



# CITY COUNCIL STAFF REPORT

DATE: March 18, 2015

PUBLIC HEARING

SUBJECT: CASE 5.1350 PDD 374 / GPA, AN APPLICATION BY 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (APN # 505-303-018) ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (KL)

FROM: Department of Planning Services

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## SUMMARY

The project consists of a preliminary Planned Development in lieu of a zone change (PDD 374), a Conditional Use Permit (CUP), a General Plan Amendment (GPA) and a Major Architectural application (MAJ) to construct a four story, 46-room mixed use hotel development on a 1.13-acre site in the Uptown commercial district.

Today's City Council hearing is to consider only the preliminary PDD in lieu of zone change for establishing permitted uses, development standards, to seek relief from the development standards of the high-rise ordinance, and the General Plan Amendment, because the Conditional Use Permit and the Major Architectural applications only require Planning Commission approvals, which were granted on February 25, 2015.

## RECOMMENDATION:

1. Open the public hearing and take testimony.
2. Close the public hearing and adopt Resolution # \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION UNDER CEQA, APPROVING CASE 5.1350 GPA, A GENERAL PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC) TO MIXED-USE / MULTI-USE – CBD AS DEFINED IN THE 2007 GENERAL PLAN (ADOPTED BY CITY COUNCIL RESOLUTION #22077) FOR A ROUGHLY 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (ZONE C-1 / R-3 / RESORT COMBINING ZONE, PD 104, LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1); (APN 505-303-018), SUBJECT TO CONDITIONS OF APPROVAL".
3. Waive reading and introduce by title only for first reading Ordinance No. \_\_\_\_\_,

ITEM NO. 1.D.

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"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 5.1350 PDD 374, A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE ESTABLISHING SPECIFIC USES, DEVELOPMENT STANDARDS, AND SEEKING RELIEF FROM THE DEVELOPMENT STANDARDS OF THE HIGH-RISE ORDINANCE, FOR A ROUGHLY 1.13-ACRE LOCATED AT 750 NORTH PALM CANYON DRIVE (ZONE C-1 / R-3 / RESORT COMBINING ZONE / PD 104 / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1); (APN 505-303-018).

### ISSUES:

The full project scope is as follows:

- A planned development district (PDD 374) in lieu of a change of zone, pursuant to PSZC 94.07 (zone change) seeking to change the underlying split C-1/R-3 zone with PD 104 overlay to PDD 374; a PD in lieu of a change of zone that would be applied to the entire 1.13-acre site, with its own development standards and permitted uses.
- Due to the building's proposed height, the PDD/CUP pursuant to PSZC 94.02 is required to engage the high-rise ordinance (PSZC 93.04). The applicant is also using the PDD to seek relief from the development standards of the high-rise ordinance in terms of setbacks and open space.
- A general plan amendment (GPA) changing the land use designation from Neighborhood Community Commercial (NCC) to Mixed-use / Multi-use – CBD to allow an increase the maximum allowable floor area ratio (FAR) from 0.35 to 1.0 for the site.
- A major architectural application (MAJ) pursuant to PSZC Section 94.04; for approval of the proposed architecture, landscape & site design, and
- A Conditional Use Permit (CUP) pursuant to PSZC Section 94.02 for the proposed spa & bar (cocktail lounge) uses and for hotel uses in which more than 10% of the guest rooms are provided with kitchen

Issues unique to this project include:

1. *Building Height.* The proposed building height exceeds allowable maximum height for the zone, and requires the PDD to engage the high-rise ordinance, however the applicant is also seeking relief from the high-rise development standards via the PDD.
2. *Reduced Off-street Parking.* Zoning Code 93.06 (off-street parking) requires ninety-three (93) parking spaces. The applicant is proposing 62 off-street parking spaces and has submitted a parking study to demonstrate adequacy as proposed. Thus, parking is a development standard for which the PDD also seeks relief.
3. *No dedicated loading zone.* Loading, unloading, deliveries, and trash are

- proposed to be handled via on-street access during early morning hours; the PDD seeks relief from the requirement for an off-street loading dock.
4. *Historic District Review.* The project is located in the Las Palmas Business Historic District (LPBHD) (HD-1) and is subject to review against the Las Palmas Business Historic District Conceptual Design Guidelines.
  5. *FAR Increase.* The GPA requests increases in the floor area ratio (FAR) from 0.35 to 1.0, a considerable density increase for this site.
  6. *Views / Privacy / Noise.* Concerns were expressed by the AAC, HSPB and Planning Commission regarding loss of scenic views, and privacy, and adverse noise impacts from the roof deck and balconies of the proposed project relative to adjacent one and two story hotel and residential properties to the east.

**BACKGROUND:**

The project is located on an "L"-shaped lot in a fully developed part of the city in the Uptown District. It is bounded roughly by North Palm Canyon Drive on the west, and North Indian Canyon Drive on the east and lies between East Granvia Valmonte on the south and Tamarisk Road on the north.



PROJECT SITE

<b>Most Recent Change of Ownership</b>	
2007	Purchase by the current owner / applicant

<b>Sign Posting of Pending Project</b>	
8-15-14	Sign posted on site; 2 sides, facing both Indian Canyon and Palm Canyon

<b>Neighborhood Meeting</b>	
9-16-14	Neighborhood Outreach meeting held at Trio Restaurant for Old Las Palmas and Movie Colony neighborhood organizations.

<b>Past City Actions</b>	
1980	City approval of Case 5.0121 PD 104 for Security Pacific National Bank (the PD was approved for the drive-thru banking use)
1986	City Council established the Las Palmas Business Historic District (City Council Resolution #15858). The project is located in this district.
2008	Pre-application PA-003 for a proposed 5-story mixed use hotel processed by the Planning Department.
2012	Pre-application PA12-001 for a proposed 5-story mixed use hotel processed by the Planning Department
October 6, 2014	AAC voted 6-0 to recommend approval of the subject preliminary PDD / GPA / CUP by the Planning Commission with conditions. (see attached AAC meeting minutes)
October 12, 2014	HSPB voted 5-1 (Ploss opposed) to approve the Preliminary PDD / GPA / CUP with conditions and recommend approval by the Planning Commission. (see attached HSPB meeting minutes)
December 22, 2014	The AAC reviewed the Major Architectural Application (Case 3.3795 MAJ) and voted 7-0 to recommend approval by the Planning Commission as submitted.
January 13, 2015	The HSPB reviewed the Major Architectural Application and voted 6-1 (Johns opposed) to approve subject to the following conditions of approval: <ol style="list-style-type: none"> <li>1. The height is inconsistent with historic district guidelines and needs to be reduced by approximately four feet (to roughly 34 feet total);</li> <li>2. The elevation along Indian Canyon Drive should be reduced to two stories and twenty (20) feet closest to the street, and allowed to step back to higher elevations further within the site.</li> <li>3. No additional rooftop structures should be permitted other than those illustrated in the submitted plans (no umbrellas, etc.)</li> <li>4. The parking study should be reviewed by the City Engineer for adequacy of off-street parking such that the project not adversely impact the historic district.</li> </ol>
January 22, 2015	The applicant filed an appeal of the HSPB action requesting removal of Conditions 1 and 2.
February 4, 2015	The City Council voted 4-0 (Foat abstained) to uphold the appeal and remove HSPB conditions 1, 2, and 3.
February 25, 2015	The Planning Commission voted 7-0 to approve the preliminary PDD in lieu of a zone change, the CUP and the Major Architectural application and recommended approval by City Council of the PDD in lieu of a zone change and the General Plan Amendment subject to conditions of approval. The Planning Commission imposed additional conditions of approval including installation of photo-voltaic panels as a public benefit, and sound mitigation measure for the roof top deck, required "validated" valet parking including submittal of an exhibit demonstrating the likely increased count of off-street parking spaces that could be accommodated via the valet parking service. The full set of conditions are attached as "Exhibit A".

The Uptown commercial district contains numerous small retail stores, restaurants, coffee shops, and other commercial and office uses. There are also a number of small

hotels in the vicinity including the Alcazar, the Movie Colony Hotel, the Colony Palms Hotel, the Triada Hotel, the Indian Manor Hotel and others. Uptown is pedestrian-oriented and in recent years is experiencing a great deal of increased economic activity.

<b>Adjacent General Plan Designations, Zones and Land Uses:</b>			
	<b>General Plan</b>	<b>Zoning</b>	<b>Existing Land Uses</b>
Site	Neighborhood Community Commercial	C-1/R-3/PD104	Vacant bank building and parking lot.
North	Neighborhood Community Commercial (NCC)	C-1/R-3	Commercial Retail (Kocher/Samson Bldg. & Pacific Building)
South	Neighborhood Community Commercial (NCC)	C-1/R-3	Hotel / Restaurant / Retail (Alcazar Hotel / Cheeky's Restaurant and the Howard Lapham bldg.)
East	High Density Residential (HDR)	R-3	Hotel / Residential (Indian Manor Hotel / Movie Colony Hotel / Spanish Inn Hotel)
West	Neighborhood Community Commercial (NCC)	C-1	Commercial / Restaurant / (Trio Restaurant / Latham Bldg, Dental office)

**PROJECT DESCRIPTION:**

The proposed project is a four-story mixed use development. On the first floor are commercial/retail spaces fronting Palm Canyon Drive, a 50-seat restaurant proposed with outdoor dining fronting Indian Canyon Drive, hotel lobby and a 62-car off-street parking lot that incorporates a two-way drive connecting Indian Canyon and Palm Canyon Drives with an adjacent hotel drop-off/check-in lane and trash rooms that take access off the north side of the building. Gross building square footage is roughly 39,248 square feet.

At the second and third levels are proposed a roughly 2,200 square foot spa for hotel guests and forty-six (46) hotel rooms, all of which are proposed to have kitchens with cooking facilities. At the fourth floor is a sun deck, pool, a 47-seat bar open to the public, toilets, storage and support spaces. An existing two story commercial (bank) building built in the eighties and a parking lot (that has in the past provided valet parking capacity for nearby hotels), is proposed to be demolished to redevelop the site<sup>1</sup>.

As noted above, trash collection rooms / dumpsters are proposed along the north side of the building and could be accessed from both streets to provide early morning trash removal, however no loading dock is proposed<sup>2</sup>. An east-west pedestrian passageway linked to a mid-block cross walk at Indian Canyon Drive is proposed to encourage pedestrian connectivity between commercial uses along Palm Canyon in the Uptown District and the neighborhoods and hotels to the east of the site. A grouping of

<sup>1</sup> The existing PD104 overlay was established to seek approval of the drive-through teller / ATM use for the previous financial institution; a use that is otherwise prohibited in the underlying R-3 zone.

<sup>2</sup> It is customary for most businesses in the CBD and Uptown that have no loading dock to handle trash removal / deliveries in the early morning hours prior to businesses opening to the public.

architectural elements integrated with a wall that partially screens the parking lot is proposed along the North Indian Canyon Drive frontage which the applicant refers to as "an Art Walk"; these are envisioned to provide a series of spaces for art and sculpture to be highlighted.

The project is approximately 47 feet in height (50 feet as measured from the lowest point on the site), but is lower along the street frontages. High-rise buildings up to 60 feet are permitted in the zone subject to approval of a CUP or PD pursuant to Zoning Code Section 93.04 (high-rise) and 94.02 (Conditional Use Permit). When a high-rise building is proposed that conforms to the development standards of the high-rise ordinance and the development standards of the underlying zone, it may be analyzed as a Conditional Use Permit approvable by the Planning Commission only. However in this case, the applicant is seeking approval for a high-rise building that does not conform to the high-rise ordinance nor the development standards of the underlying zone. Thus, in this instance the high-rise building must be evaluated as a PDD, and both the Planning Commission and the City Council must make affirmative findings in order to approve the proposal.

Along Palm Canyon Drive the building at street level is close to the public sidewalk with large pedestrian-oriented storefront windows to integrate the building with the pedestrian experience. It is set further back from the Indian Canyon street frontage, but an outdoor dining area extends toward the Indian Canyon sidewalk to create outdoor dining along that street frontage that will enliven the Indian Canyon Drive frontage. The maximum building height occurs in the center of the building, set back from both street frontages.

The project proposes open space at grade, at balconies and at a roof deck. Forty three percent (43%) of the site area is proposed for usable outdoor space (including balconies and roof deck). Sixty percent (60%) open space is required by the high-rise ordinance, however the applicant is requesting relief from this development standard with the PDD. The scale of the proposed development is substantially different from many existing adjacent structures in terms of height, bulk, and scale, however the building's architecture achieves a certain degree of harmony with the nearby modern era structures such as the Latham building next door.

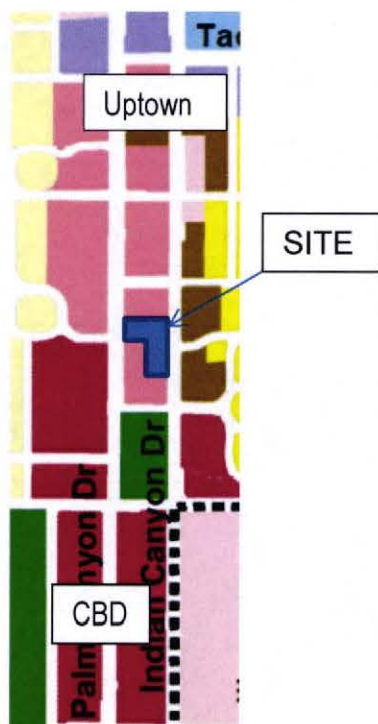
The site is located in the Las Palmas Business Historic District (LPBHD) established by the City Council in 1986 (Resolution #15858) which requires new structures to be evaluated by the HSPB for compatibility against a set of conceptual design guidelines that were part of the District's original designation. A number of significant contributing buildings surround the proposed project site as are many Class 1 and Class 3 historic sites. These sites are outlined in the attached Planning Commission staff report.

Discussion and evaluation of the proposed development against the Historic District guidelines is included in the attached exhibits.

**ANALYSIS:**

A General Plan Amendment. The applicant proposes a General Plan Amendment (GPA) changing the land use designation for the 1.13-acre parcel from Neighborhood Community Commercial (NCC) (FAR: 0.35) to Mixed-use / Multi-use – CBD (FAR 1.0). The purpose of this GPA is to take advantage of the significantly greater density afforded by the MU-CBD designation. The MU-CBD land use designation offers nearly three times the density (FAR)<sup>3</sup> than NCC.

Below is a portion of the General Plan Land Use Map showing CBD (in red) and Neighborhood Community Commercial (NCC) in pink.



The majority of land in Uptown is “NCC”. This is consistent with the mix of existing uses and future development patterns envisioned there -- smaller restaurants and specialty stores, gift shops, art galleries, bookstores, coffee shops, real estate offices and other modestly-scaled commercial uses that serve the adjacent residential areas of Las Palmas, Movie Colony, Vista Las Palmas and the Ruth Hardy Park neighborhood.

Although there are many retail uses in the Uptown district that also have a tourist and “city-wide” draw, “NCC” is unlike other commercial land use designations such as Tourist Resort Commercial (TRC) or Regional Commercial (RC) both of which encourage large-scale resort-type development, big box stores and shopping centers -- a building type and scale that would be incompatible with the Uptown District. For most of Uptown, NCC is an appropriate land use designation.

The Mixed-use - CBD land use designation and NCC both envision a wide variety of pedestrian-oriented commercial, residential and hotel uses that serve both tourists and the surrounding residential areas. Both land use designations encourage and accommodate the existing small scale, older, single-lot development pattern found in the Downtown and Uptown districts. The notable difference in the two is density or intensity of development – defined by FAR. The subject site is located in relatively close proximity to the northerly edge of the Mixed-use CBD area. This GPA requests the expansion of the higher density Mixed Use – CBD into this “transition area” between Downtown and Uptown. In doing so, the proposed development incorporates many of the important design considerations found in the Downtown Urban Design Guidelines of the General Plan into the design of this project.

<sup>3</sup> Building intensities for nonresidential uses are measured by Floor Area Ratio, or “FAR”. It is the ratio of total net floor area of a building to the total lot area.

The creation of mid-block pedestrian passageways, view corridors, a walkable scale, interesting public spaces provided with shade, artwork and a variety and mix of commercial, hotel and residential uses, as well as the use of different paving materials to separate pedestrian and vehicular areas, is encouraged in the Downtown Urban Design Guidelines and are features that are found in the proposed development. Thus staff believes the proposed project is consistent with this form of development and therefore is consistent with the proposed Mixed-use / Multi-use – CBD land use designation that is requested.

State of California Governmental Code Sections 65350 – 65362, outline the procedures and requirements for Cities and Counties to create and amend their General Plan. There are, however, no specific findings for a General Plan Amendment. The Planning Commission evaluated the requested GPA based upon the following:

- Compatibility of the proposed Mixed use – CBD land use designation with adjacent land uses and development patterns.
- Consistency of the proposed designation and development with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".
- Potential adverse impacts to existing or future development in the vicinity.

The Planning Commission made affirmative findings in review of the proposed project against these parameters and recommends approval of the GPA by the City Council. Evaluation of findings for the GPA are listed later in this staff report.

Evaluation of the project against the development standards for Planned Developments PSZC Section 94.03.00 (Planned Development District):

As noted above, the applicant is requesting approval of a PDD in order to:

1. function in lieu of a zone change pursuant to Zoning Code 94.07 (zone change) which would change the zone designation from C-1/R-3 to PDD 374,
2. seek approval for development of a high-rise building pursuant to Zoning Code 93.04 (high rise buildings), and
3. seek relief from the development standards of both the high-rise ordinance and the underlying zones in terms of lot coverage, open space, height, setbacks, off-street loading and parking.

There are a total of seven (7) findings that must be made affirmatively by both the Planning Commission and the City Council that are outlined later in this staff report in addition to establishment of appropriate development standards outlined below from Zoning Code Section 94.03 (Planned Development):



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*The planning commission and the city council shall establish a full range of development standards appropriate to the orderly development of the site which shall include the following:*

*1. Building heights shall conform to the requirements of the underlying zoning district. Structures which exceed permitted heights shall be subject to the requirements of Sections 93.03.00 (Building Height) and 93.04.00 (High Rise).*

The project is approximately 47 feet in height. High-rise buildings up to 60 feet are permitted in the zone subject to approval of a CUP or PDD. In this case, the applicant is requesting approval of a high-rise building that does not conform to the minimum development standards of the high-rise ordinance. The Council must make affirmative findings for the non-conforming aspects of the project, determining that the resultant project is *"in compliance with the general plan and (also) reflects good zoning practices while allowing certain desirable departures from the strict provisions of specific zone classifications.* With the approval of the PDD the project thus conforms to this standard.

*2. Parking and loading requirements shall be subject to the requirements of Sections 93.06.00 and 93.07.00, respectively. The planning commission and the city council may modify such requirements based upon the submittal of a specific parking plan.*

The project proposes sixty-two (62) off-street parking spaces; which is roughly 30% less than the minimum ninety three (93) spaces required for a mixed use development of this size. The applicant has submitted a parking study (RK Associates, Inc.; excerpt attached) which argues that the proposed 62 parking spaces with valet service, are adequate given that many of the restaurant, retail and bar patrons will also be hotel guests (this is based upon a concept known as "captive ratios for shared parking" as outlined in the Urban Land Institute's 2005 Shared Parking Report; the study assumes a 50% capture ratio). The City commissioned its own parking study via the CEQA process (Kunsman Engineering, excerpt attached). The City's consultant concluded that the assumptions of a "50% capture ratio" of shared parking made by the applicant are reasonable. Further discussion of capture ratios and parking in the Uptown district is discussed in the attached Exhibit "B".

