noted in the attached Exhibit B.

ADOPTED this 7th day of November, 2012.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF PALM SPRINGS, CALIFORNIA

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

CERTIFICATION:

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Resolution No. \_\_\_\_\_ is a full, true, and correct copy, and was adopted at a regular meeting of the City Council held on \_\_\_\_\_ by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Thompson, City Clerk  
City of Palm Springs, California \

September 18, 2012

Mr. Matt Steinberg  
PALM GROVE GROUP, LLC.  
609 Woodland Road  
Pasadena, CA 91106

**Subject: Hotel Mixed Use Project ULI Shared Parking Study, City of Palm Springs  
(Revised)**

Dear Mr. Steinberg:

RK ENGINEERING GROUP, INC. (RK) is pleased to provide this Shared Parking Analysis for the Hotel Mixed Use Project. The proposed site is located at 1551 North Palm Canyon Drive, in the City of Palm Springs. The mixed-use project has been changed and is now proposing to develop a 32-room hotel, an 80-seat fine dining restaurant, and 1,120 square feet of retail uses. The site is proposing to provide a total of ~~56~~<sup>47</sup> parking stalls which will be shared globally. A complete list of the proposed land uses are provided in Table 1 (Revised).

The mix of uses is conducive to a shared parking analysis within the overall development. Parking will be shared globally throughout the Hotel Mixed Use Development. The City of Palm Springs Parking Code does permit a shared parking analysis for this type of mixed-use development. The City Parking Code for these uses is shown in Table 1 (Revised). This will be reduced as a result of sharing of parking between uses.

An updated ULI (Urban Land Institute) shared parking analysis has been performed to determine if the parking of individual uses does not occur simultaneously and, therefore, does not create an overflow parking situation. The parking within the overall Hotel Mixed Use Development will be shared in common. The land uses within the Hotel Mixed Use Development are complimentary (i.e., hotel, restaurant, and retail uses), and will help to minimize the overall parking demand. This combination of complimentary uses is considered a multi-use development. The proposed mix of land uses lends itself to the shared parking concept where individual uses peak during different times of the day.

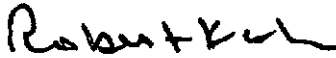
Mr. Matt Steinberg  
PALM GROVE GROUP, LLC.  
September 18, 2012  
Page 2

The ULI Shared Parking Program has been utilized to evaluate the adequacy of the parking for the revised development. Both weekday and weekend parking demands have been evaluated, in addition to the monthly/hourly variations in parking demand. Peak weekday parking is anticipated to occur in December when it is projected that 46 parking spaces would be occupied. Peak weekend parking demand is anticipated to occur in December when it is projected that 48 spaces will be occupied. Projected parking throughout the year is shown in Table 3 (Revised). Based on the ULI shared parking calculations, the estimated parking demand is not expected to exceed the available parking supply for any time of the year. Based on the current site plan, adequate parking is provided for the site during all times of the year.

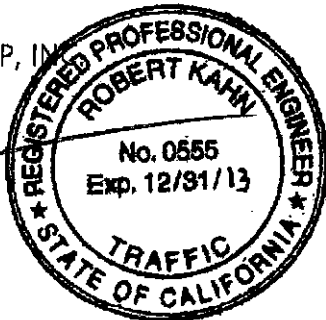
A summary of the project peak parking demand is included in Appendix A. This includes the updated shared parking work sheets.

If you have any questions regarding this study, or need further review, please do not hesitate to call our office at (949) 474-0809.

Sincerely,  
RK ENGINEERING GROUP, INC.



Robert Kahn, P.E.  
Principal



Rogier Goedecke  
Vice President, Operations

Attachments

**TABLE 1 (Revised)**  
**City of Palm Springs Parking Code Requirements**  
**Mixed-Use Development**

Use Type for Parking	Size <sup>1</sup>	Parking Rate per 1,000 SF	Parking Required <sup>2</sup>
Community Shopping Center (Retail)	1,120 S.F.	3.33	4
Fine Casual Dining Restaurant	1,543 S.F. (80 Seats)	17.50	27
Hotel	32 Rooms	1.02	33
<b>Total Parking Required Per City Parking Code</b>			64
<b>Parking Provided</b>			<del>46</del>
<b>Parking Deficient Per Code</b>			<del>-18</del>

<sup>1</sup> S.F. = Square Feet

<sup>2</sup> Required number of parking spaces per amount of GFA based on City of Palm Springs Parking Code.



**TABLE 3 (Revised)  
Monthly Peak Parking Demand**

Month	Weekdays	Weekend
January	45	46
February	45	46
March	44	46
April	42	44
May	39	40
June	39	40
July	34	35
August	39	40
September	41	42
October	42	43
November	43	45
December <sup>1</sup>	46	48
<b>Peak Parking Demand</b>	<b>46</b>	<b>48</b>
<b>Parking Spaces Provided</b>	<b>46</b>	<b>46</b>
<b>Peak Demand Parking Stalls Available</b>	<b>0</b>	<b>3 - 2</b>
<b>Percentage of Parking Stalls Available During Peak Demand</b>	<b><del>17.9%</del></b>	<b><del>54.3%</del></b>

<sup>1</sup> Peak Month for Weekdays and Weekends

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## **Appendix A**

### Shared Parking Summary Worksheets



Table  
 Project: Mixed Use Palm Springs - Revised 09/11/12  
 Description: Palm Springs Parking Rates

9/17/2012

SHARED PARKING DEMAND SUMMARY

PEAK MONTH: DECEMBER -- PEAK PERIOD: 8 PM, WEEKEND

Land Use	Project Data		Weekday					Weekend					Weekday			Weekend		
			Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Peak Hr	Peak Mo	Estimated Parking Demand	Peak Hr	Peak Mo	Estimated Parking Demand
													8 PM	December		8 PM	December	
Community Shopping Center (<400 ksf) Employee	1,120	sf GLA	2.66	1.00	1.00	2.66	/ksf GLA	2.66	1.00	1.00	2.66	/ksf GLA	0.80	1.00	2	0.55	1.00	2
Employee			0.65	0.95	1.00	0.62	/ksf GLA	0.67	0.95	1.00	0.64	/ksf GLA	0.95	1.00	1	0.75	1.00	1
Fine/Casual Dining Restaurant Employee	1,543	sf GLA	15.00	1.00	0.75	11.25	/ksf GLA	14.88	1.00	0.75	11.18	/ksf GLA	0.85	0.95	16	1.00	0.95	16
Employee			2.50	0.90	1.00	2.25	/ksf GLA	2.63	0.90	1.00	2.37	/ksf GLA	1.00	1.00	4	1.00	1.00	4
Hotel-Lesure Employee	32	rooms	0.81	0.90	1.00	0.73	/rooms	0.85	0.90	1.00	0.77	/rooms	0.85	1.00	20	0.90	1.00	22
Employee			0.25	0.90	1.00	0.23	/rooms	0.18	0.90	1.00	0.18	/rooms	0.40	1.00	3	0.55	1.00	3
ULI base data have been modified from default values.											Customer		38	Customer		40		
											Employee		8	Employee		8		
											Reserved		0	Reserved		0		
											Total		46	Total		48		