As noted earlier, the site upon which the project is proposed has an existing parking lot. In the past, this lot was used to accommodate the required off-street parking for the adjacent 58-room Colony Palms Hotel and the 75 seat Purple Palm Restaurant<sup>4</sup>. According to the 2006 staff report for that project, the hotel and restaurant uses at the Colony Palms require 81 off street parking spaces, and sixty-five (65) spaces exist on that site. The deficiency was resolved with a reciprocal parking agreement for the 750 site to provide the additional off-street parking spaces that the Colony Palms / Purple

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<sup>4</sup> In 2006, the City approved a Conditional Use Permit for the hotel and restaurant use at Colony Palms (Case 5.1093 CUP).

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Palm needed to operate.

In 2012 the City agreed to allow the Colony Palms to cancel the reciprocal parking agreement tied to the 750 lot with the understanding that Colony Palms would provide "daily valet services until a new lease or appropriate arrangements for off-street parking is provided." The Colony Palms site has only bay parking on site and once those spaces are full, there is nowhere to stack valet-parked cars except in the abutting street spaces.

Since 2012, no other arrangements or leases with other lots in the vicinity have been made by the owners of the Colony Palms Hotel. Staff believes that since the 750 lot is no longer available for the Colony Palms Hotel, that when the Colony Palms Hotel and Purple Palms restaurant are both at maximum capacity that the valet service is likely parking cars in the surrounding public streets.

The Planning Commission concluded that the reduced quantity of off-street parking proposed is consistent with the general plan and reflected good zoning practice given the urban characteristics of the Uptown commercial district. Furthermore, they determined that this is a desirable departure from the strict provision of the zoning code to enable the development of more hotel rooms that will bring more foot traffic to the businesses and commercial uses in the vicinity. Cognizant however of parking concerns in the district, it imposed a condition of approval on this project requiring a "validated" valet parking service be provided for the project at all times. On May 5, 2015, the applicant submitted an exhibit which demonstrated at least 25 more cars could be accommodated in the drive aisles of the proposed parking lot by using valet service.

Zoning Code 93.07 requires off-street loading facilities, however none are proposed. The PDD is seeking relief from providing an off-street loading dock. The applicant asserts deliveries, loading and trash will be handled from the public street or the through-site drive aisle, during early morning hours, consistent with similar arrangements elsewhere in the downtown and Uptown areas. The Planning Commission again concluded that waiving the off-street loading dock requirement was a reasonable and desirable departure from the requirements of the zoning code.

*3. Front yard setbacks compatible with the existing or potential development adjacent and/or opposite from existing development shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to the proposed PD. Non-peripheral areas of the PD shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the planning commission.*

The existing development pattern along Palm Canyon and Indian Canyon are pedestrian-oriented with buildings set close to the front property lines. The proposed development is harmonious with this existing development pattern.

*4. Minimum lot frontage not less than that of existing lots adjacent and/or opposite from existing developments shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to a proposed PD. Non-peripheral areas of the PD shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the planning commission.*

The project is sited in a commercial district with lots of varying width. The project not only continues the streetscape in a harmonious manner along Palm Canyon, with a commercial use (restaurant) proposed on the Indian Canyon frontage, it works to invigorate and enliven that streetscape also.

*5. Open space for planned districts shall be equal to or greater than the minimum open space requirement for the zone in which the planned district is located, unless otherwise approved by the planning commission and city council. Recreational areas, drainage facilities and other man-made structures may be considered to meet a part of the open space requirements.*

Open space for the project, including balconies and usable roof top areas is approximately 43%. Minimum required open space for the R-3 zone is 45% and 60% for high-rise buildings. The Planning Commission concluded that the project strikes a balance between ample outdoor space at ground level for the retail/restaurant uses, as well as generous outdoor space in the form of terraces, pool deck areas, balconies and usable rooftop areas. Thus the Commission waived the strict adherence to the 60% open space requirement believing that it reflected good planning practice and was a desirable departure from the strict adherence to the zoning standards to assure a development reflective of the more dense, vibrant, and walkable nature of the Uptown district.

*a. Protection of natural landscape features such as watercourses, hillsides, sensitive land area, existing vegetation, wildlife, unique topographical features, and views shall be encouraged. Open spaces shall be integrated into the overall design of the project.*

The project is not located in an area of sensitive open space and this standard is not applicable in this case.

*b. Open space for commercial, industrial and mixed uses shall be determined by the development plan approved by the planning commission and city council.*

As noted above, many areas of open space, terraces, rooftop decks, balconies and ground level areas adjacent to the public sidewalk are provided. The Planning

Commission believes the amount of open space proposed is appropriate.

Evaluation of the project against PSZC 93.04.00 - High-rise Property Development Standards.

*High-Rise Ordinance development standards: "For the purpose of this section, a "high-rise building" is defined as a building or structure which exceeds thirty-five (35) feet in height or as otherwise permitted. In all cases, high-rise buildings shall be subject to approval of a conditional use permit or planned development district, pursuant to Section 94.02.00 or Section 94.03.00, and shall be considered in only those zones where specifically permitted, pursuant to the following standards:*

*A. Sixty (60) percent of a site area for high-rise building shall be developed as usable landscaped open space and outdoor living and recreation area and shall be so designated on the site plan. The remaining forty (40) percent of a site area may be used for buildings and parking. Required landscaping for surface parking areas shall not be included in the sixty (60) percent open space requirement. To insure that all required open space shall remain in perpetuity, the owner shall offer to dedicate development rights for all open space required by this Zoning Code.*

The project provides roughly 43% open space. This is a development standard for which the applicant is seeking relief via the PDD, which allows reasonable departures from the strict application of such standards to allow better project design. As noted above, the Planning Commission believes the project reflects good planning practice with the amount and type of open space proposed.

*B. 1. Maximum height of high-rise buildings shall be sixty (60) feet. An additional fifteen (15) feet maximum may be allowed for stairways, elevators and mechanical equipment on the roof; provided, the bulk of the building does not appear to be over sixty (60) feet.*

The project's maximum height is approximately 47 feet (50 feet at its highest point as measured from the lowest point on the site.) The site slopes downward from north to south, with a total elevation difference of roughly nine (9) feet. The average height of the proposed development is roughly 28 feet to the roof of the hotel units to average grade at the street and approximately 38 feet to the top of the fourth floor structures from the average grade at the street. The project conforms to this standard.

*C.1. A high-rise building shall have a minimum setback of three (3) feet of horizontal setback for each one (1) foot of vertical rise of the building. This setback requirement is to be measured from property lines except when a site in question abuts a street. Then it shall be measured from the right-of-way line on the opposite site of the abutting street. The city's general plan*

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*street plan shall be used to determine the right-of-way line, and in no case shall more than one hundred (100) feet of street right-of-way be used in determining a setback distance. The minimum setback for any structure, regardless of height, shall be as prescribed by the underlying zone.*

The project has setbacks that vary between zero and fifteen (15) feet and thus does not conform to the high-rise ordinance. The project is located in an urbanized area of the city in which continuity of the ground level street frontage is a desirable quality to encourage and promote an environment conducive to pedestrian shopping and strolling. The applicant will be seeking relief from this development standard via the PDD to maintain the pedestrian edge at street level and smaller setbacks at the side property lines, consistent with the development patterns in the vicinity. The Planning Commission concluded that the requested departure from the minimum setbacks of the high-rise ordinance were desirable to assure a development form that reinforced the pedestrian shopping experience that exists in Uptown in which buildings are sited in close proximity to the front property line, establishing a building edge conducive for pedestrian shopping.

*D. Proximity to Low-density Development.*

*When a high-rise building is adjacent to or across the street from an R-1 zone or properties in an area designated on the general plan for low-density residential development, such high-rise building shall have a minimum setback from the closest part of said R-1 zone or low-density residential designation of six (6) feet of horizontal distance for each one (1) foot of vertical rise of the building, as measured in subsection C of this section.*

The building is not adjacent to R-1 zoning, and thus this standard is not applicable. The project is, however, adjacent to existing one and two story structures. The scale of the proposed development is substantially different from many existing adjacent structures in terms of height, bulk, and scale, however the building achieves a certain degree of harmony with the existing structures in terms of its architecture, such as the Latham building next door and is open at the first floor level, giving generous views and space to the adjacent one-story building to the north, along Palm Canyon Drive.

*F. High-rise buildings shall be designed to insure that each structure fits into the resort character of the community and blends in with the natural surroundings.*

The proposed building strengthens the commercial/retail corridor of Palm Canyon Drive through the Uptown district. Furthermore, it encourages pedestrian movement and vitality along Indian Canyon by locating additional commercial (restaurant) uses along that frontage. The project makes use of a through-the-site drive aisle and drop off lane adjacent to the parking areas and hotel reception to minimize the interruption in the pedestrian movement along the street. Its many decks and terraces encourage outdoor activity that is in keeping with the resort character of the city. The applicant has also

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proposed a mid-block east-west pedestrian crosswalk across Indian Canyon Drive which could promote pedestrian connectivity between the Uptown commercial district and the residential areas east of the site and an Art Walk along Indian Canyon, further encouraging pedestrian movement along this thoroughfare.

*G. The city council may alter the provisions of this section upon finding that the intent of this section is met.*

The Planning Commission concluded that the intent of the high-rise ordinance – to ensure physical development that is harmonious and not detrimental with existing adjacent structures has been met in the proposed project and that the departures and relief sought from the development standards of the high-rise ordinance and the underlying zone via the PDD are reasonable and desirable.

Evaluation of the project against the guidelines of Zoning Code Section 94.04 "Architectural Review".

The Planning Commission and the Architectural Advisory Committee reviewed the subject project against the architectural review guidelines of Zoning Code Section 94.04. The Planning Commission's evaluation of the project against these guidelines is provided in Exhibit "C" attached to this staff report.

Evaluation of the project against the Conceptual Design Guidelines for New Commercial Construction in the Las Palmas Business Historic District (LPBHD).

The project is subject to review against the Las Palmas Business Historic District's Conceptual Design Guidelines for New Construction. The City's Historic Site Preservation Board reviewed the project twice as summarized in the staff report. The staff analysis of the project against the LPBHD Guidelines is provided in the attached "Exhibit "D".

Upon review of the Major Architectural application, the board concluded that although the project was generally consistent with the historic district guidelines, concerns about its height and parking caused the HSPB to impose conditions on its approval including a lower overall building height, a lower building height along Palm Canyon Drive and restrictions that additional shade structures, shade umbrellas or other devices be prohibited from use on the roof deck. The applicant appealed the HSPB's action and the City Council in considering the appeal, removed all conditions except review of the parking study by the City Engineer.

Evaluation of the project against the Conditional Use Permit findings.

The Conditional Use Permit was reviewed by the Planning Commission which made

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affirmative findings with respect to Zoning Code Section 94.02 and approved the CUP. These findings are outlined in the Planning Commission staff report and resolution (attached).

Discussion of Public Benefit:

Pursuant the City Council 2008 policy on Public Benefit on Planned Developments, the applicant is to propose some form of public benefit *"proportional to the nature, type and extent of the flexibility granted from the standards and provisions of the Palm Springs Zoning Code"* and may only be considered a public benefit *"when it exceeds the level of improvement needed to mitigate a project's environmental impacts or comply with dedication or exactions which are imposed on all projects such as Quimby Act, public art fees utility undergrounding, etc."*

The applicant is seeking the following relief via the Planned Development District:

- Reduced setbacks including high-rise ordinance standards.
- Increased height (via the high-rise ordinance)
- Roughly 30% less off-street parking that the minimum required by the Zoning Code.
- No provision for off-street loading.
- Less usable open space than required by the high-rise ordinance.

The applicant has proposed the following Public Benefits:

- Transient Occupancy Tax (TOT) on the 46 hotel rooms.
- A proposed median island and crosswalk connection to the hotels and residential area to the east of the project site (subject to approval by Public Works).
- A public "Art Walk" along the project's Indian Canyon Drive frontage.
- Outdoor Dining on Indian Canyon Drive which will help invigorate this street with pedestrian activity.
- Thru-the-site publicly accessible walkway from Indian Canyon Drive to Palm Canyon Drive, again, which encourages pedestrian linkages between commercial and residential areas.
- Business generator of new retail, restaurant and 46 hotel units in the Uptown district.

The Planning Commission felt the public benefit proposed was not proportionate to the degree of relief being sought via the PDD and imposed the following condition of approval specifically dealing with Public Benefits:

- Installation of photovoltaic panels on the roof areas where shown on the exhibits provided by the applicant.

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**FINDINGS:**

The City Council must evaluate the project against the findings for the Planned Development District in lieu of Change of Zone pursuant to PSZC 94.03 (Planned Development) and 93.07 (Zone Change), and make findings of consistency for the General Plan Amendment.

**Planned Development in lieu of Change of Zone Findings (PSZC 94.07):**

*The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:*

- 1. The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed project is located in the Neighborhood Community Commercial (NCC) (FAR 0.35) land use designation of the General Plan. The project is not consistent with this land use designation in terms of proposed density (FAR) and thus a General Plan Amendment (GPA) is included proposing to amend the land use designation to Mixed-use / Multi-use – CBD (FAR 1.0). With approval of this GPA, the project density which is roughly 0.82 can be found consistent.

The General Plan notes that the Mixed-use / Multi-use designation "...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."

The Planning Commission found that the proposed project is success at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive.

- 2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed project is located in the C-1/R-3/PD 104 zones with the Resort Combining Overlay. The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include: a Hotel in which all the rooms have kitchen/cooking



facilities, a Spa (subject to the business regulations of PSMC 5.34 (Massage Establishments), a roof top cocktail lounge/bar, general retail uses, and restaurant uses with outdoor dining (outdoor dining subject to approval of a Land Use Permit). The Planning Commission approved the project and recommends approval by the City Council permitting all other uses associated with the C-1 zone as defined in Zoning Code Section 92.12.01 (Permitted Uses) and 92.12.02 (Prohibited Uses) be incorporated in the uses for the subject PDD.

The project provides vehicular access from Indian Canyon Drive and Palm Canyon Drive, both major thoroughfares on the City's General Plan Circulation Plan. The project proposes a mix of hotel and commercial uses that are harmonious with adjacent uses in the vicinity. Thus the project conforms to this finding.

*3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed PDD in lieu of zone change has been evaluated against the development standards for the underlying zones, the Resort Combining Zone, architectural review and the Las Palmas Business Historic District Conceptual Design Guidelines. Although the applicant is seeking relief from several important development standards, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Palm Canyon and introduces commercial uses along Indian Canyon which is desirable. The project height is slightly higher than adjacent development however maximum building height is proposed in the center of the site and therefore is not detrimental to adjacent properties. The project conforms to this finding.

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A".

Conditional Use Permit / Planned Development District Findings (PSZC 94.02/PSZC 94.03):

In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for Spa and Cocktail Lounge / Bar uses, as well as hotel uses in which more than 10% of the rooms contain kitchens. These findings were affirmatively made by the Planning Commission. The findings below are made in evaluation of the request for deviations in the development standards for high-rise buildings and the underlying zone.

As noted earlier, the Planning Commission made affirmative findings to approve the high-rise building associated with this project, however the proposed high-rise does not conform to several of the minimum standards of the high-rise ordinance or the underlying C-1 / R-3 zones. Pursuant to Zoning Code Section 94.03 (Planned Development), applications that seek deviations or relief from the minimum standards of the zoning code require approval by both the Planning Commission and the City Council. Thus, the City Council is evaluating the PDD application both against the findings of PSZC Section 93.07 (Zone Change) from C-1 / R-3 to PDD 374 and PSZC

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Section 94.03 (Planned Development) seeking relief from the development standards of the high-rise ordinance and zoning standards as follows:

*PSZC 94.03.E.3. Planned Development District (PD).*

*Preliminary Development Plan—Approval by the Planning Commission and City Council.*

*Approval by the planning commission and city council of the preliminary development plan in accordance with the procedures required by Section 94.02.00 shall constitute approval of a preliminary planned development district.*

*The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:*

*a. 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;*

The proposed hotel use is permitted in the underlying C-1 / R-3 zones. High-rise buildings are permitted in the C-1 zone subject to the standards of Zoning Code 93.04 (high-rise buildings) and the findings of 94.02 (Conditional Use Permit). The applicant is seeking relief from the following high-rise development standards:

- Usable open space: Proposed at 43% which is less than the minimum 60% required.
- Setbacks: Proposed at zero on sides, five feet on average from Palm Canyon, fifteen feet minimum from Indian Canyon; the required side yard setback is 3 feet for every 1 foot of vertical rise; thus a 47 foot tall building would require roughly 141 feet of setback. Street side setbacks are measured from the right-of-way (ROW) line on the opposite side of the street. In this case, the Indian Canyon and Palm Canyon Drive ROW's are 100 feet; the Palm Canyon setback does not conform and the Indian Canyon frontage does conform.

The applicant is seeking deviation from the underlying C-1 / R-3 zones in terms of

- Height: C-1 / R-3 maximum height is 30 feet;
- Setbacks: R-3 requires 30 feet front, side and rear yard setbacks are 1:1 for buildings taller than 12 feet,
- Setbacks: C-1 5 feet average front, 50% must be landscaped.

The applicant is seeking deviation from the minimum parking standards of PSZC 93.06 and off-street loading pursuant to PSZC 93.07 as previously noted.

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The hotel use is permitted in the C-1 and R-3 zones subject to a CUP. The proposed hotel use conforms to this requirement with the approval of the PDD/CUP.

*b. 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;*

Development of the subject site with hotel and commercial uses is desirable as a means of strengthening the tourist commercial resort nature of this part of the City. With approval of the GPA, the project is consistent with the General Plan Mixed Use / Multi Use – CBD land use designation in terms of density and with policies of the General Plan that encourage infill development, pedestrian walkability between commercial and residential zones and a mix of tourist / resort uses. The project therefore conforms to this finding.

*c. 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 roughly 1.13-acre site is proposed with 46 hotel units comprised of 38 standard hotel rooms and 8 "loft style" units. With the approval of the PDD in lieu of a change of zone, the City would be establishing the PDD as a separate zone with its own unique development standards and the project would be deemed in conformance with this finding. As noted above, the applicant is seeking relief from the height, setbacks, parking, loading and open space standards. The setbacks proposed are consistent with existing development patterns in the vicinity, the open space proposed is less than the minimum required by the zone and high rise ordinance however ample usable outdoor space is proposed at the ground level, upper floor balconies and terraces, and at the rooftop pool deck. The high-rise proposed has many forms of usable outdoor space and a significant amount given the urban nature of the location in which it is proposed. The Planning Commission found that although less than required by the high-rise code, the amount of usable open space is acceptable and recommends the Council approve the project as proposed.

*d. 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 project proposes to take vehicular access off both North Palm Canyon Drive and North Indian Canyon Drive both of which are major thoroughfares on the City's General Plan Circulation Plan. Although the project proposes less off-street parking than is minimally required per the zoning code, the parking study substantiates a certain amount of "joint use" by hotel guests at the restaurant, retail and bar uses and thus the amount of parking proposed, along with requiring a valet parking arrangement is

appropriate for handling the type and quantity of traffic and parking generated by the proposed use and thus the project conforms to this finding. The valet-parked cars can be accommodated in the drive aisles of the proposed parking lot without causing adverse impact of cars being parked in the nearby residential streets. The Planning Commission imposed a condition that the applicant demonstrate the number of cars that could be parked on site using valet service. The diagram provided by the applicant dated March 5, 2015 demonstrates at least 25 additional cars can be parked using valet services, bringing the total off-street parking capacity to 88 which staff believes reasonably accommodates the parking demand of the individual uses given the capture ratios identified in the parking studies. The project conforms to this finding.

*e. 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 proposed and attached to this staff report as Exhibit "A".

*Findings for the General Plan Amendment (State Governmental Code 65350 - 65362)*

State of California Governmental Code Sections 65350 – 65362, outline the procedures and requirements for Cities and Counties to create and amend their General Plan. There are, however, no specific findings for a General Plan Amendment (GPA). Staff reviewed the proposed GPA identified the following aspects of compatibility for the Planning Commission and City Council to use in considering the GPA request:

- Compatibility of the proposed Mixed use – CBD land use designation with adjacent land uses and development patterns.
- Consistency of the proposed designation and development with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".
- Potential adverse impacts to existing or future development in the vicinity.

*Findings of Compatibility of the proposed Mixed use - CBD land use designation with existing adjacent land uses and development patterns.*

The Mixed-use - CBD land use designation and NCC both envision a wide variety of pedestrian-oriented commercial, residential and hotel uses that serve both tourists and the surrounding residential areas. Both land use designations encourage and accommodate the existing small scale, older, single-lot development pattern found in the Downtown and Uptown districts. The pattern of existing development in both the NCC – Uptown area and the CBD – downtown is similar: with smaller scale commercial uses that support both the adjacent residential neighborhoods as well as tourists with restaurants, specialty stores, gift shops, bookstores and retail stores specializing in art and home design, furnishings and accessories. Thus the proposed GPA is compatible

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with the surrounding land uses and development patterns. The notable difference in the two is density or intensity of development – defined by FAR (Floor Area Ratio). The subject site is located in relatively close proximity to the northerly edge of the Mixed-use CBD area. This GPA requests the expansion of the higher density Mixed Use – CBD into this "transition area" between Downtown and Uptown. The Planning Commission found that the increased density proposed in the subject development is harmonious with the transitional nature and development patterns in this area and is desirable to further strengthen the pedestrian-oriented vitality of this commercial area.

Findings of consistency of the proposed designation with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".

The Downtown Urban Design Guidelines encourage the integration of design parameters that are pedestrian-friendly, conducive to small lot and small block development patterns, emphasis on preservation of views and promoting an area of vibrant activity at the street level.

The project proposes creation of mid-block pedestrian passageways, view corridors, a walkable scale, interesting public spaces provided with shade, artwork and a variety and mix of commercial, hotel and residential uses. The design makes use of different paving materials to separate pedestrian and vehicular areas. These characteristics that are encouraged in the Downtown Urban Design Guidelines are features that are found in the proposed development. The Planning Commission found that the project is consistent with this statement.

*Finding that there are no potential adverse impacts to existing or future development in the area.*

The proposed General Plan Amendment would allow a significant increase in density, however it is in a transitional area between the higher intensity area of downtown Palm Spring and the moderate density character of Uptown. The project design includes ground floor retail and by locating of the building and outdoor dining in close proximity to the street edge, it continues and expands the walkable nature of existing development this area of the City. The Downtown Urban Design Guidelines envision characteristics that are found in both Uptown and Downtown which include interesting architectural and visual design features, building placement close to the front property line, use of decorative paving patterns that distinguish vehicular travelways from pedestrian routes, shade and other pedestrian amenities. Thus proposed development is consistent with the overall vision of the General Plan for both Uptown and Downtown: to retain their pedestrian scale, small-lot development patterns, mid-block crosswalks, emphasis on viewsheds and enhancements that encourage pedestrian-oriented commercial vitality and connectivity with adjacent residential areas. The Planning Commission found that the proposed GPA is consistent with this finding.

The General Plan notes that the Mixed-use / Multi-use designation  
"*...should promote civic activity, define neighborhood character, and*

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*provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."*

The Planning Commission found that the proposed project is successful at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive.

In summary, the Planning Commission found the proposed GPA to be consistent with these findings and has recommended approval of the GPA by the City Council.

### ENVIRONMENTAL ANALYSIS:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, traffic, land use compatibility and hydrology. Potential Significant Adverse Impacts were identified along with Mitigation Measure that would reduce the potential adverse impacts to less than significant levels.

Potentially significant impacts include the existence of possible asbestos containing materials, mold, and traffic impacts. Mitigation measures are noted as follows:

*MM VII-1: Any suspected Asbestos Containing Materials (ACM) should be sampled prior to the initiation of any demolition activities on the project site. Identified ACMs must be abated by a licensed abatement contractor, and disposed of in conformance to all state and local requirements.*

*MM VII-2: Any mold identified on the project site shall be abated in a manner that conforms to all state and local requirements.*

*MM XV-1 The proposed project shall pay a fair share contribution for the recommended off-site intersection improvements, including signalization of Tamarisk Road and Palm Canyon Drive, and the addition of left turn lanes to southbound and westbound travel lanes at this intersection.*

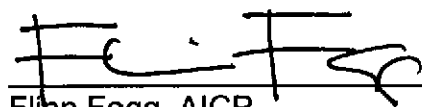
The analysis was available for public comment for a 20-day period from February 6, 2015 through February 25, 2015. Public comment letters were received which are attached to this staff report. Through the public comment period, no new information was found that would require recirculation or further analysis of the project's impacts under CEQA. A Mitigated Negative Declaration is proposed. The owner has agreed in writing to implement all of the required mitigation measures identified.

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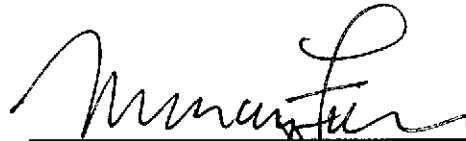
NOTIFICATION

A public hearing notice was mailed to all property owners and occupants within 500 feet of the site and published in the local paper. Furthermore, pursuant to State Bill SB 18 Invitation for Native American Consultation was given on September 30, 2014 and concluded on December 30, 2014 regarding the General Plan Amendment. No requests for Tribal Consultation were received. Public correspondence received is attached to this staff report.

Approved by:



Flinn Fagg, AICP  
Director of Planning Services



Marcus L. Fuller, MPA, P.E., P.L.S.  
Assistant City Manager/City Engineer



David H. Ready, Esq., Ph.D.  
City Manager

Attachments:

1. Vicinity Map
2. Draft City Council Resolution
3. Draft Ordinance
4. Exhibit "A" - Draft Conditions of Approval
5. Exhibit "B" - Parking in Uptown Discussion
6. Exhibit "C" - Summary of Architectural Review pursuant to PSZC 94.04.
7. Exhibit "D" - Summary of the Las Palmas Business Historic District Conceptual Design Guidelines.
8. Draft Mitigated Negative Declaration
9. Public Comment Letters
10. Planning Commission staff report dated February 25, 2015, with meeting minute excerpts and Planning Commission resolution
11. Minute Excerpts of the AAC meetings and HSPB meetings.
12. Applicant Justification Letter
13. Excerpt of Applicant's Parking Study and Excerpt of City's Parking Study evaluation.
14. Existing Site Photographs
15. Preliminary Architectural Plans, Sections, Elevations, Colors, Landscape Plan, Perspective Images.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION PURSUANT THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), APPROVING A GENERAL PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC) TO MIXED-USE / MULTI-USE – CBD AS DEFINED IN THE 2007 GENERAL PLAN (ADOPTED BY CITY COUNCIL RESOLUTION #22077), AND APPROVING A PRELIMINARY PLANNED DEVELOPMENT SEEKING RELIEF FROM THE DEVELOPMENT STANDARDS OF THE HIGH-RISE ORDINANCE AND OTHER ZONING STANDARDS FOR A FOUR-STORY, MIXED USE HOTEL COMPRISED OF 46 HOTEL UNITS, RETAIL AND RESTAURANT SPACE, A SPA, A ROOF TOP POOL AND BAR (COCKTAIL LOUNGE), 62 OFF-STREET PARKING SPACES AND LANDSCAPING ON A ROUGHLY 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (APN 505-303-018), SUBJECT TO CONDITIONS OF APPROVAL. (CASE 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ)

WHEREAS, 750 Lofts, LLC (“applicant”) submitted applications pursuant to the State of California Governmental Code 65350 – 65362 pertaining to the procedures for jurisdictions to amend their General Plan, seeking approval of a General Plan Amendment from Neighborhood Community Commercial (NCC) to Mixed Use – CBD and pursuant to zoning code 94.03 (Planned Development) for development of four-story, forty-six (46) unit hotel with accessory uses, off-street parking and open space on a roughly 1.13 acre site located at 750 North Palm Canyon Drive (Case 5.1350 PDD 374 / GPA / CUP, and Case 3.3795 MAJ; APN 505-303-018, Zone C-1 / R-3 / PD 104 / Resort Combining Zone / the Las Palmas Business Historic District (HD-1); and

WHEREAS, on October 6, 2014 Case 5.1350 PDD 374 (the PDD / GPA / CUP) was reviewed by the City’s Architectural Advisory Committee (AAC), which voted 6-0 to recommend approval of the project by the Historic Site Preservation Board and the Planning Commission subject to conditions; and

WHEREAS, on October 12, 2014, Case 5.1350 PDD 374 (the PDD / GPA / CUP) was reviewed by the City’s Historic Site Preservation Board (HSPB) for the project’s conformance with the Conceptual Design Guidelines for New Construction within the Las Palmas Business Historic District (LPBHD) and voted 5-1 (Ploss opposed) to approve the project subject to conditions, and

WHEREAS, on December 22, 2014, the AAC reviewed Case 3.3795 MAJ, the major architectural application associated with the subject project and voted 7-0 to



recommend approval of the architecture and site plan by the Planning Commission;  
and

WHEREAS, on January 13, 2015, the HSPB reviewed Case 3.3795 MAJ and voted 6-1 (Johns opposed) to approve the project subject to conditions, and

WHEREAS, on January 22, 2015, the applicant filed an appeal of the action of the HSPB requesting removal of Condition 1 related to total building height and Condition 2 related to building height adjacent to the public street, and

WHEREAS, on February 4, 2015, the City Council considered the applicant's appeal of the HSPB action and voted 4-0 (Foat abstained) to uphold the appeal and remove HSPB Condition 1 (total building height), Condition 2 (building height adjacent the public street) and Condition 3 related to restricting the use of shade umbrellas and prohibiting additional rooftop structures beyond those illustrated in the project at the fourth floor / rooftop deck area, and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs to consider the proposed project was given in accordance with applicable law, and

WHEREAS, on February 25, 2015 a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, at said hearing, 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 7-0 to adopt the Mitigated Negative Declaration as an adequate evaluation of the potential environmental impacts of the proposed project, to approve the preliminary Planned Development in lieu of a change of zone, to approve the Conditional Use Permit, to approve the Major Architectural application and to recommend approval by the City Council of the PDD in lieu of a change of zone and the General Plan Amendment, subject to conditions of approval, and

WHEREAS, a notice of public hearing of the City Council of the City of Palm Springs California was given in accordance with applicable law, and

WHEREAS, on March 18, 2015, a public hearing of the City Council of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed development has been determined to be a project subject to environmental analysis under guidelines of CEQA.

THE CITY COUNCIL HEREBY FINDS AS FOLLOWS:

Section 1: CEQA.

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis considered all required CEQA issues, including but not limited to air quality, scenic views, traffic, land use compatibility, historic resources and hydrology.

Potentially significant impacts were determined to include the existence of possible asbestos containing materials, mold, and traffic impacts. The Planning Commission has determined that the Mitigation measures that follow will reduce the potentially significant impacts to a less than significant level:

*MM VII-1: Any suspected Asbestos Containing Materials (ACM) should be sampled prior to the initiation of any demolition activities on the project site. Identified ACMs must be abated by a licensed abatement contractor, and disposed of in conformance to all state and local requirements.*

*MM VII-2: Any mold identified on the project site shall be abated in a manner that conforms to all state and local requirements.*

*MM XV-1 The proposed project shall pay a fair share contribution for the recommended off-site intersection improvements, including signalization of Tamarisk Road and Palm Canyon Drive, and the addition of left turn lanes to southbound and westbound travel lanes at this intersection.*

The CEQA analysis including a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) was made available for public comment during a 20-day period which began on February 6, 2015 and ended February 25, 2015. Public comment letters were received which are attached to this staff report. Through the public comment period, no new information was found that would require recirculation or further analysis of the project's impacts under CEQA.

The City Council independently reviewed and considered the information contained in the draft MND and NOI prior to its review of the proposed project, and the draft MND reflects the City's independent judgment and analysis. The City Council finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the City Council hereby adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

Section 2: Findings for the General Plan Amendment (State Governmental Code 65350 - 65362)

State of California Governmental Code Sections 65350 – 65362, outline the procedures and requirements for Cities and Counties to create and amend their General Plan. There are, however, no specific findings for a General Plan Amendment. The City Council has evaluated the requested GPA based upon the following:

- Compatibility of the proposed Mixed use – CBD land use designation with adjacent land uses and development patterns.
- Consistency of the proposed designation and development with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".
- Potential adverse impacts to existing or future development in the vicinity.

*Findings of Compatibility of the proposed Mixed use - CBD land use designation with existing adjacent land uses and development patterns.*

The Mixed-use - CBD land use designation and NCC both envision a wide variety of pedestrian-oriented commercial, residential and hotel uses that serve both tourists and the surrounding residential areas. Both land use designations encourage and accommodate the existing small scale, older, single-lot development pattern found in the Downtown and Uptown districts. The pattern of existing development in both the NCC – Uptown area and the CBD – downtown is similar: with smaller scale commercial uses that support both the adjacent residential neighborhoods as well as tourists with restaurants, specialty stores, gift shops, bookstores and retail stores specializing in art and home design, furnishings and accessories. Thus the proposed GPA is compatible with the surrounding land uses and development patterns. The notable difference in the two is density or intensity of development – defined by FAR (Floor Area Ratio). The subject site is located in relatively close proximity to the northerly edge of the Mixed-use CBD area. This GPA requests the expansion of the higher density Mixed Use – CBD into this "transition area" between Downtown and Uptown. The City Council finds the increased density proposed in the subject development is harmonious with the transitional nature and development patterns in this area and is desirable to further strengthen the pedestrian-oriented vitality of this commercial area.

*Findings of consistency of the proposed designation with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".*

The Downtown Urban Design Guidelines encourage the integration of design parameters that are pedestrian-friendly, conducive to small lot and small block development patterns, emphasis on preservation of views and promoting an area of vibrant activity at the street level.

The project proposes creation of mid-block pedestrian passageways, view corridors, a

walkable scale, interesting public spaces provided with shade, artwork and a variety and mix of commercial, hotel and residential uses. The design makes use of different paving materials to separate pedestrian and vehicular areas. These characteristics that are encouraged in the Downtown Urban Design Guidelines are features that are found in the proposed development. Thus the City Council finds that the project is consistent with this finding.

*Finding that there are no potential adverse impacts to existing or future development in the area.*

The proposed General Plan Amendment would allow a significant increase in density, however it is in a transitional area between the higher intensity area of downtown Palm Spring and the moderate density character of Uptown. The project design includes ground floor retail and by locating of the building and outdoor dining in close proximity to the street edge, it continues and expands the walkable nature of existing development this area of the City. The Downtown Urban Design Guidelines envision characteristics that are found in both Uptown and Downtown which include interesting architectural and visual design features, building placement close to the front property line, use of decorative paving patterns that distinguish vehicular travelways from pedestrian routes, shade and other pedestrian amenities. Thus proposed development is consistent with the overall vision of the General Plan for both Uptown and Downtown: to retain their pedestrian scale, small-lot development patterns, mid-block crosswalks, emphasis on viewsheds and enhancements that encourage pedestrian-oriented commercial vitality and connectivity with adjacent residential areas. Thus, the City Council finds that the proposed GPA is consistent with this finding.

The General Plan notes that the Mixed-use / Multi-use designation

*"...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."*

The City Council finds that the proposed project is successful at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive.

Section 3: Findings in support of the Planned Development District seeking relief from certain development standards of the zoning code.

*Approval by the planning commission and city council of the preliminary development plan in accordance with the procedures required by Section 94.02.00 shall constitute approval of a preliminary planned development district.*

*The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:*

*a. 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;*

The proposed hotel use is permitted in the underlying C-1 / R-3 zones. High-rise buildings are permitted in the C-1 zone subject to the standards of Zoning Code 93.04 (high-rise buildings) and the findings of 94.02 (Conditional Use Permit). The applicant is seeking relief from the following high-rise development standards:

- Usable open space: Proposed at 43% which is less than the minimum 60% required.
- Setbacks: Proposed at zero on sides, five feet on average from Palm Canyon, fifteen feet minimum from Indian Canyon; the required side yard setback is 3 feet for every 1 foot of vertical rise; thus a 47 foot tall building would require roughly 141 feet of setback. Street side setbacks are measured from the right-of-way (ROW) line on the opposite side of the street. In this case, the Indian Canyon and Palm Canyon Drive ROW's are 100 feet; the Palm Canyon setback does not conform and the Indian Canyon frontage does conform.

The applicant is seeking deviation from the underlying C-1 / R-3 zones in terms of

- Height: C-1 / R-3 maximum height is 30 feet;
- Setbacks: R-3 requires 30 feet front, side and rear yard setbacks are 1:1 for buildings taller than 12 feet,
- Setbacks: C-1 5 feet average front, 50% must be landscaped.

The applicant is seeking deviation from the minimum parking standards of PSZC 93.06 and off-street loading pursuant to PSZC 93.07 as previously noted.

The hotel use is permitted in the C-1 and R-3 zones subject to a CUP. The proposed hotel use conforms to this requirement with the approval of the PDD/CUP.

*b. 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;*

Development of the subject site with hotel and commercial uses is desirable as a means of strengthening the tourist commercial resort nature of this part of the City. With approval of the GPA, the project is consistent with the General Plan Mixed Use /

Multi Use – CBD land use designation in terms of density and with policies of the General Plan that encourage infill development, pedestrian walkability between commercial and residential zones and a mix of tourist / resort uses. The project therefore conforms to this finding.

*c. 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 roughly 1.13-acre site is proposed with 46 hotel units comprised of 38 standard hotel rooms and 8 "loft style" units. With the approval of the PDD in lieu of a change of zone, the City would be establishing the PDD as a separate zone with its own unique development standards and the project would be deemed in conformance with this finding. As noted above, the applicant is seeking relief from the height, setbacks, parking, loading and open space standards. The setbacks proposed are consistent with existing development patterns in the vicinity, the open space proposed is less than the minimum required by the zone and high rise ordinance however ample usable outdoor space is proposed at the ground level, upper floor balconies and terraces, and at the rooftop pool deck. The high-rise proposed has many forms of usable outdoor space and a significant amount given the urban nature of the location in which it is proposed. The Planning Commission found that although less than required by the high-rise code, the amount of usable open space is acceptable and recommends the Council approve the project as proposed.

*d. 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 project proposes to take vehicular access off both North Palm Canyon Drive and North Indian Canyon Drive both of which are major thoroughfares on the City's General Plan Circulation Plan. Although the project proposes less off-street parking than is minimally required per the zoning code, the parking study substantiates a certain amount of "joint use" by hotel guests at the restaurant, retail and bar uses and thus the amount of parking proposed, along with requiring a valet parking arrangement is appropriate for handling the type and quantity of traffic and parking generated by the proposed use and thus the project conforms to this finding. The valet-parked cars can be accommodated in the drive aisles of the proposed parking lot without causing adverse impact of cars being parked in the nearby residential streets. The Planning Commission imposed a condition that the applicant demonstrate the number of cars that could be parked on site using valet service. The diagram provided by the applicant date stamped March 5, 2015 demonstrates at least 25 additional cars can be parked using valet services, bringing the total off-street parking capacity to 88 which staff believes reasonably accommodates the parking demand of the individual uses given the capture ratios identified in the parking studies. The project conforms to this finding.

*e. 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 proposed and attached to this staff report as Exhibit "A".