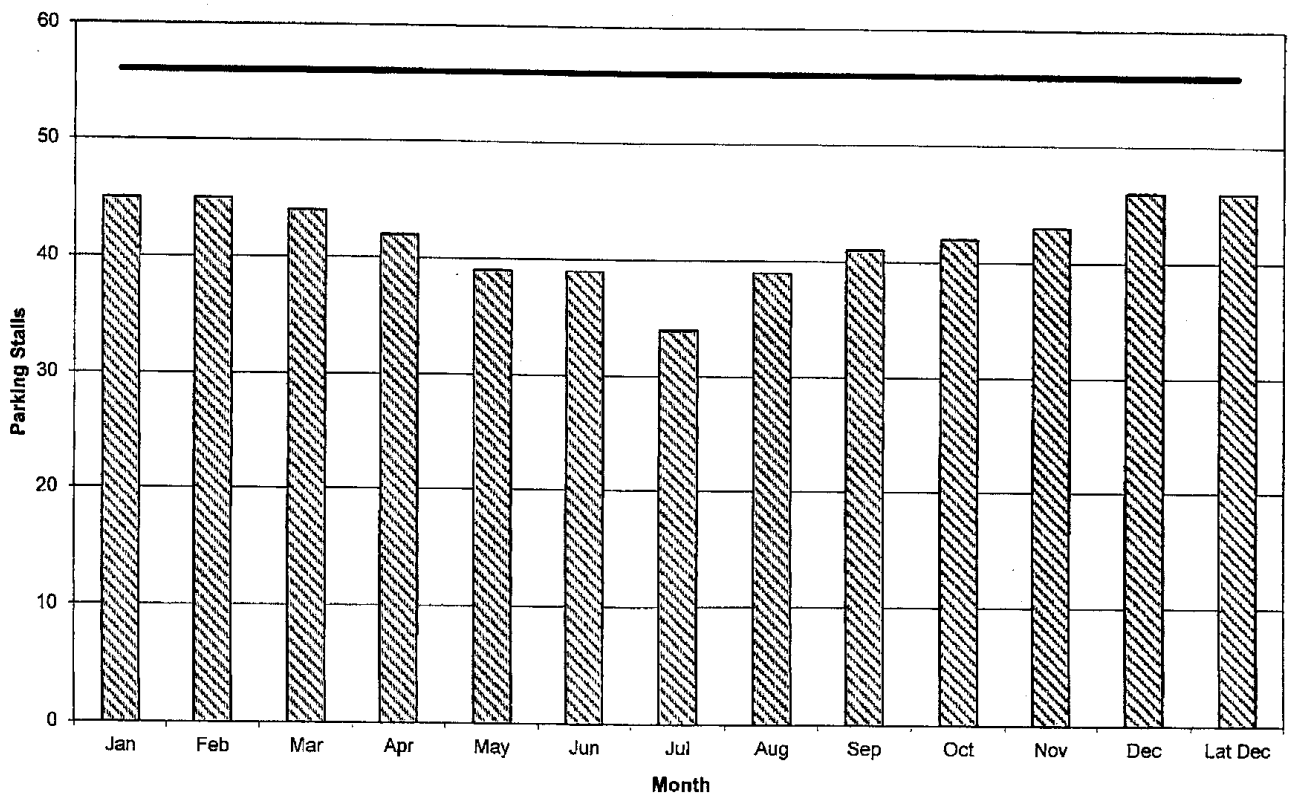


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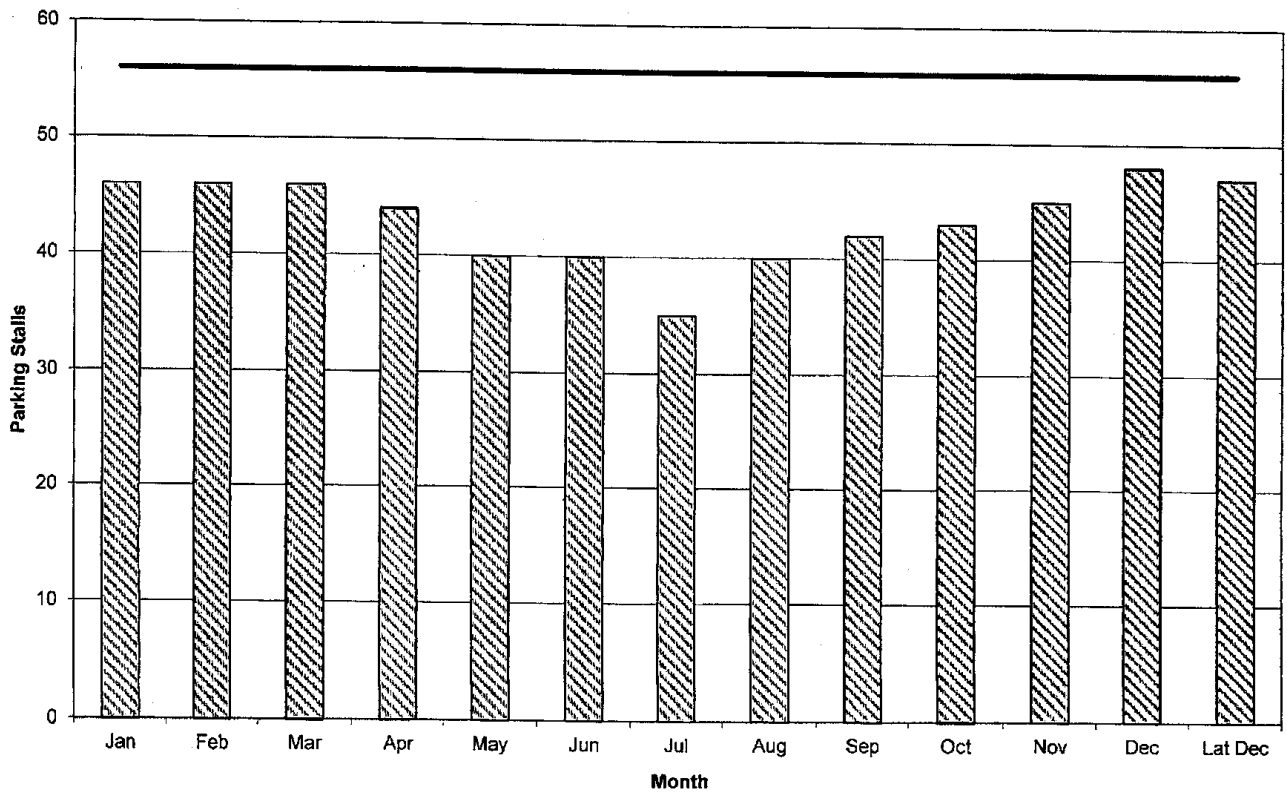
## **Appendix B**