NOW THEREFORE, BE IT RESOLVED THAT based upon the foregoing, the City Council hereby approves Case 5.1350 GPA; a General Plan Amendment changing the land use designation for the subject 1.13-acre site located at 750 North Palm Canyon Drive from Neighborhood Community Commercial (NCC, FAR 0.35) to Mixed use – CBD (FAR 1.0) and imposing the Downtown Urban Design Guidelines on the current and future development of the site, consistent with the Mixed-use - CBD land use designation as described in the 2007 Palm Springs General Plan, as adopted by City Council Resolution No. 22077, subject to the Conditions of Approval set forth in Exhibit "A".

ADOPTED THIS EIGHTEENTH DAY OF MARCH, 2015.

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

ATTEST:

\_\_\_\_\_  
James Thompson, 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, hereby certify that Resolution No. \_\_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on January 7, 2015 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

James Thompson, City Clerk  
City of Palm Springs, California



**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE FOR DEVELOPMENT OF A FOUR-STORY MIXED USE HOTEL WITH 46 HOTEL UNITS AND ACCESSORY USES ON A ROUGHLY 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE [CASE 5.1350 PDD 374]**

***City Attorney's Summary***

*This Ordinance approves a preliminary planned development district in lieu of a zone change to accommodate the development of a four-story mixed use hotel with accessory uses on a roughly 1.13-acre parcel located at 750 North Palm Canyon Drive.*

**THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:**

A. 750 Lofts, LLC, "Owner", submitted applications pursuant to Palm Springs Zoning Code Section 94.03 & 93.07 (Planned Development, Zone Change) Section 94.04 (Architectural Review), Section 94.02 & 92.25.00 (Conditional Use Permit / Resort Combining Zone) and State of California Governmental Code Sections (65350 - 65362) (General Plan Amendment) seeking approval of a Planned Development District in lieu of a Change of Zone, a General Plan Amendment, a Major Architectural Application and a Conditional Use Permit via the PDD for development of a four-story, forty-six (46) unit hotel with accessory uses on a roughly 1.13 acre site located at 750 North Palm Canyon Drive (Case 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ) (APN 505-303-018).

B. On October 6, 2014, the preliminary Planned Development in lieu of a change of zone was reviewed by the City's Architectural Advisory Committee (AAC), which voted 7-0 to recommend approval of the project by the Historic Site Preservation Board and the Planning Commission.

C. On October 12, 2014, the preliminary Planned Development was reviewed by the Historic Site Preservation Board, (HSPB) which voted 5-1 (Ploss opposed) to approve the preliminary PDD / GPA / CUP with conditions and recommended approval by the Planning Commission.

D. On December 22, 2014, the Major Architectural application was reviewed by the AAC which voted 7-0 to recommend approval by the HSPB and the Planning Commission.

E. On January 13, 2015, the Major Architectural application was reviewed by the HSPB which voted 6-1 (Johns opposed) to approve the project subject to conditions (1) limiting height along Palm Canyon Drive, (2) limiting overall height, (3) prohibited any additional shade structures or other devices on the rooftop deck and (4) required the parking study to be reviewed for acceptability by the City Engineer.

F. On January 22, 2015, the applicant filed an appeal of the action of the HSPB requesting removal of the conditions regarding height.

G. On February 4, 2015, the City Council considered the applicant / appellant's appeal and voted 4-0 (Foat abstained) to uphold the appeal and removed HSPB conditions 1, 2, and 3.

H. A notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider Case 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ was given in accordance with applicable law and on February 25, 2015 a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law. At said hearing, 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 7-0 to adopt a mitigated negative declaration under the guidelines of the California Environmental Quality Act (CEQA), to approve the preliminary Planned Development in lieu of a zone change, to approve the CUP, to approve the Major Architectural application and to recommend approval by the City Council of the General Plan Amendment and the preliminary Planned Development District in lieu of a change of zone, subject to conditions of approval.

I. A notice of public hearing of the City Council of the City of Palm Springs, California to consider Case 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ was given in accordance with applicable law and on March 18, 2015, the City Council held a public hearing in accordance with applicable law.

G. A Planned Development District in lieu of a Change of Zone is required to be adopted by ordinance as provided in the City's Municipal Code and the proposed project is proposed to be adopted by Ordinance.

H. The City Council has carefully reviewed and considered all of the evidence presented in connection with the meetings on the project, including but not limited to the staff report, the Mitigated Negative Declaration, and all written and oral testimony presented and finds that the Project complies with the requirements of Section 94.07.00 of the City's Zoning Code. The City Council makes the following specific findings based on specific evidence as described after each finding:

*1. The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed project is located in the Neighborhood Community Commercial (NCC) (FAR 0.35) land use designation of the General Plan. The project is not consistent with this land use designation in terms of proposed density (FAR) and thus a General Plan Amendment (GPA) is included proposing to amend the land use designation to Mixed-use / Multi-use – CBD (FAR 1.0). With approval of this GPA, the project density which is roughly 0.82 can be found consistent.

The General Plan notes that the Mixed-use / Multi-use designation "...*should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses.*"

The City Council finds that the proposed project is successful at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive and thus the project conforms to this finding.

*2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed project is located in the C-1/R-3/PD 104 zones with the Resort Combining Overlay. The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include: a Hotel in which all the rooms have kitchen/cooking facilities, a Spa (subject to the business regulations of PSMC 5.34 (Massage Establishments), a roof top cocktail lounge/bar, general retail uses, and restaurant uses with outdoor dining (outdoor dining subject to approval of a Land Use Permit). The City Council finds that the project site is suitable for the uses proposed and also all other uses associated with the C-1 zone as defined in Zoning Code Section 92.12.01 (Permitted Uses) and 92.12.02 (Prohibited Uses) be incorporated in the uses for the subject PDD.

The project provides vehicular access from Indian Canyon Drive and Palm

Canyon Drive, both major thoroughfares on the City's General Plan Circulation Plan. The project proposes a mix of hotel and commercial uses that are harmonious with adjacent uses in the vicinity. Thus the project conforms to this finding.

*3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed PDD in lieu of zone change has been evaluated against the development standards for the underlying zones, the Resort Combining Zone, architectural review and the Las Palmas Business Historic District Conceptual Design Guidelines. Although the applicant is seeking relief from several important development standards, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Palm Canyon and introduces commercial uses along Indian Canyon which is desirable. The project height is slightly higher than adjacent development however maximum building height is proposed in the center of the site and therefore is not detrimental to adjacent properties. The project conforms to this finding.

#### **THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:**

##### **SECTION 1: CEQA.**

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis included all required CEQA issues, including but not limited to air quality, traffic, land use compatibility, historic resources, scenic views and hydrology. Mitigation Measures have been identified and included in the project to reduce the project's significant impacts to a less than significant level and a Mitigated Negative Declaration (MND) was determined to be an appropriate and adequate environmental document for the review and consideration of the project. The CEQA analysis including a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration was made available for public comment for a 20-day period from February 6, 2015 to February 25, 2015. Public comment letters were received which are attached to this staff report; however, no new information was provided that would require recirculation or further analysis of the project's impacts under CEQA.

The City Council independently reviewed and considered the information contained in the draft MND and NOI prior to its review of the proposed project, and the draft MND reflects the City's independent judgment and analysis. The City Council finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required

permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the City Council hereby adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

**SECTION 2. Preliminary PDD in lieu of a Zone Change.**

The City Council approves PDD 374 in lieu of a Change of Zone (Case 5.1350) as conditioned by City Council Resolution No. \_\_\_\_\_ for Case 5.1350 PDD 374 / CUP / GPA / 3.3795 MAJ.

**SECTION 3. Zoning Map change.**

The City Council approves the zone map change from C-1 / R-3 / PDD 104 to PDD 374 for a roughly 1.13-acre parcel located at 750 North Palm Canyon Drive, in conjunction with Case 5.1350 PDD 374 / CUP / GPA / 3.3795 MAJ.

**SECTION 4. Effective Date.**

This Ordinance shall be in full force and effect thirty (30) days after passage.

**SECTION 5. Publication.**

The City Clerk is hereby ordered to and directed to certify to the passage of this Ordinance, and to cause the same or summary thereof or a display advertisement, duly prepared according to law, to be published in accordance with law.

ADOPTED this 18th day of March, 2015.

\_\_\_\_\_  
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 Ordinance No. \_\_\_\_\_ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on \_\_\_\_\_ and adopted at a regular meeting of the City Council held on \_\_\_\_\_ by the following vote:

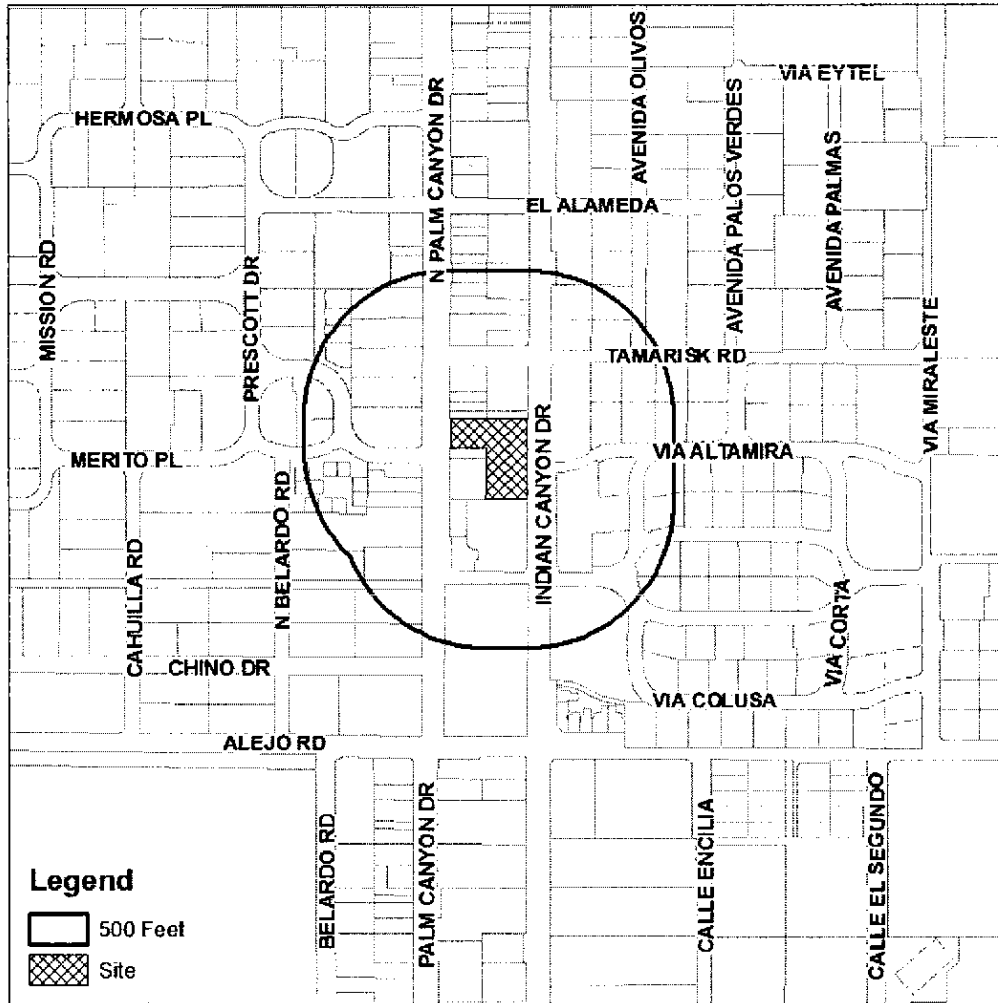
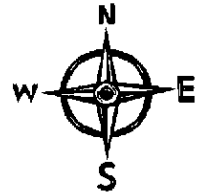
AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

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



# Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION PURSUANT THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), APPROVING A GENERAL PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC) TO MIXED-USE / MULTI-USE – CBD AS DEFINED IN THE 2007 GENERAL PLAN (ADOPTED BY CITY COUNCIL RESOLUTION #22077), FOR A FOUR-STORY, MIXED USE HOTEL COMPRISED OF 46 HOTEL UNITS, RETAIL AND RESTAURANT SPACE, A SPA, A ROOF TOP POOL AND BAR (COCKTAIL LOUNGE), 62 OFF-STREET PARKING SPACES AND LANDSCAPING ON A ROUGHLY 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (APN 505-303-018) AND RECOMMENDING APPROVAL OF THE SAME BY THE PALM SPRINGS CITY COUNCIL, SUBJECT TO CONDITIONS OF APPROVAL. (CASE 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ)

WHEREAS, 750 Lofts, LLC (“applicant”) submitted applications pursuant to the State of California Governmental Code 65350 – 65362 pertaining to the procedures for jurisdictions to amend their General Plan, seeking approval of a General Plan Amendment from Neighborhood Community Commercial (NCC) to Mixed Use – CBD for development of four-story, forty-six (46) unit hotel with accessory uses, off-street parking and open space on a roughly 1.13 acre site located at 750 North Palm Canyon Drive (Case 5.1350 PDD 374 / GPA / CUP, and Case 3.3795 MAJ; APN 505-303-018, Zone C-1 / R-3 / PD 104 / Resort Combining Zone / the Las Palmas Business Historic District (HD-1); and

WHEREAS, on October 6, 2014 Case 5.1350 PDD 374 (the PDD / GPA / CUP) was reviewed by the City’s Architectural Advisory Committee (AAC), which voted 6-0 to recommend approval of the project by the Historic Site Preservation Board and the Planning Commission subject to conditions; and

WHEREAS, on October 12, 2014, Case 5.1350 PDD 374 (the PDD / GPA / CUP) was reviewed by the City’s Historic Site Preservation Board (HSPB) for the project’s conformance with the Conceptual Design Guidelines for New Construction within the Las Palmas Business Historic District (LPBHD) and voted 5-1 (Ploss opposed) to approve the project subject to conditions, and

WHEREAS, on December 22, 2014, the AAC reviewed Case 3.3795 MAJ, the major architectural application associated with the subject project and voted 7-0 to recommend approval of the architecture and site plan by the Planning Commission; and



WHEREAS, on January 13, 2015, the HSPB reviewed Case 3.3795 MAJ and voted 6-1 (Johns opposed) to approve the project subject to conditions, and

WHEREAS, on January 22, 2015, the applicant filed an appeal of the action of the HSPB requesting removal of Condition 1 related to total building height and Condition 2 related to building height adjacent to the public street, and

WHEREAS, on February 4, 2015, the City Council considered the applicant's appeal of the HSPB action and voted 4-0 (Foat abstained) to uphold the appeal and remove HSPB Condition 1 (total building height), Condition 2 (building height adjacent the public street) and Condition 3 related to restricting the use of shade umbrellas and prohibiting additional rooftop structures beyond those illustrated in the project at the fourth floor / rooftop deck area, and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs to consider the proposed project was given in accordance with applicable law, and

WHEREAS, on February 25, 2015 a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, at said hearing, 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 7-0 to adopt the Mitigated Negative Declaration as an adequate evaluation of the potential environmental impacts of the proposed project, to approve the preliminary Planned Development in lieu of a change of zone, to approve the Conditional Use Permit, to approve the Major Architectural application and to recommend approval by the City Council of the PDD in lieu of a change of zone and the General Plan Amendment, subject to conditions of approval, and

WHEREAS, a notice of public hearing of the City Council of the City of Palm Springs California was given in accordance with applicable law, and

WHEREAS, on March 18, 2015, a public hearing of the City Council of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed development has been determined to be a project subject to environmental analysis under guidelines of CEQA.

THE CITY COUNCIL HEREBY FINDS AS FOLLOWS:

Section 1: CEQA.

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis considered all required CEQA issues, including but not limited to air quality, scenic views, traffic, land use compatibility, historic resources and hydrology.

Potentially significant impacts were determined to include the existence of possible asbestos containing materials, mold, and traffic impacts. The Planning Commission has determined that the Mitigation measures that follow will reduce the potentially significant impacts to a less than significant level:

*MM VII-1: Any suspected Asbestos Containing Materials (ACM) should be sampled prior to the initiation of any demolition activities on the project site. Identified ACMs must be abated by a licensed abatement contractor, and disposed of in conformance to all state and local requirements.*

*MM VII-2: Any mold identified on the project site shall be abated in a manner that conforms to all state and local requirements.*

*MM XV-1 The proposed project shall pay a fair share contribution for the recommended off-site intersection improvements, including signalization of Tamarisk Road and Palm Canyon Drive, and the addition of left turn lanes to southbound and westbound travel lanes at this intersection.*

The CEQA analysis including a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) was made available for public comment during a 20-day period which began on February 6, 2015 and ended February 25, 2015. Public comment letters were received which are attached to this staff report. Through the public comment period, no new information was found that would require recirculation or further analysis of the project's impacts under CEQA.

The City Council independently reviewed and considered the information contained in the draft MND and NOI prior to its review of the proposed project, and the draft MND reflects the City's independent judgment and analysis. The City Council finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the City Council hereby adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

Section 2: Findings for the General Plan Amendment (State Governmental Code 65350 - 65362)

State of California Governmental Code Sections 65350 – 65362, outline the procedures and requirements for Cities and Counties to create and amend their General Plan. There are, however, no specific findings for a General Plan Amendment. The City Council has evaluated the requested GPA based upon the following:

- Compatibility of the proposed Mixed use – CBD land use designation with adjacent land uses and development patterns.
- Consistency of the proposed designation and development with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".
- Potential adverse impacts to existing or future development in the vicinity.

*Findings of Compatibility of the proposed Mixed use - CBD land use designation with existing adjacent land uses and development patterns.*

The Mixed-use - CBD land use designation and NCC both envision a wide variety of pedestrian-oriented commercial, residential and hotel uses that serve both tourists and the surrounding residential areas. Both land use designations encourage and accommodate the existing small scale, older, single-lot development pattern found in the Downtown and Uptown districts. The pattern of existing development in both the NCC – Uptown area and the CBD – downtown is similar: with smaller scale commercial uses that support both the adjacent residential neighborhoods as well as tourists with restaurants, specialty stores, gift shops, bookstores and retail stores specializing in art and home design, furnishings and accessories. Thus the proposed GPA is compatible with the surrounding land uses and development patterns. The notable difference in the two is density or intensity of development – defined by FAR (Floor Area Ratio). The subject site is located in relatively close proximity to the northerly edge of the Mixed-use CBD area. This GPA requests the expansion of the higher density Mixed Use – CBD into this "transition area" between Downtown and Uptown. The City Council finds the increased density proposed in the subject development is harmonious with the transitional nature and development patterns in this area and is desirable to further strengthen the pedestrian-oriented vitality of this commercial area.

*Findings of consistency of the proposed designation with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".*

The Downtown Urban Design Guidelines encourage the integration of design parameters that are pedestrian-friendly, conducive to small lot and small block development patterns, emphasis on preservation of views and promoting an area of vibrant activity at the street level.

The project proposes creation of mid-block pedestrian passageways, view corridors, a walkable scale, interesting public spaces provided with shade, artwork and a variety

and mix of commercial, hotel and residential uses. The design makes use of different paving materials to separate pedestrian and vehicular areas. These characteristics that are encouraged in the Downtown Urban Design Guidelines are features that are found in the proposed development. Thus the City Council finds that the project is consistent with this finding.

*Finding that there are no potential adverse impacts to existing or future development in the area.*

The proposed General Plan Amendment would allow a significant increase in density, however it is in a transitional area between the higher intensity area of downtown Palm Spring and the moderate density character of Uptown. The project design includes ground floor retail and by locating of the building and outdoor dining in close proximity to the street edge, it continues and expands the walkable nature of existing development this area of the City. The Downtown Urban Design Guidelines envision characteristics that are found in both Uptown and Downtown which include interesting architectural and visual design features, building placement close to the front property line, use of decorative paving patterns that distinguish vehicular travelways from pedestrian routes, shade and other pedestrian amenities. Thus proposed development is consistent with the overall vision of the General Plan for both Uptown and Downtown: to retain their pedestrian scale, small-lot development patterns, mid-block crosswalks, emphasis on viewsheds and enhancements that encourage pedestrian-oriented commercial vitality and connectivity with adjacent residential areas. Thus, the City Council finds that the proposed GPA is consistent with this finding.

The General Plan notes that the Mixed-use / Multi-use designation

*"...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."*

The City Council finds that the proposed project is successful at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive.

NOW THEREFORE, BE IT RESOLVED THAT based upon the foregoing, the City Council hereby approves Case 5.1350 GPA; a General Plan Amendment changing the land use designation for the subject 1.13-acre site located at 750 North Palm Canyon Drive from Neighborhood Community Commercial (NCC, FAR 0.35) to Mixed use – CBD (FAR 1.0) and imposing the Downtown Urban Design Guidelines on the current and future development of the site, consistent with the Mixed-use - CBD land use designation as described in the 2007 Palm Springs General Plan, as adopted by City Council Resolution No. 22077, subject to the Conditions of Approval set forth in Exhibit

"A".

ADOPTED THIS EIGHTEENTH DAY OF MARCH, 2015.

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

ATTEST:

\_\_\_\_\_  
James Thompson, 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, hereby certify that Resolution No. \_\_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on January 7, 2015 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

James Thompson, City Clerk  
City of Palm Springs, California

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE FOR DEVELOPMENT OF A FOUR-STORY MIXED USE HOTEL WITH 46 HOTEL UNITS AND ACCESSORY USES ON A ROUGHLY 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE [CASE 5.1350 PDD 374]**

***City Attorney's Summary***

*This Ordinance approves a preliminary planned development district in lieu of a zone change to accommodate the development of a four-story mixed use hotel with accessory uses on a roughly 1.13-acre parcel located at 750 North Palm Canyon Drive.*

**THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:**

- A. 750 Lofts, LLC, "Owner", submitted applications pursuant to Palm Springs Zoning Code Section 94.03 & 93.07 (Planned Development, Zone Change) Section 94.04 (Architectural Review), Section 94.02 & 92.25.00 (Conditional Use Permit / Resort Combining Zone) and State of California Governmental Code Sections (65350 - 65362) (General Plan Amendment) seeking approval of a Planned Development District in lieu of a Change of Zone, a General Plan Amendment, a Major Architectural Application and a Conditional Use Permit via the PDD for development of a four-story, forty-six (46) unit hotel with accessory uses on a roughly 1.13 acre site located at 750 North Palm Canyon Drive (Case 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ) (APN 505-303-018).
- B. On October 6, 2014, the preliminary Planned Development in lieu of a change of zone was reviewed by the City's Architectural Advisory Committee (AAC), which voted 7-0 to recommend approval of the project by the Historic Site Preservation Board and the Planning Commission.
- C. On October 12, 2014, the preliminary Planned Development was reviewed by the Historic Site Preservation Board, (HSPB) which voted 5-1 (Ploss opposed) to approve the preliminary PDD / GPA / CUP with conditions and recommended approval by the Planning Commission.
- D. On December 22, 2014, the Major Architectural application was reviewed by the AAC which voted 7-0 to recommend approval by the HSPB and the Planning Commission.

E. On January 13, 2015, the Major Architectural application was reviewed by the HSPB which voted 6-1 (Johns opposed) to approve the project subject to conditions (1) limiting height along Palm Canyon Drive, (2) limiting overall height, (3) prohibited any additional shade structures or other devices on the rooftop deck and (4) required the parking study to be reviewed for acceptability by the City Engineer.

F. On January 22, 2015, the applicant filed an appeal of the action of the HSPB requesting removal of the conditions regarding height.

G. On February 4, 2015, the City Council considered the applicant / appellant's appeal and voted 4-0 (Foat abstained) to uphold the appeal and removed HSPB conditions 1, 2, and 3.

H. A notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider Case 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ was given in accordance with applicable law and on February 25, 2015 a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law. At said hearing, 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 7-0 to adopt a mitigated negative declaration under the guidelines of the California Environmental Quality Act (CEQA), to approve the preliminary Planned Development in lieu of a zone change, to approve the CUP, to approve the Major Architectural application and to recommend approval by the City Council of the General Plan Amendment and the preliminary Planned Development District in lieu of a change of zone, subject to conditions of approval.

I. A notice of public hearing of the City Council of the City of Palm Springs, California to consider Case 5.1350 PDD 374 / GPA / CUP / 3.3795 MAJ was given in accordance with applicable law and on March 18, 2015, the City Council held a public hearing in accordance with applicable law.

G. A Planned Development District in lieu of a Change of Zone is required to be adopted by ordinance as provided in the City's Municipal Code and the proposed project is proposed to be adopted by Ordinance.

H. The City Council has carefully reviewed and considered all of the evidence presented in connection with the meetings on the project, including but not limited to the staff report, the Mitigated Negative Declaration, and all written and oral testimony presented and finds that the Project complies with the requirements of Section 94.07.00 of the City's Zoning Code. The City Council makes the following specific findings based on specific evidence as described after each finding:



*1. The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed project is located in the Neighborhood Community Commercial (NCC) (FAR 0.35) land use designation of the General Plan. The project is not consistent with this land use designation in terms of proposed density (FAR) and thus a General Plan Amendment (GPA) is included proposing to amend the land use designation to Mixed-use / Multi-use – CBD (FAR 1.0). With approval of this GPA, the project density which is roughly 0.82 can be found consistent.

The General Plan notes that the Mixed-use / Multi-use designation "...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."

The City Council finds that the proposed project is successful at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive and thus the project conforms to this finding.

*2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed project is located in the C-1/R-3/PD 104 zones with the Resort Combining Overlay. The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include: a Hotel in which all the rooms have kitchen/cooking facilities, a Spa (subject to the business regulations of PSMC 5.34 (Massage Establishments), a roof top cocktail lounge/bar, general retail uses, and restaurant uses with outdoor dining (outdoor dining subject to approval of a Land Use Permit). The City Council finds that the project site is suitable for the uses proposed and also all other uses associated with the C-1 zone as defined in Zoning Code Section 92.12.01 (Permitted Uses) and 92.12.02 (Prohibited Uses) be incorporated in the uses for the subject PDD.

The project provides vehicular access from Indian Canyon Drive and Palm

Canyon Drive, both major thoroughfares on the City's General Plan Circulation Plan. The project proposes a mix of hotel and commercial uses that are harmonious with adjacent uses in the vicinity. Thus the project conforms to this finding.

*3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed PDD in lieu of zone change has been evaluated against the development standards for the underlying zones, the Resort Combining Zone, architectural review and the Las Palmas Business Historic District Conceptual Design Guidelines. Although the applicant is seeking relief from several important development standards, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Palm Canyon and introduces commercial uses along Indian Canyon which is desirable. The project height is slightly higher than adjacent development however maximum building height is proposed in the center of the site and therefore is not detrimental to adjacent properties. The project conforms to this finding.

#### **THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:**

##### **SECTION 1: CEQA.**

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis included all required CEQA issues, including but not limited to air quality, traffic, land use compatibility, historic resources, scenic views and hydrology. Mitigation Measures have been identified and included in the project to reduce the project's significant impacts to a less than significant level and a Mitigated Negative Declaration (MND) was determined to be an appropriate and adequate environmental document for the review and consideration of the project. The CEQA analysis including a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration was made available for public comment for a 20-day period from February 6, 2015 to February 25, 2015. Public comment letters were received which are attached to this staff report; however, no new information was provided that would require recirculation or further analysis of the project's impacts under CEQA.

The City Council independently reviewed and considered the information contained in the draft MND and NOI prior to its review of the proposed project, and the draft MND reflects the City's independent judgment and analysis. The City Council finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required

permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the City Council hereby adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

SECTION 2. Preliminary PDD in lieu of a Zone Change.

The City Council approves PDD 374 in lieu of a Change of Zone (Case 5.1350) as conditioned by City Council Resolution No. \_\_\_\_\_ for Case 5.1350 PDD 374 / CUP / GPA / 3.3795 MAJ.

SECTION 3. Zoning Map change.

The City Council approves the zone map change from C-1 / R-3 / PDD 104 to PDD 374 for a roughly 1.13-acre parcel located at 750 North Palm Canyon Drive, in conjunction with Case 5.1350 PDD 374 / CUP / GPA / 3.3795 MAJ.

SECTION 4. Effective Date.

This Ordinance shall be in full force and effect thirty (30) days after passage.

SECTION 5. Publication.

The City Clerk is hereby ordered to and directed to certify to the passage of this Ordinance, and to cause the same or summary thereof or a display advertisement, duly prepared according to law, to be published in accordance with law.

ADOPTED this 18th day of March, 2015.

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MAYOR

ATTEST:

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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 Ordinance No. \_\_\_\_\_ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on \_\_\_\_\_ and 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 \

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

**EXHIBIT A**

Case 5.1350 PDD 374 / GPA / CUP / Case 3.3795 MAJ

"750 LOFTS"  
750 North Palm Canyon Drive

(March 18, 2015)

**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 5.1350 PDD 374 / GPA / CUP / CASE 3.3795 MAJ; 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, date stamped February 17, 2015, 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 5.1350 PDD 374 / GPA / CUP / Case 3.3795 MAJ. 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) and Major Architectural Applications (MAJ) 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.

Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.

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. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The owner and operator shall ensure that at closing time, all customers leave the property promptly and that the property is clean and secure before the owner/operator leaves the premises. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution
- ADM 13. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems (not limited to excessive alcohol consumption, noise, disturbances, signs, etc) regarding the operation of the establishment; as determined by the Chief of Policy or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in

enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with law.

ADM 14. Comply with City Noise Ordinance. The uses associated with this approval shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code (PSMC). Violations by any of the individual uses permitted under this CUP / PDD may result in revocation or revision of the Conditional Use Permit/PDD associated with that particular use at the site pursuant to the procedures outlined in PSZC 94.02.00.(I).

The Noise level limits are as set forth below from PSMC Section 11.74.031:

**11.74.031 Noise level limit.**

The noise level or sound level referred to in this section shall mean the higher of the following:

- (1) Actual measured ambient noise level; or
- (2) That noise level limit as determined from the table in this subsection:

Zone	Time	Sound Level (A-weighted) Decibels
Residential High Density	7 a.m. to 6 p.m.	60
	6 p.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50
Commercial	7 a.m. to 6 p.m.	60
	6 p.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50

ADM 15. Seating Count. The applicant shall be limited to the total number of seats as follows: a maximum of fifty (50) for the first floor restaurant, and forty-seven (47) seats at the rooftop bar area. Any deviation from these numbers shall require prior approval by the Director of Planning by means of an amendment to the Land Use Permit associated with each use. 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 16. Land Use Permit required for Outdoor Dining. Any outdoor dining proposed as part of the restaurant use associated with this PDD shall require approval by the Director of Planning Services of a Land Use Permit prior to the establishment of the outdoor dining.

ADM 17. Land Use Permit required for Rooftop Bar. The rooftop bar associated with this PDD shall require approval by the Director of Planning Services of a Land Use Permit prior to establishment of the bar use.



ADM 18. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers.

## **ENVIRONMENTAL ASSESSMENT CONDITIONS**

ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

ENV 2. 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 3. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the approved project description.

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:
- a. Review and acceptance by the City Engineer of the Parking Study by RK Engineering, Inc. which proposed reductions in off-street parking.
- 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. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 11. 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 12. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 13. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

- PLN 14. 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.
- PLN 15. 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 16. Parking Study. The quantity of off-street parking as proposed and evaluated in the Parking Study is subject to the approval of the City Engineer.
- PLN 17. Permitted Uses and Development Standards. As approved within the PDD in lieu of a zone change to include:
- a. 46-room hotel with kitchens and cooking facilities in all hotel units.
  - b. A 50-seat restaurant; outdoor dining subject to approval by the Planning Director of a separate Land Use Permit.
  - c. A 47-seat rooftop cocktail lounge / bar subject to approval by the Planning Director of a separate Land Use Permit.
  - d. A spa for hotel guests only. (if the spa use is changed to be open to the public, a minor amendment to the PDD/CUP to provide adequate off-street parking shall be reviewed and approved by the Planning Commission). Any outdoor programming associated with the spa use involving the use of a sound amplification system shall require approval by the Planning Director of a Land Use Permit identifying the parameters of such use and the means for controlling or attenuating any nuisance noise caused by such use.
  - e. Commercial / Retail uses.
  - f. All other uses as denoted in the Palm Springs Zoning Code Section 92.12.01 (Uses permitted in the C-1 zone), 92.12.02 (Uses prohibited in the C-1 zone) in accordance with the development standards as outlined in Section 92.12.03 (Development Standards in the C-1 zone) as amended or modified herein.
- PLN 18. Sound Attenuation Plan for Rooftop Bar. The applicant shall submit to the City Planning Department an acoustical study or report and associated drawings, details or other documentation to substantiate the adequacy of the perimeter walls, solid railings or other physical devices, barriers or surface characteristics necessary to control or mitigate the potential for the transmission of nuisance noise generated from the rooftop bar.

- PLN 19. Photovoltaic Panels. Provide photovoltaic panels in the general locations shown on the roof plan as part of the public benefits for this project.
- PLN 20. Validated Valet Parking Service Required. The applicant shall provide a "validated" valet parking service at the site and shall provide a site plan to the City Planning Department demonstrating the maximum additional parking spaces that could be accommodated in the drive aisles of the parking lot by using the valet parking service.

#### **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**

APPLICATION FOR APPROVAL OF A COMMERCIAL HOTEL LOCATED AT 750 NORTH PALM CANYON DRIVE, (APN 505-303-018), SECTION 10, TOWNSHIP 4 S, RANGE 4 E, S.B.M., CASE NO. 3.3795, PD 5.1350, ENG. FILE NO. 4042.

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. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

#### **INDIAN CANYON DRIVE**

- ENG 2. Dedicate an additional 5 feet to provide the ultimate half street right-of-way width of 50 feet along the entire applicable frontages of parcels.

- ENG 3. Remove the (2) existing driveway approaches and replace with an 8" curb, gutter and sidewalk to match existing in accordance with City of Palm Springs Standard Drawing No. 200, 201, and 210.
- ENG 4. Construct a new 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 5. 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.
- ENG 6. Applicant shall pay half of the improvement costs to construct a 14-foot wide raised, landscaped median island along the Indian Canyon Drive Frontage. Costs associated with this construction shall be calculated by applicant engineer and submitted for review by City Engineer.
- ENG 7. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### PALM CANYON DRIVE

- ENG 8. Dedicate an additional 5 feet to provide the ultimate half street right-of-way width of 50 feet along the entire frontage.
- ENG 9. Contact the Director of Facilities and Maintenance to coordinate installation of new street trees as conditioned herein; including irrigation, and street lights along the North Palm Canyon Drive.

#### ON-SITE

- ENG 10. A clearly designated pedestrian walkway of adequate width shall be provided to centralize a location for pedestrians entering or leaving the retail areas and accessing the retail parking. A pedestrian walkway shall be designated along the west and south sides of the ground floor parking level. Traffic signage, lighting, pavement markings, and/or other visual cues shall be incorporated in the design of the ground floor parking level to support the use of the walkway by pedestrians and alert vehicles of the potential for crossing pedestrians.

#### SANITARY SEWER

- ENG 11. All sanitary facilities shall be connected to the public sewer system (via the proposed on-site private sewer system). The existing sewer service to the

property shall (or may) be used for new sanitary facilities. New laterals shall not be connected at manholes.

ENG 12. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

ENG 13. GRADING

Submit a Precise Grading 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 have 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 Grading plan.

b. The first submittal of the Grading 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.

ENG 14. Prior to approval of a Grading Plan (or 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 15. 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. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 16. (Temporary dust control) 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 17. 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 18. 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 19. This project requires preparation and implementation of 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. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the 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 20. 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 (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.



- ENG 21. 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 and preliminary WQMP.
- ENG 22. 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 (if required). 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 23. This project shall 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 and non-stormwater runoff, shall 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 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, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 24. 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 within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited.

Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.

- a. 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 Water Quality Management Plan (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 Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); 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 issuance of any grading or building permits.
- b. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), 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).
- c. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall:
- d. Demonstrate that all structural BMPs have been constructed and installed in conformance with approved plans and specifications;
- e. Demonstrate that applicant is prepared to implement all non-structural BMPs included in the approved Final Project-Specific Water Quality Management Plan (WQMP), conditions of approval, or grading/building permit conditions; and
- f. Demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

## DRAINAGE

- ENG 25. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Palm Canyon Drive or Indian Canyon Drive. 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 26. The applicant shall accept and convey all stormwater runoff across the property and conduct the runoff to an approved drainage structure. On-site retention may be allowed on that portion of the property where historically, stormwater runoff is conveyed. All on-site grade slopes shall not be less than 0.5%. If onsite retention is utilized, retention basin calculations shall be provided to the City Engineer.
- ENG 27. The applicant shall install a drywell, or series of drywells, within each retention or detention basin proposed in the development as necessary to collect and percolate stormwater runoff, including nuisance water, from the tributary area within the development that has drainage directed to the basin. The drywell(s) shall be appropriately sized to accommodate the expected daily nuisance water, as well as runoff from ordinary storm events (2-year storm events), unless otherwise approved by the City Engineer. Provisions shall be included in the Covenants, Conditions and Restrictions (CC&R's) for this development that require the routine maintenance of the drywell(s) by the Home Owners Association (HOA), including the right of the City to inspect and require the HOA to remove and replace the drywell(s) if they fail to function, causing stagnant water to accumulate above ground within the basin. The City shall be given the right, in the interest of the public's health, safety, and welfare, to order the removal and replacement of drywell(s) in the event the HOA is non-responsive to the City's written notice, with costs to be recovered against the HOA by the City in accordance with state and local laws and regulations.
- ENG 28. This project shall 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 and non-stormwater runoff, shall 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 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, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

- ENG 29. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$ 9212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

#### GENERAL

- ENG 30. 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 31. All proposed utility lines shall be installed underground.
- ENG 32. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 33. Upon approval of any improvement plan (if required) 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 by the City Engineer.
- ENG 34. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes

to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

- ENG 35. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or) 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.

#### TRAFFIC

- ENG 36. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 37. 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 38. 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 (MUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.
- ENG 39. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

#### FIRE DEPARTMENT CONDITIONS

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

These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plans received and dated November 10, 2014. Additional requirements will be required at that time based on revisions to site plans.

Fire Department Conditions were based on the 2013 California Fire Code as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) 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 1 Plans and Permits (CFC 105.1):

Permits and scaled drawings are required for this project. 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 one set.

Plans shall be submitted to:

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

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. 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 (four sets). All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

**FID 2** 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 3** 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.

- 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.

- FID 4** Water Plan (CFC 501.3 & 901.2): A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.
- FID 5** Location of Fire Department Connections: The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.
- FID 6** The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

**FDC SERVES  
750 N PALM CANYON  
[Designate Buildings Served]**

- FID 7** 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 8** 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 9** NFPA 13 Fire Sprinklers Required: An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13, 2013 Edition, as modified by local ordinance.
- FID 10** NFPA 13R Fire Sprinklers Required: An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system

design and installation. System to be designed and installed in accordance with NFPA standard 13R, 2013 Edition, as modified by local ordinance.