Monthly Shared  
Parking Worksheets

**Weekday Month-by-Month Estimated Parking Demand**



**Weekend Month-by-Month Estimated Parking Demand**





**CITY OF PALM SPRINGS  
PUBLIC HEARING NOTIFICATION**




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City Council  
Meeting Date: November 7, 2012  
Subject: THE ARRIVE HOTEL

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**AFFIDAVIT OF MAILING**

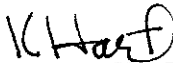
I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on October 25, 2012, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (131 notices)

  
\_\_\_\_\_  
Kathie Hart, CMC  
Chief Deputy City Clerk

**AFFIDAVIT OF PUBLICATION**

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on October 27, 2012.


I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Kathie Hart, CMC  
Chief Deputy City Clerk

**AFFIDAVIT OF POSTING**

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk and on October 25, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Kathie Hart, CMC  
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

CASE 5.1284 PLANNED DEVELOPMENT DISTRICT 360  
A PLANNED DEVELOPMENT DISTRICT APPLICATION FOR "THE ARRIVE HOTEL",  
A 32-ROOM HOTEL WITH ACCESSORY RESTAURANT, RETAIL USES, PARKING, AND  
LANDSCAPING AT 1551 NORTH PALM CANYON DRIVE

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of November 7, 2012. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a request for a Planned Development District (PDD) for a 32-room hotel, with accessory restaurant, retail uses, off-street parking, and landscaping on an approximate 1.27 acre lot at 1551 North Palm Canyon Way; Zone C-1 / R-3, Resort Combining Zone (APNS 5105-165-002, 003, 007, 009, 011, and 012).

**ENVIRONMENTAL DETERMINATION:** This project is Categorically Exempt under the Guidelines of the California Environmental Quality Act (CEQA) Section 15332 "In-fill development projects".

**REVIEW OF INFORMATION:** The staff report and other supporting documents regarding this project are available for public review at City Hall between the hours of 8:00 a.m. to 11:00 a.m. and 2:00 p.m. to 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

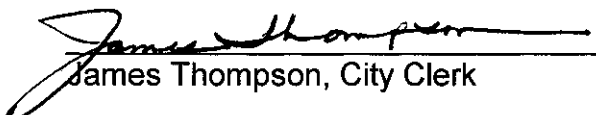
**COMMENT ON THIS APPLICATION:** Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009(b)(2)).