- FID 11 Standpipe Systems Required (CFC 905.3): Class I Standpipe system is required in addition to the automatic sprinkler system. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.10.1 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are allowed to be combined with automatic sprinkler systems.
- FID 12 Floor Control Valves (CFC 903.3.8 & Ordinance 1781: Item 42): Floor control valves and water flow detection assemblies shall be installed at each floor in buildings three or more stories in height. Valve locations will be determined and approved by the fire code official.
- FID 13 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, 2013 Edition. All control valves shall be locked in the open position.
- FID 14 Fire Alarm System: Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2013 Edition.
- FID 15 Central Station Protective Signaling Service (CFC 903.4.1): A UL listed and certified Protective Signaling Service (Central Station Service) is required. Provide the Fire Department with proof of listing and current certificate. The Fire Department shall be notified immediately of change in service.
- FID 16 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 17 Smoke Alarm or Detector Locations - R-1 Occupancy (CFC 907.2.11.1): Single or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:
- In sleeping areas.
  - In every room in the path of the means of egress from the sleeping area to



- the door leading from the sleeping unit.
  - In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
- FID 18 Groups R-1 and R-2.1 Accessibility Requirements (CFC 907.6.2.3.3): Group R-1 and R-2.1 dwelling units or sleeping units in accordance with Table 907.6.2.3.3 shall be provided with a visible alarm notification appliance, activated by both the in room smoke alarm and the building fire alarm system. Also comply with Section 1111B.4.5, Table 11B-3, and Table 11B-4 of the California Building Code.
- FID 19 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 20 Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4): In addition to the fixed system, a fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.
- FID 21 Elevator Stretcher Requirement (CBC 3002.4): Elevators shall be designed to accommodate medical emergency service. 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. The elevator entrance shall have a clear opening of not less than 42 inches wide or less than 78 inches high. The elevator car shall be provided with a minimum clear distance between walls or between walls and door excluding return panels not less than 80 inches by 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42 inch side slide door.
- FID 22 Elevator Emergency Operation (CFC 607.1): Existing elevators with a travel distance of 25 feet or more shall comply with the requirements in Chapter 46. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6, Elevator Safety Orders and NFPA 72.
- Elevator Keys (CFC 607.4): Keys for the elevator car doors and fire-fighter service keys shall be kept in an approved location for immediate use by the fire department.

- Elevator System Shunt Trip (CFC 607.5): Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, Section 21.4, Elevator Shutdown, shall be provided to disconnect automatically the main line power supply to the affected elevator prior to the application of water. This means shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply.
- Fire Sprinklers at Bottom of Elevator Pit (NFPA 13: 8.15.5.1): Sidewall spray sprinklers shall be installed at the bottom of each elevator hoistway not more than 2 ft above the floor of the pit.
- Elevator Hoistways and Machine Rooms (NFPA 13: 8.15.5.3): Automatic fire sprinklers shall be required in elevator machine rooms, elevator machinery spaces, control spaces, or hoistways of traction elevators.
- Fire Sprinklers at the Top of Elevator Hoistways (NFPA 13: 8.15.5.6): The sprinkler required at the top of the elevator hoistway by 8.15.5.5 shall not be required where the hoistway for passenger elevators is noncombustible or limited-combustible and the car enclosure materials meet the requirements of ASME A17.1, Safety Code for Elevators and Escalators.
- Elevator Recall for Fire Fighters' Service with Automatic Fire Detection (NFPA 72: 21.3.3): Unless otherwise required by the authority having jurisdiction, only the elevator lobby, elevator hoistway, and elevator machine room smoke detectors, or other automatic fire detection as permitted by 21.3.9, shall be used to recall elevators for fire fighters' service.
- Exception: A water-flow switch shall be permitted to initiate elevator recall upon activation of a sprinkler installed at the bottom of the elevator hoistway (the elevator pit), provided the water-flow switch and pit sprinkler are installed on a separately valved sprinkler line dedicated solely for protecting the elevator pit, and the water-flow switch is provided without time-delay capability.
- Elevator Recall with Fire Sprinkler in Elevator Pit (NFPA 72: 21.3.7): When sprinklers are installed in elevator pits, automatic fire detection shall be installed to initiate elevator recall in accordance with 2.27.3.2.1(c) of ANSI/ASME A.17.1/CSA B44, Safety Code for Elevators and Escalators, and the following shall apply:
  - (1) Where sprinklers are located above the lowest level of recall, the fire detection device shall be located at the top of the hoistway.
  - (2) Where sprinklers are located in the bottom of the hoistway (the pit), fire detection device(s) shall be installed in the pit in accordance with Chapter 17.
  - (3) Outputs to the elevator controller(s) shall comply with 21.3.14.

- Elevator Systems Automatic Detection (NFPA 72: 21.3.9): If ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be permitted.
- Detector Annunciation at the Building Fire Alarm Control Unit (NFPA 72: 21.3.10): When actuated, any detector that has initiated fire fighters' recall shall also be annunciated at the building fire alarm control unit, or other fire alarm control unit as described in 21.3.2, and at required remote annunciators.

FID 23 Palm Springs Fire Department Radio Communications. Features and Requirements (CFC 510.4.3): All new buildings, four stories in height or taller and all subterranean levels of parking structures or existing altered buildings over 20% shall meet the City of Palm Springs Public Safety Radio System Coverage Specifications as stated in Chapter 11.03 of the Palm Springs Municipal Code.

FID 24 Hazardous Materials (CFC 5004.1): Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003 and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

- Pool Chemicals – dedicated, compliant storage cabinets, rooms, or areas required
- Liquid Petroleum Gas (LPG) – dedicated, compliant storage cabinets, rooms, or areas required

FID 25 Safety and Evacuation Plans (CFC 404.2): An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

- Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 2,000.
- Group R-1.

## **END OF CONDITIONS**



# CITY OF PALM SPRINGS

## DEPARTMENT OF PLANNING SERVICES

### Exhibit "B" – Parking in Uptown

**Date:** February 25, 2015

**Subject:** Off-street parking in Uptown: Valet parking, parking specific plans, "capture ratios" and the imperfect science of providing the "right amount" of off-street parking.

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Uptown. The Uptown business district, roughly defined as the commercial frontages along both North Palm Canyon Drive and North Indian Canyon Drive from Alejo Road to Vista Chino Road, is mostly comprised of small lots, individual retail and commercial buildings, older hotels and apartments. It reflects some of the oldest surviving stock of commercial, residential and hotel buildings in Palm Springs. In the teens, twenties, and thirties, fewer cars were on the roads and "bay parking" (parking stalls accessed directly from the public street) satisfied the need for parking in Uptown. Today most older boutique hotels still adequately satisfy their parking needs with bay parking.

Zoning Code Parking Rates. The off-street parking regulations in Zoning Code Section 93.06 accommodate mixed use facilities to a limited extent, but still use somewhat conservative parking ratios (e.g. 1 space for every 325 square feet of mixed use development), apply on a city-wide in a "one size fits all" basis, and cannot capture evolving trends in driving and parking affected by factors such as the "Buzz" trolley, and contemporary awareness of reducing emissions, changes in Sunline Transit routes, the constant change in demographics, fuel costs, and so on.

Valet, Joint-use, Reciprocal Parking Agreements. Certain sites with off-street parking lots can increase the intensity of development on older sites by adding new shops, restaurants and bars by limiting "self-parking" in these lots during peak demand hours and reverting to "valet only" services to stack cars in the drive aisles. Those sites with only bay parking can add accessory uses and increase their parking capacity by entering into long-term contracts with adjacent property owners with excess parking lot capacity. These are called "reciprocal or joint-use parking agreements". Joint use parking agreements work when multiple uses have non-concurrent hours of business (e.g. office uses that close at 5pm and restaurant uses that open at 6pm).

It is important to note that placing a condition of approval on development projects with insufficient off-street parking to require valet parking works when there are off-street, nearby parking lots in which to stack the cars in drive aisles or where the lots have excess capacity. In the absence of these, valet companies must use nearby public streets to accommodate cars when the off-street parking lots are full – in Uptown that often means in adjacent residential areas.

Parking Specific Plans – LUP required. The City recently amended the Land Use Permit process to expand the type of sites eligible to apply for a waiver of all or a part of the off-street parking requirements through the use of a Parking Specific Plan (PSP) which is approvable at staff (Planning Director) level. Recently a PSP was approved for a proposed new restaurant and bar at 1560 North Palm Canyon Drive in which more than half of the required off-street parking was waived.

Parking studies and "Capture Ratios" are accepted by the traffic engineering profession as a sound means of "right-sizing" off-street parking facilities for mixed use facilities with related uses such as hotels with restaurants, retail spaces or other accessory uses. This method has been used in Palm Springs in recent approvals such as the Arrive Hotel at Stevens and North Palm Canyon Drive. Parking studies can provide objective criteria for decision-makers struggling to make balanced decisions on Planned Development Districts or Variances in which applicants are seeking approval for projects that proposing less parking than required by the Zoning Code.

As Uptown continues its renaissance, the district will continue to increase in its popularity as a destination – and so too will the demand for parking. The tools noted above will need to be carefully considered on a case-by-case basis and yet with the entire district in mind because currently there is no comprehensive source that documents all the parking approvals granted for Uptown. In the long term, a comprehensive study of the total amount of on and off-street parking and opportunities for creating or increasing parking capacity in Uptown without destroying the very character, ambiance, walkability and charm that is at the heart of its success – may be important planning action for the City to consider.



# CITY OF PALM SPRINGS

## DEPARTMENT OF PLANNING SERVICES

### Exhibit "C" – Architectural Review

**Date:** February 25, 2015  
**Subject:** Case 5.1350 PDD 374 – "750 Lofts" – Evaluation of the project against the guidelines of Zoning Code Section 94.04 (Architectural Review)

The Architectural Advisory Committee reviewed the subject project twice with recommendation to approve. The evaluation of the project against the guidelines of Zoning Code Section 94.04 is provided herein for Planning Commission review.

*Planning Commission Architectural Advisory Committee Review Guidelines.*

*The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:*

	Guideline	Conform?	Staff Evaluation
1	Does the proposed development provide a desirable environment for its occupants?	Yes	The project provides amenities common of a mixed use hotel development with restaurant, commercial spaces and recreation areas.
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Partially	Existing development in the project vicinity includes structures of varied heights, architectural character and age. The building is harmonious with many of the mid-century buildings around it and in contrast with the "revival" styled buildings nearby.
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	The project architecture is contemporary. Rhythmic textures and patterns create visual interest on the new structure. Color, texture and material composition are harmonious and establish an attractive architectural presence along the street frontages.
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pedestrian and vehicular spaces are clearly defined. The site layout and orientation of the structure relate well within the context of the commercial district in which it is proposed. A surface parking lot is screened from public view by landscaping and architectural elements that could be used to feature art and sculpture.

5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Partially	The proposed land use is consistent with other uses in the Uptown district. The building is proposed with variety of material, massing, texture, surfaces, and building height. The adjoining development is eclectic and varied.
6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	No	The proposal is seeking deviations to development standards of the high-rise ordinance via the PDD  All mechanical units will be screened.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	The building is proposed in glass, perforated metal panels, stucco, and trowelled concrete.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	The project is proposed in neutral colors with a variety of accent materials and panels throughout the development that tie together in a cohesive way. It also is respectful of the smaller scale buildings immediately adjacent to the project site.
9	Consistency of composition and treatment	Yes	Proposed building elevations include a variety of building volumes, massing, setbacks, solid and voids and material treatment.
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	The landscape plan proposes a variety of plant material and has established a hierarchy of plant materials from low shrubs, medium height shade trees, and taller fan palms that relate to both the pedestrian scale at street level as well as to the taller elements of the project design.

As noted, the AAC reviewed both the Preliminary PDD and the Major Architectural Application and recommended approval of the project as conditioned.



# CITY OF PALM SPRINGS

## DEPARTMENT OF PLANNING SERVICES

### Exhibit "D" Evaluation of the project against The Las Palmas Business Historic District Conceptual Design Guidelines for New Construction

Date: February 25, 2015  
Subject: Case 5.1350 PDD 374 – "750 Lofts"

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#### Evaluation of the project against the Conceptual Design Guidelines for New Commercial Construction in the Las Palmas Business Historic District (LPBHD).

The project is subject to review against the Las Palmas Business Historic District's Conceptual Design Guidelines for New Construction. The City's Historic Site Preservation Board reviewed the project twice as summarized in the staff report. The staff analysis of the project against the LPBHD Guidelines is provided herein.

*The maintenance of a district requires that standards or guidelines be set to direct change in ways that are compatible with the historic elements. Change is not discouraged, but the thrust of change is directed to reinforce the best of the remaining historic elements.*

*The guidelines presented here provide a common ground within which owners, Architects and the Architectural Advisory Committee can work to enhance the historic district.*

*Any buildings occurring on either side of the street within 75 feet of the proposed site should be studied for the common themes of mass, scale, rhythm and exterior design and details as called for by the following guidelines.*

The Las Palmas Business Historic District is comprised of a variety of buildings, architectural styles, building massing and scale. Small one-story "cottages" from the 1920's and 1930's co-exist next to newer larger commercial buildings. Other than the commercial / retail nature of the district, a common "theme" would be difficult to define.

#### 1. Maintain the height of other structures in the surrounding area.

*The height of new construction should be generally similar to other buildings in the surrounding area. Variety in building heights may be achieved by creating setbacks in the facade, by stepping back upper stories, and by building decks and balconies, when this is appropriate for the design.*

*Buildings should be designed so that they do not block the westerly view of the mountains from existing buildings to the east. Multi-story buildings on lots which abut an existing residential use should be designed so that windows do not overlook private residential yards.*

*One- and two-story buildings are typical of this area. Towers with additional stories have been used at the corners of some buildings to create interest.*

The massing of the proposed four-story development is broken down by varying the roof height, stepping back of certain elements of the building and providing openings and space that allows "see through views" from east to west. Adjacent structures in the district are one and two stories and vary considerably in architectural scale, style and massing. The proposed project is harmonious with adjacent structures such as the Latham Building but is obviously in contrast with very small buildings such as the dental office (originally a small residential cottage from the 1930's) facing Palm Canyon around which the project wraps.

2. *Maintain the general alignment of facades at the sidewalk edge.*

*Most buildings along Palm Canyon Drive are set back away from the sidewalk edge. This provides space for landscaping, pedestrian access, and/or active outdoor uses. The basic alignment of buildings should be maintained, although some exceptions may be considered if they have an active function such as outdoor dining areas. The effect can be achieved in a number of ways. A wall or fence could be used, allowing the building to be set further back.*

*Projections over the sidewalk may be acceptable in the form of awnings, balconies and porches, so long as a significant portion of the façade aligns at the sidewalk edge.*

The proposed building respects the general alignment and pedestrian scale that exists along this segment of Palm Canyon Drive. Existing development along Indian Canyon Drive is less pedestrian oriented and is comprised of parking lots and the "back side" of buildings. The proposed building is effective in preserving and strengthening the pedestrian scale and commercial nature of the Uptown Business District along Palm Canyon Drive and enhances the Indian Canyon Drive frontage considerably by introducing a restaurant / retail use with space for outdoor dining along the sidewalk and areas for the placement of art or sculpture that would further enhance the Indian Canyon frontage.

3. *Maintain the pattern of facade proportions.*

*New construction should reinforce the dominant facade pattern of the street .*

*Where new buildings are to be wider than the dominant dimension, consider subdividing the facade into portions that reflect the pattern. The relationship between the height and width of the facade should be similar to that of other buildings in the surrounding area.*

The existing street façade pattern in Uptown does not possess a dominant façade pattern. Buildings of varying ages, styles and volume exist side by side and contribute to the vibrant and visually diverse feel of the district. The proposed building is large in its volume, but its façade has been broken down into multiple parts, thereby giving it a compatible relationship to the scale of existing structures in the vicinity, including historically significant structures such as the Kocher-Samson Building, a designated Class 1 historic site.

4. *Maintain the relationship between upper and lower floors of other structures in the surrounding area.*

*Typical historic structures have a retail function on the first floor, and offices or residential uses above. This separation of function is shown on the facade: the first floor*



*is predominantly large sheets of display window glass, while the upper levels are mostly solid wall, with small windows cut out.  
In new construction, these relationships should be innovatively used.*

The building conforms to this standard in that its first floor continues the retail nature of the Uptown District while placing hotel/residential uses on upper floors. The building's upper floor, while more "glassy" than the older buildings in the vicinity from the 30's, does break down the window pattern into smaller units with vertical panels and screens that are complementary to the existing buildings around it.

*5. Maintain the spacing pattern of upper-story windows. Avoid shapes that were not typical of the area, and maintain the typical ratio of solid (walls) to void (windows).*

*Reinforce the existing pattern in new construction by using windows of a similar size, or by using other design features to continue this pattern.*

*The recurrent alternation of solids and voids in the front facade of a building establishes a pattern which is sensed by a person observing from a distance. A person passing by the building experiences this pattern as a rhythm. By incorporating a similar rhythmic pattern in a new building, a sympathetic relationship between old and new, and even buildings of a similar eras is achieved.*

As previously noted, the building's façade is broken down into vertical panels, screens, and window surfaces. A rhythm and spatial relationship along the façade as well as varying depth created by balconies, soffits, and horizontal and vertical shade devices gives the building a sympathetic relationship to buildings adjacent to it.

*6. Use building materials that are similar in texture and finish to those found historically.*

*New construction should continue to reinforce the patterns and textures of existing historic buildings. Use of surface materials which were available in the time period of the historic buildings will strengthen the historic identity of the area. Color is both an intrinsic quality of the building material which is used and applied treatment which covers the natural materials. The use of compatible colors will help strengthen historic identity. Different building materials may be considered as long as the finish and texture reinforce the existing characteristics.*

As previously noted, the Uptown Historic District contains a wide assortment of architectural styles, materials, and building types from varying periods. Charming Spanish Colonial and Mediterranean Revival buildings co-exist in the historic district with those from the Mid-century, streamline modern and other stylistic periods. The proposed project introduces a building that stands in bold contrast to the historically significant buildings nearby, however staff believes it does so in a manner that continues the rich, sophisticated architectural legacy for which Palm Springs is known.

*7. Use components of the facade that are similar in size and shape to those found historically.*

*The design of new buildings and alterations should take into account the presence or absence of such projections as porches, awnings and overhangs on other buildings within the surrounding area. Such components are especially encouraged when they promote an active function such as outdoor dining within the exterior spaces.*

*Architectural details of new buildings and renovations should be suggestive of the extent and scale of details on other buildings in the surrounding area.*

The proposed project has taken into account the projections and shade structures on several of the adjacent buildings and continues the horizontal line of those existing elements. It also has areas at the ground level that are set aside for outdoor dining and pedestrian activity. The building provides a variety of movable and fixed screens, perforated metal panels, shade projections and other devices that respond to both the built and natural environment in which the building is proposed.

*8. Maintain the pattern of roof types.*

*The roof type and materials should be compatible with existing buildings in the surrounding area. The relationship of a new building to historic buildings, or other buildings, in the surrounding area may be strengthened by repeating a dominant roof type.*

*Flat roofs are predominate in this area; however, several one-story structures use a simple gable with the ridge line parallel to the street.*

The project conforms to this standard.

*9. Maintain the existing site design pattern.*

*New construction should observe an appropriate spacing, or lack thereof, in terms of the surrounding area. This is an important factor which contributes to the character of an entire group of buildings, and should therefore be respected.*

*This area is characterized by buildings which are built on the property line. Driveways and pedestrian ways sometimes break this pattern; however, parking areas should not be allowed to intrude into the pedestrian-oriented design of the area. Landscape areas may be appropriate as breaks in this pattern if they are designed for active uses.*

The proposed project minimizes driveway interruptions in the pedestrian way, conceals the parking behind architectural screens and volumes, creates visual breaks through which east-west views are framed and "heals" the disruptive "gap" that was created when the existing building and its large surface parking lot on this site was built. Paving differentiation, color texture, and other site materials help distinguish visually the separate of pedestrian and vehicular movement. Those areas where vehicular drives cross sidewalks are proposed with pre-cast pavers with subtle color differences between sidewalk and driveway.

*10. Although contemporary designs are encouraged, replicas of historic designs may be considered if they meet these conditions:*

*The style must be one that did occur in Palm Springs as a typical building form.*

*The principles of the style must be used correctly. The rules of proportion, use of materials, and sense of ornamentation must be in character.*

*A plaque must be mounted on the building which designates the date of construction.*

*The design must be compatible with existing buildings.*

The principals of "good design" reflected in proportion, scale, massing, the use of materials, and a contemporary interpretation of "ornament" are evident in the proposed project. The bulk of the proposed hotel is broken down into elements or components that bring a pedestrian scale to the overall project.

**NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION  
Case 5.1350 (General Plan Amendment, PDD 374 & CUP)  
Case 3.3796 (Major Architectural Application)**

**LEAD AGENCY:** City of Palm Springs  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**CONTACT PERSON:** Ken Lyon, RA, Associate Planner (760) 323-8245

**PROJECT TITLE:** 750 Lofts - Case Nos. 5.1350 PDD 374 GPA CUP & 3.3795 MAJ

**PROJECT LOCATION:** South of Tamarisk Road, North of Gran Via Valmonte, extending between North Palm Canyon Drive and North Indian Canyon Drive  
Assessor's Parcel No. 502-600-001, 502-600-002

**PROJECT DESCRIPTION:** The project proposes the demolition of existing buildings on the site, and the construction of a four-story mixed use development comprised of a forty-six (46) room hotel, ground floor retail, and restaurant spaces, a spa, rooftop bar, off-street parking and ancillary facilities on a 1.1 acre site in the Uptown district. The proposed project requires a number of applications:

- A General Plan Amendment to change the land use designation from Neighborhood Community Commercial (NCC) to Mixed Use/Multi-Use – CBD;
- A Planned Development District (#374) in lieu of a Change of Zone;
- A Conditional Use Permit for the restaurant use, to engage the high rise ordinance, and spa use;
- A Major Architectural Review for the architectural and landscape design.

The proposed project consists of a total of 39,245 square feet of space on four stories. The hotel will total 33,600± square feet, while ground floor retail and restaurant space will take up the remaining 5,600± square feet. The building will extend to a height of approximately 50 feet above grade.

**FINDINGS / DETERMINATION:** The City has reviewed and considered the proposed project and has determined that any potentially significant impacts can be mitigated to a less than significant level. The City hereby prepares and proposes to adopt a Mitigated Negative Declaration for this project.

**PUBLIC REVIEW PERIOD:** A 20-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 a.m. on February 6, 2015 and end on February 25, 2015 at 5:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at the above address within the public review period. In addition, you may email comments to the following address:

[Ken.Lyon@palmspringsca.gov](mailto:Ken.Lyon@palmspringsca.gov) Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City library.

**PUBLIC MEETING:** This matter has been set for public hearing before the Planning Commission on February 25, 2015. City Council consideration is expected at a public hearing on March 18, 2015, but please confirm the date with the City Clerk's office



**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

Project Title:	750 Lofts	
Case No.	5.1350 (General Plan Amendment, Planned Development District 374 and Conditional Use Permit) 3.3796 (Major Architectural Review)	
Assessor's Parcel No.	505-303-018	
Lead Agency Name and Address:	City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Project Location:	South of Tamarisk Road, North of Gran Via Valmonte, extending between North Palm Canyon Drive and North Indian Canyon Drive	
Project Sponsor's Name and Address:	750 Lofts LLC	39 Crosby Street PHS New York, NY 10013
General Plan Designation(s):	Current: NCC. Proposed: Mixed Use/Multi-Use - CBD	
Zoning:	Current: C-1/R-3. Proposed: PDD 374	
Contact Person:	Ken Lyon, Associate Planner City of Palm Springs	
Phone Number:	(760)323-8245	
Date Prepared	February 1, 2015	

**Description of the Project**

The project proposes the demolition of existing buildings on the site, and the construction of a 4-story, 46 room hotel, as well as ground floor retail and restaurant space, and ancillary facilities on a 1.1 acre site in the Uptown district. The proposed project requires a number of applications:

- A General Plan Amendment to change the land use designation from Neighborhood/Community Commercial (NCC) to Mixed Use/Multi-Use – CBD;
- A Planned Development District (#374) in lieu of a Change of Zone;
- A Conditional Use Permit for the restaurant use;
- A Major Architectural Review for the architectural and landscape design.

The structure of the hotel will be located on the north boundary of the property, and will extend from North Palm Canyon to North Indian Canyon Drives. Access to the site will be provided from both streets, immediately south of the hotel building. Parking is proposed on the southern portion of the property.

The proposed project consists of a total of 39,245 square feet of space on four stories. The hotel will total 33,600± square feet, while ground floor retail and restaurant space will take up the remaining 5,600± square feet. The building architecture is proposed in a modernist style. The lobby, retail, restaurant and support facilities will occupy the ground floor. Hotel rooms will occur on the 2<sup>nd</sup> and 3<sup>rd</sup> floor. A roof-top deck, with a hotel bar, is also proposed at the center of the structure at the 4<sup>th</sup> floor. The building will extend to a height of approximately 50 feet above grade.

An existing building, which was previously a Bank of America branch, will be demolished, as will the ancillary facilities (including drive-up teller area) on the site. Demolition does not require a Planning Department entitlement, but will require a Building Department demolition permit.

**Environmental Setting and Surrounding Land Uses**

The project site is located just north of the Central Business District of Palm Springs'. The area surrounding the site is fully built out, and has been for a number of years. Commercial and hotel uses surround the property. Adjacent to the site, surrounding land uses include the following:

North: existing one and two story retail commercial buildings on North Palm Canyon Drive; existing single story hotel on North Indian Canyon Drive.

South: existing one and two story retail commercial buildings on North Palm Canyon Drive; existing one and two story hotel on North Indian Canyon Drive.

East: existing hotel properties on the east side of North Indian Canyon Drive.

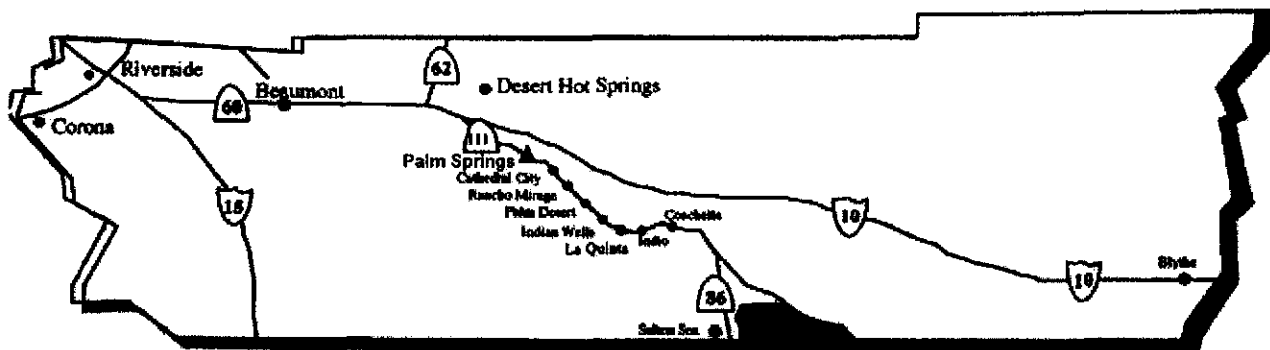
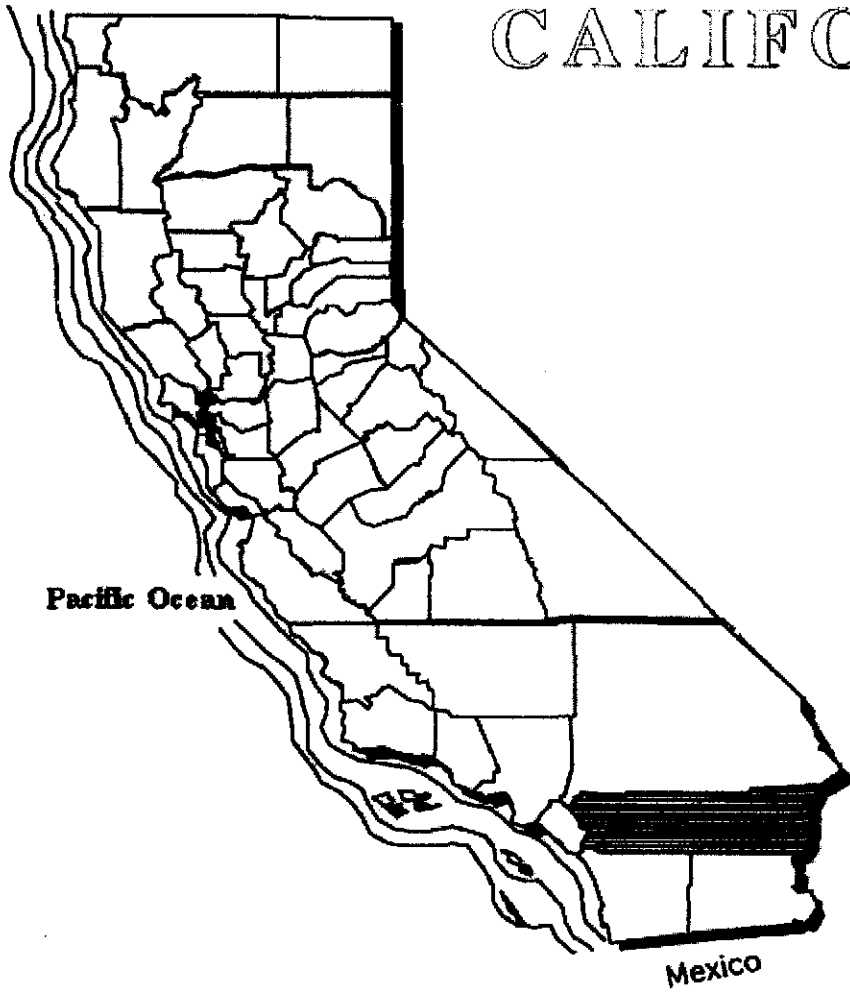
West: existing retail and restaurant properties on the west side of North Palm Canyon Drive.

**Other public agencies whose approval is required**

None.

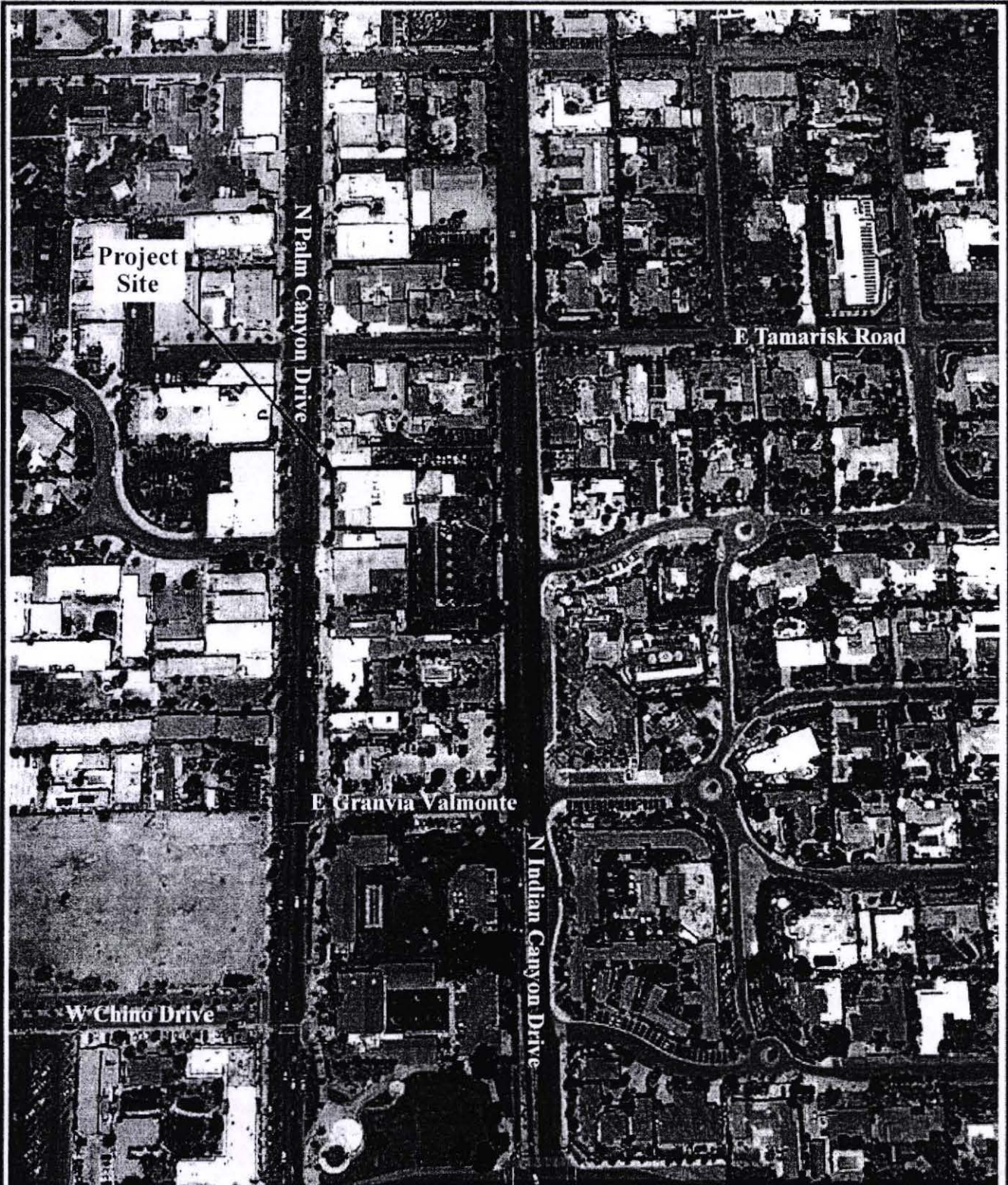
Exhibit 1 – Regional Location Map

# CALIFORNIA



# RIVERSIDE COUNTY

01.07.15



Source: Google Earth 2014



01.07.15

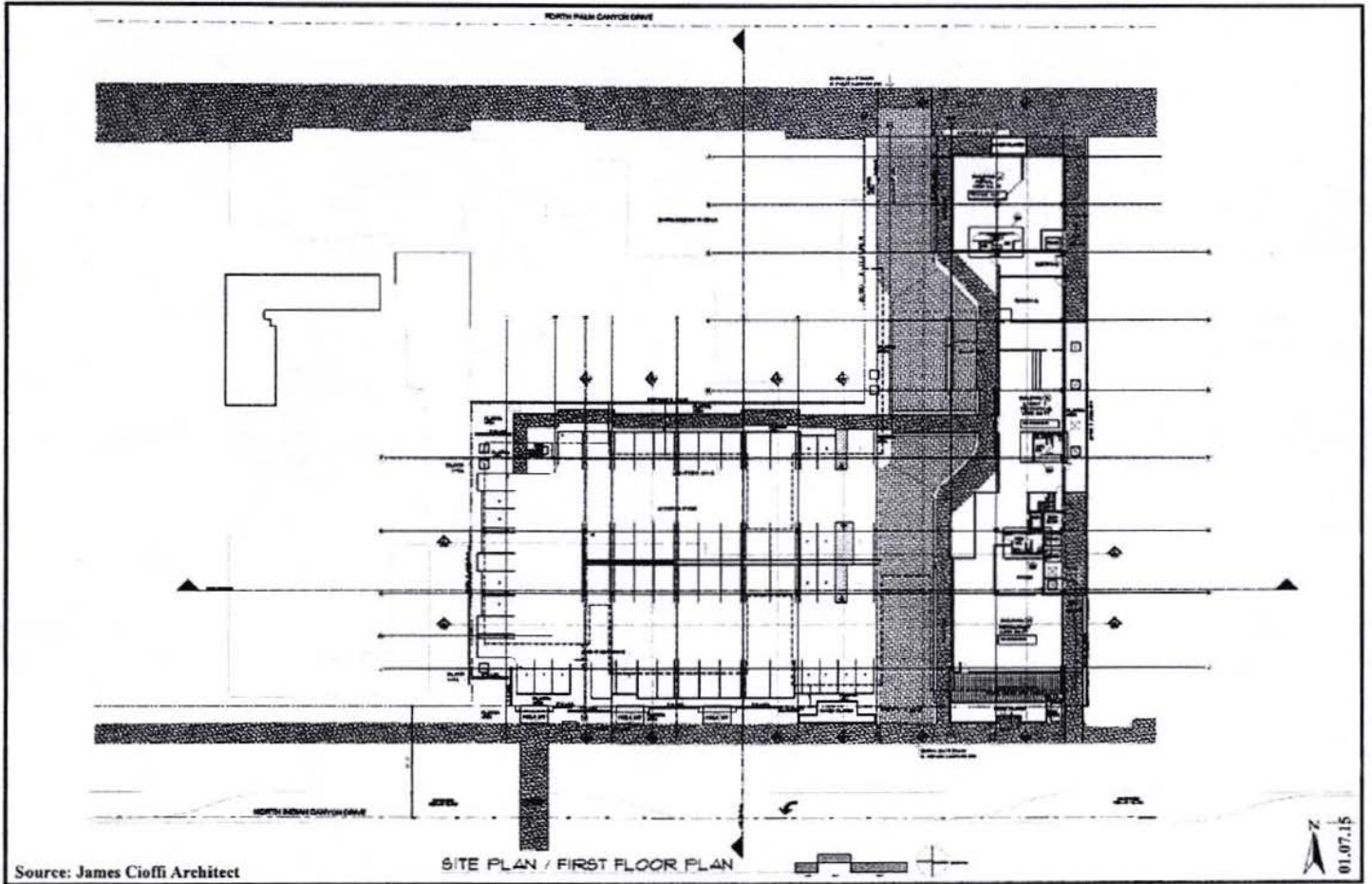
Exhibit

 **TERRA NOVA**<sup>®</sup>  
Planning & Research, Inc.

750 Lofts  
Aerial Vicinity  
Palm Springs, California

2





Source: James Cioffi Architect

SITE PLAN / FIRST FLOOR PLAN

750 Lofts  
 Site Plan  
 Palm Springs, California

Exhibit

3

**Environmental Factors Potentially Affected:**

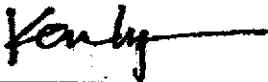
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agricultural Resources             | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION:** The City of Palm Springs Planning Department

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Ken Lyon  
Associate Planner

2/1/15

Date

**PURPOSE OF THIS INITIAL STUDY**

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

## **DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

<b>I. AESTHETICS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

**a-d) Less Than Significant Impact.** The proposed project occurs in an urbanized area of the City, and is surrounded by existing development. The structure proposed for the project will extend to approximately 50 feet in height. Surrounding buildings are one and two stories, and reach a height of 20 to 25 feet. The project site is located approximately one third to one half mile east of the base of the San Jacinto Mountains, which provide a significant scenic vista for the City. The existing building on the project site blocks views from North Indian Canyon westerly of the foothills of the San Jacinto Mountains, but the peaks are visible above the building. Views from North Palm Canyon are also to the west, and will not be impacted by the proposed project.

The construction of the proposed project will result in a greater view blockage at the north end of the property, because of the added height of the building. Views from the southern two-thirds of the site will remain consistent with those currently available, as parking is proposed in these areas. Although the project will further limit views in a portion of the site, the overall impacts to scenic vistas will be limited in scope and area, and impacts are expected to be less than significant.

The proposed project does not occur on a site which contains significant trees, rock outcroppings or designated historic buildings. The site is located within the Las Palmas Business Historic District (please see Cultural Resources section, below, for a discussion on historic resource impacts). Demolition of the existing structure will not have a direct impact on a historic structure. Overall impacts associated with scenic resources are expected to be less than significant.