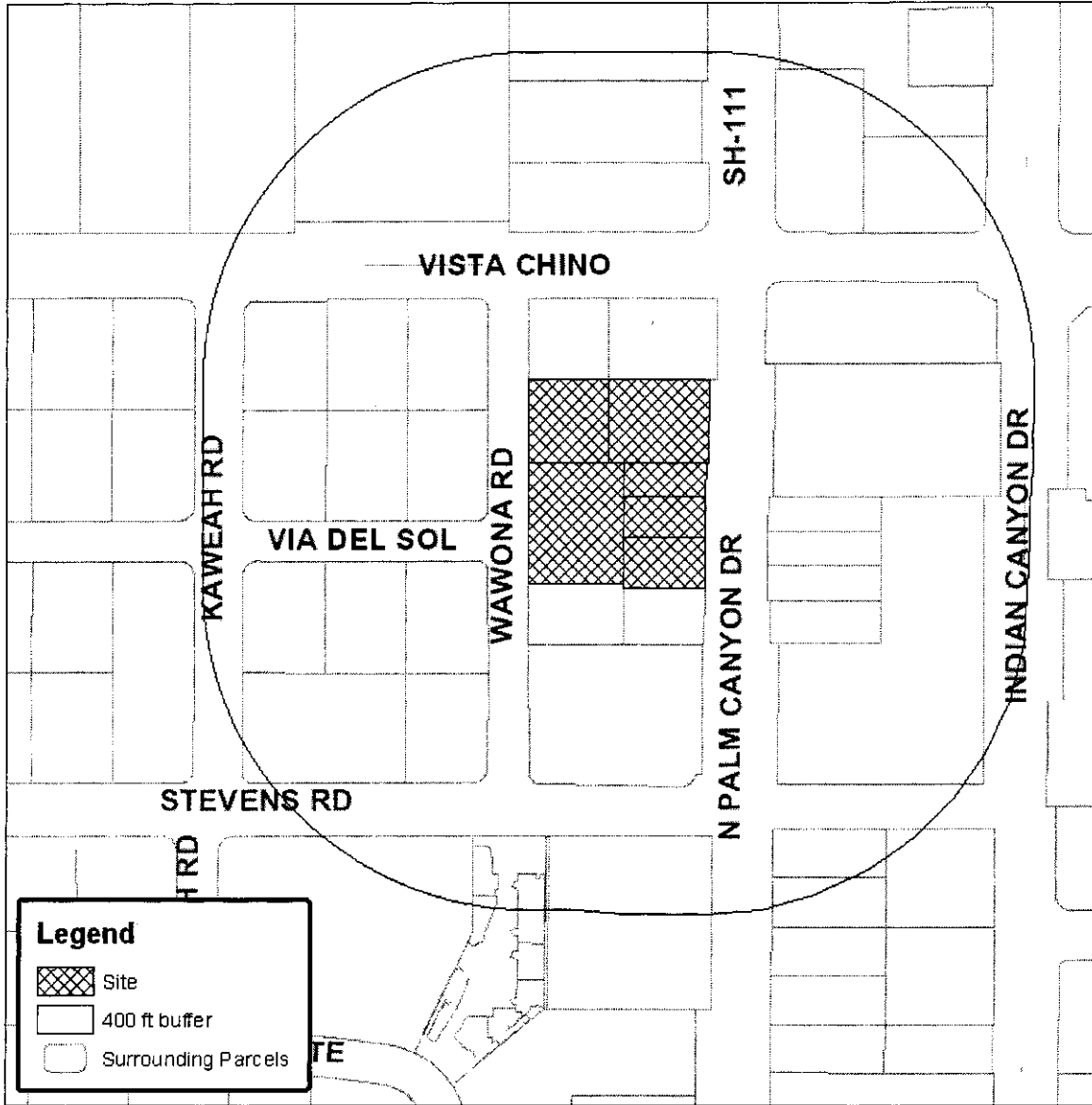
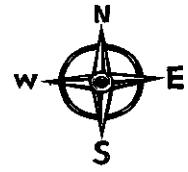
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Ken Lyon, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.

  
James Thompson, City Clerk



**Department of Planning Services  
Vicinity Map**



**CITY OF PALM SPRINGS**

**CASE NO:** 5.1284 PDD 360

**APPLICANT:** Palm Grove Group, LLC

**DESCRIPTION:** An application for a Planned Development District (PDD) proposing a hotel, with accessory restaurant, retail uses, off-street parking, and landscaping on an approximately 1.27 acre lot at 1551 North Palm Canyon Way; Zone C-1 / R-3, Resort Combining Zone (APNS 5105-165-002, 003, 007, 009, 011, and 012).