The visual character of the site and its surroundings is characterized as an urban environment. The Uptown district is fully developed with a mix of uses, primarily resort and retail oriented. The proposed building will be in a modernist style which is widely present in the City. The building will be taller than existing structures, but will have a narrow footprint that will not overwhelm the area, and has been designed with opening and stepbacks that lessen the mass of the structure and provide views through the site.

Impacts associated with the visual character of the site are expected to be less than significant.

All lighting proposed within the proposed project will be required to comply with the outdoor lighting standards established in the City Zoning Ordinance Section 93.21.00 to assure lighting is directed away from adjacent properties. These standards will assure that project light and glare impacts will be less than significant.

**II. AGRICULTURAL RESOURCES**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

a-c) **No Impact.** The proposed project is located in an urban setting. No Prime, Unique or Important farmlands occur on or in the vicinity of the site. There are no Williamson Act contracts on or in the vicinity of the project. The City's General Plan and Zoning ordinance do not provide for agricultural uses, nor are agricultural uses present in the City. There will be no impact to agricultural resources as a result of the proposed project.



**III. AIR QUALITY**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

Development of the proposed project will impact air quality during demolition, construction activities and over the long term operation of the project. These impacts are discussed below.

**a) *Less Than Significant Impact.*** The Coachella Valley is located within the Salton Sea Air Basin (SSAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD is responsible for monitoring criteria air pollutant concentrations and establishing policies for the SSAB. All development in the SSAB is subject to SCAQMD's 2012 Air Quality Management Plan (AQMP) and the 2003 Coachella Valley PM<sub>10</sub> State Implementation Plan.

The Palm Springs General Plan Land Use Plan serves as the basis for the assumptions used in the SCAQMD AQMP. The project is consistent with the development already occurring in the area, and generally consistent with the land use designations for the Uptown district. Therefore, it will not exceed AQMP assumptions or criteria, or result in inconsistencies with the AQMP.

**b)-e) *Less Than Significant Impact.*** In order to calculate the potential impacts to air quality from the proposed project, it was assumed that demolition and construction would occur between mid-2015 and mid-2016, and that the first operational year for the project

would be 2016. It was also assumed that demolition would be immediately followed by site preparation and construction activities.

**Criteria Air Pollutants**

Criteria air pollutants will be released during both the construction and operational phases of the project. The California Emissions Estimator Model (CalEEMod Version 2013.2.2) was used to project air quality emissions generated by the proposed project.

**Demolition and Construction Emissions**

The construction phase includes all aspects of project development, including the demolition of the existing buildings and facilities, site preparation, grading, building construction, paving, and application of architectural coatings. As shown in Table 1, none of the analyzed criteria pollutants will exceed regional emissions thresholds during the construction phase. Air quality impacts of the proposed project will be less than significant.

**Table 1  
750 Lofts  
Construction Emissions (lbs./day)**

Maximum Emissions	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	*PM <sub>10</sub>	*PM <sub>2.5</sub>
2015	26.43	33.18	3.88	0.03	3.79	2.52
2016	17.85	21.49	12.76	0.02	1.66	1.41
SCAQMD Threshold	550.0	100.0	75.0	150.0	150.0	55.0
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod Version 2013.2.2. Unmitigated emissions for 2015-2016.

\* Mitigated emissions to represent standard dust control measures and required best management practices.

**Localized Impacts to Sensitive Receptors**

Although construction is not anticipated to result in significant air quality impacts, it could adversely impact air quality immediately surrounding the project site during construction. To determine if the proposed project has the potential to generate significant adverse localized air quality impacts, the 1-acre mass rate LST Look-Up Table for SRA 30 (Coachella Valley) was utilized. The nearest sensitive receptors are the single-family residences located adjacent to neighboring hotels, east of the subject property. Based on aerial mapping, the nearest residence is approximately 90 meters from the project area boundary. Therefore, LSTs are summarized in the table below for sensitive receptors located approximately 100 meters from the emission source. Construction emission estimates reflect all phases of construction including site preparation, grading/excavation, building construction, paving, utilities/drainage, and architectural coating. As shown in Table 2, LST thresholds will not be exceeded during construction of the project. Impacts will be less than significant.

**Table 2  
750 Lofts**

	<b>Localized Significance Threshold (lbs./day)</b>			
	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>*PM<sub>10</sub></b>	<b>*PM<sub>2.5</sub></b>
Project Emissions	26.43	33.18	3.79	2.52
LST	2,565.00	238.00	35.00	10.00
<b>Exceed?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod Version 2013.2.2. Emissions shown are the maximum daily, unmitigated emission during all phases of construction.  
\* Mitigated emissions to represent standard dust control measures and required best management practices.

Operational Emissions

Operational emissions are ongoing emissions that will occur over the life of the project. Emission sources include area sources (such as consumer products and landscape equipment), energy consumption, and mobile sources. Table 3 summarizes projected emissions during operation of the proposed project. The data represent worst-case summer or winter emissions. As shown, none of the analyzed criteria pollutants will exceed emissions thresholds, and impacts will be less than significant.

**Table 3  
750 Lofts**

	<b>Operational Emissions (lbs./day)</b>					
<i>Maximum Emissions</i>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>ROG</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
2016	94.55	21.35	11.58	0.11	7.60	2.25
SCAQMD Threshold	550.0	100.0	75.0	150.0	150.0	55.0
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod Version 2013.2.2. Unmitigated emissions for 2016.

- f) **Less Than Significant Impact.** Objectionable odors, including those emitted by diesel-operated vehicles and the application of asphalt pavement and paints/solvents, may be emitted during the construction phase of the project. However, these impacts will be temporary and infrequent.

During operation of the project, odors associated with food preparation are likely, but are not expected to be objectionable.

<b>IV. BIOLOGICAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**a-f) No impact.** The project site is fully developed, and existing improvements will be demolished and replaced by a new building and ancillary facilities. There is no indigenous habitat on the site, which has been landscaped with decorative species for decades. No riparian habitat, wetland or sensitive natural community on the site. The site is not a part of a wildlife corridor.

The City participates in both the Agua Caliente Tribal Habitat Conservation Plan and the Coachella Valley Multiple Species Habitat Conservation Plan. The project site is within the

boundary of the Coachella Valley Plan. The project site is not designated as a conservation area, nor is it located adjacent to a conservation area. The project site has been previously developed, but will be subject to the requirements of the Plan, if any. No impact to biological resources will result from implementation of the proposed project.

**V. CULTURAL RESOURCES**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- a) **Less Than Significant Impact.** The proposed project site is currently developed. It occurs in the Las Palmas Business Historic District, a locally designated historic district. The building on the site was constructed in the 1980's, and is not considered to have significant historic value. It is adjacent to, or in the vicinity of buildings that are 'contributing sites to the Las Palmas District. As a result, impacts to those buildings could be considered significant impacts to the District. The City's Historic Site Preservation Board has considered the proposed project to determine if it has the potential to impact the District. The Board's concerns centered on the adequacy of the amount of off-street parking proposed and recommended that the parking study be reviewed by the City Engineer. The Board approved the project with that recommendation.
- b) & c) **No Impact.** The project site is currently developed, and has been for at least 30 years. No archaeological or paleontological resources are expected to occur on the project site. No impacts are anticipated.
- d) **No Impact.** No cemeteries or human remains are known to occur on the site. No such resource was identified when the current building was constructed. No impact is anticipated.

**VI. GEOLOGY AND SOILS**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

A geotechnical investigation was conducted on the project site in 2007, and updated in 2014<sup>1</sup>. The discussion provided below is based on the findings of these reports.

<sup>1</sup> "Geotechnical Investigation Proposed Commercial/Residential Complex 750 North Palm Canyon Drive," prepared by Sladden Engineering; and letter report dated October 27, 2014 by Sladden Engineering.

- a.i) **No Impact.** The subject property is not located in an Alquist-Priolo Earthquake Fault Zone, and no fault rupture will occur on site. The San Andreas Fault is located approximately 7 miles northeast of the subject property. No impacts are expected.
- a.ii) **Less Than Significant Impact.** The seismic hazard analysis prepared for the project site found that the site could be subject to peak ground acceleration of 0.58g. Such ground shaking has the potential to cause damage to structures, and potentially injure people. In order to reduce these risks, the City implements the seismic requirements of the Building Code. The proposed project will be required to comply with the requirements in place at the time that building permits are issued. These standard requirements are designed to reduce impacts associated with ground shaking to less than significant levels.
- a.iii) **Less Than Significant Impact.** The geotechnical analysis found that the site consists primarily of fine to coarse grained sand and silty sand. Liquefaction occurs when groundwater is located near the surface (within 50 feet), and mixes with surface soils during an earthquake. Onsite groundwater depths are estimated to be in excess of 100 feet below the ground surface at the project site, and therefore the potential for liquefaction to occur is considered low. Project-specific geotechnical analysis will be required by the City as part of the grading and building permit process. This analysis will provide foundation design recommendations based on site-specific and project-specific conditions. This standard requirement ensures that impacts associated with liquefaction are less than significant.
- a.iv) **No Impact.** The project site is located approximately 4/10ths of a mile from the foothills of the San Jacinto Mountains. There are no hills or slopes in the vicinity of the project site. No impact associated with slope instability is anticipated.
- b) **No Impact.** The project site is fully developed. No topsoil occurs on the site. The City will impose standard PM10 management requirements on the demolition of existing facilities and the grading of the site. No impact is anticipated.
- c) **Less Than Significant Impact.** The geotechnical investigation found that the site is not susceptible to liquefaction, and further determined that soils were stable. Impacts are expected to be less than significant.
- d) **No Impact.** The geotechnical analysis found that soils on the site and in the area are not expansive. No impact is anticipated.
- e) **No Impact.** The proposed project will connect to the City's existing sewer system. No septic tanks or alternative wastewater disposal systems are proposed. No impacts will occur.



**VII. GREENHOUSE GAS EMISSIONS**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

**a-b) Less Than Significant Impact.** Both demolition/construction and operation of the project will generate greenhouse gas (GHG) emissions. Construction emissions will be generated by a variety of sources, including the operation of construction equipment and energy usage. Construction impacts will be temporary and will end once the project is complete. Typically, they can be minimized by limiting idling times, proper maintenance of heavy machinery, and efficient scheduling of construction activities. Long-term operation of the project will generate GHG emissions from area sources, energy and water usage, mobile sources, and waste disposal.

The California Emissions Estimator Model (CalEEMod Version 2013.2.2) was used to estimate greenhouse gases emitted by the project. The model concluded that demolition/construction would generate 195.68 metric tons per year of CO<sub>2</sub>e, while operation of the project would generate 2,024.75 metric tons per year of CO<sub>2</sub>e.

There are currently no adopted thresholds of significance for greenhouse gas emissions. State legislation, including AB32, aims for the reduction of greenhouse gases to 1990 levels by 2000. Statewide programs and standards, including new fuel-efficient standards for cars and expanding the use of renewable energies, will help reduce GHG emissions over the long-term. The project will be required to comply with standards and regulations for reducing GHG emissions, including the City's Climate Action Plan and other GHG reducing strategies. The proposed project will also be required to comply with Title 24 of the California Building Code, which in 2014 requires a further 30% reduction in energy use for construction. These standard requirements and City initiatives will reduce GHG emissions from the project.

<b>VII. HAZARDS AND HAZARDOUS MATERIALS</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**a-b) Less Than Significant Impact with Mitigation Incorporated.** The project site is currently occupied by a bank building and ancillary facilities constructed in the 1980s. A Phase I

Environmental Site Assessment was prepared for the project<sup>2</sup>. The Assessment included both a records search and an onsite investigation. The onsite investigation concluded that building materials, including floor tiles, mastic and ceiling tiles have the potential to contain asbestos. Asbestos is a hazardous material which must be disposed of in a prescribed manner in order to prevent its release into the air. The onsite survey also identified the potential for mold on several ceiling panels, resulting from historic roof leaks. Mold can also be released into the during demolition activities. Both these observed conditions have the potential to significantly impact the environment. In order to reduce the impacts to less than significant levels, mitigation measures are required, and provided below.

The proposed project consists of a hotel and ancillary retail and restaurant uses. These businesses will store small amounts of cleaning supplies and similar materials for internal use, but will not use, transport or dispose of significant hazardous materials. The operator will be required to comply with local and regional requirements relating to the storage of supplies. The impacts associated with hazardous materials on the site are expected to be less than significant.

**Mitigation Measures**

**MM VII-1:** Any suspected Asbestos Containing Materials (ACM) should be sampled prior to the initiation of any demolition activities on the project site. Identified ACMs must be abated by a licensed abatement contractor, and disposed of in conformance to all state and local requirements.

**MM VII-2:** Any mold identified on the project site shall be abated in a manner that conforms to all state and local requirements.

- c) **No Impact.** The proposed project is located in the commercial core of the City. The closest school, Katherine Finchy Elementary, is located approximately ½ mile northeast of the project site. The project will not emit or handle hazardous materials that could be a hazard to the school. No impact is anticipated.
- d) **No Impact.** The project site is not listed as a hazardous materials site, cleanup site, or hazardous waste facility and, therefore, the proposed project will not create a significant hazard to the public or environment. (Envirostor map database, California Department of Toxic Substances Control, 2014).
- e) **No Impact.** The project site is located 1.6 miles west of the Palm Springs International Airport. The site is outside the boundaries of the airport's land use compatibility area.
- f) **No Impact.** The project site is not located in the vicinity of a private airstrip and, therefore, will not result in a safety hazard for people working or residing in the project area. No impact is anticipated.
- g) **No Impact.** The proposed project is located in the urban core of the City, on the existing

<sup>2</sup> "Phase I Environmental Site Assessment of 750 Palm Canyon Drive (sic)," prepared by BA Environmental, November 2014.

street grid. It will not block existing circulation patterns, nor impede access to evacuation routes. No impact is expected.

- h) No Impact.** The proposed project occurs in the Uptown district, and is not located adjacent to any urban/wildland interface. The project will not be impacted by wildland fires.

**VIII. HYDROLOGY AND WATER QUALITY**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VIII. HYDROLOGY AND WATER QUALITY**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**a), b) & f) No Impact.** The proposed project will be required to connect to the City's domestic water and sanitary sewer systems. The Desert Water Agency provides water service to the site, and the City provides sanitary sewage treatment for the site. Both these agencies are required to comply with the requirements of the State Regional Water Quality Control Board relating to water quality standards and wastewater discharge requirements. No impact is expected.

**c-e) Less Than Significant Impact.** Drainage on and from the project site is expected to remain consistent with current conditions, since the site is currently developed. The City requires that all projects manage storm water flows so as not to impact downstream properties. The project site occurs in a fully developed area. The City will require the approval of a hydrology study, Storm Water Pollution Prevention Program and Water Quality Management Plan for the proposed project. These documents, and their implementation, must be completed to standards that meet local, state and federal requirements. The project will not be allowed to discharge storm water at a rate or quantity greater than that currently occurring on the site. Further, the project will not be allowed to pollute surface waters, and will be required to implement Best Management Practices to control pollution on the site. These standard requirements will assure that impacts associated with drainage are less than significant.

**g)- j) No Impact.** The proposed project is not located in a 100-year floodplain and will not place housing or other structures in an area that would impede or redirect flows. The property is not located in a flood zone, and is outside the boundary of the Tahchevah Creek Detention Reservoir Dam Inundation Pathway. Flood risk on the property is therefore low. No impact is anticipated.

**IX. LAND USE AND PLANNING**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- a) **No Impact.** The proposed project site is currently occupied by a bank building, and construction of the proposed project will have no impact on an existing community.
- b) **Less Than Significant Impact.** The project site is currently designated Neighborhood Community Commercial (NCC) in the General Plan. A General Plan Amendment is proposed to change this designation to Mixed Use/Multi-Use – CBD. The NCC land use designation supports retail land uses, and allows hotel uses as well. The proposed project site is surrounding by a combination of resort residential and retail land uses. The change from NCC to Mixed Use is not a significant change in the land use concept for the site, nor will it substantially change the character of the site or neighborhood. With the approval of the General Plan Amendment, the proposed project will be consistent with General Plan standards and requirements. Overall land use impacts are expected to be less than significant.
- c) **No Impact.** As stated in the Biological Resources section above, the proposed project occurs within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan. The site is not within a conservation area, and as a developed site, will be subject to the requirements of the Plan for developed sites, if any. No impact is anticipated.

**X. MINERAL RESOURCES**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**a-b) No Impact.** The subject property is fully developed and occurs in the City's urban core. No mining or mineral extraction occurs on or in the area surrounding the site. No designations for mining are provided in the City's General Plan. No impact is anticipated.



<b>XI. NOISE</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**a) *Less Than Significant Impact.*** The project site occurs adjacent to two major City streets, North Palm Canyon and North Indian Canyon Drives. The noise levels on both streets are elevated, due to the high levels of activity on both streets. The frontage on both streets at the project site is likely to currently experience noise levels of about 70 dBA CNEL, based on the City's General Plan and General Plan EIR, and will experience similar noise levels in the future.

The City's General Plan standard for hotels and motels finds 70 dBA CNEL to be conditionally acceptable. The City further requires that interior noise levels be maintained at 45 dBA CNEL. The City will require the preparation of project specific noise analysis as part of its building permitting process, to be assured that the project will meet its standards. The orientation of the hotel is to the north and south, and most rooms will have terraces or balconies off the street, which will result in lower noise levels. Impacts associated with noise are expected to be less than significant.

- b) **Less Than Significant Impact.** The primary source of vibration at the site is expected to be during construction, and to be from the operation of heavy equipment such as bulldozers. Vibration levels will be infrequent, temporary, and below thresholds of perception for sensitive receptors, insofar as residential uses do not occur immediately adjacent to the project site. No groundborne vibrations are anticipated during the operational phase of the project. Impacts will be less than significant.
- c) **Less Than Significant Impact.** As described above, the project site is currently in the City's urban core, and experiences elevated noise levels. The construction of the proposed project will marginally increase noise levels, insofar as the building on the site has been vacant for some time, and no noise is generated at the site currently. The operation of the hotel will generate noise from vehicle operations, and noise from people using the facilities, including the rooftop bar. The project will, however, be subject to the City's Noise Ordinance requirements, and will be required to comply with those requirements as they relate to elevated noise levels, particularly at night. Overall impacts are anticipated to be less than significant.
- d) **Less Than Significant Impact.** Temporary noise generated during the construction phase of the proposed project could exceed acceptable noise levels, particularly during site demolition and preparation. Primary noise sources will be heavy equipment. These impacts, however, will be periodic and temporary, and are allowed in the City's Municipal Code, as long as they occur during specified daytime hours. The City's standards will assure that impacts are less than significant.
- e) **No Impact.** The Palm Springs International Airport is located approximately 1.6 miles east of the subject property. The project site is not within the flight path for airport operations, and is well outside the noise contours for the airport. No impact associated with airport noise is anticipated.
- f) **No Impact.** The subject property is not located in the vicinity of a private airstrip, and no impacts associated with such a noise source will occur.

**XII. POPULATION AND HOUSING**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

- a) **No Impact.** The proposed project will result in the addition of 46 hotel rooms and about 5,600 square feet of ancillary retail and restaurant use. Although these land uses will generate new jobs, it is not anticipated that the job potential will generate population growth, but rather that the jobs will be filled by persons already residing in the area. The project will not cause the extension of any roads or other infrastructure, and therefore will have no impact on growth.
  
- b-c) **No Impact.** The project site consists of an existing bank building which is currently vacant. Although the building will be demolished, the project will neither displace housing nor people, and will not result in a need for housing elsewhere. No impact is anticipated.

**XIII. PUBLIC SERVICES**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Would the project result in:**

Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

**a-e) *Less Than Significant Impact.*** The development of the project will increase the demand on public services. This increase, however, is not anticipated to be substantial, particularly since the project site occurs in a heavily developed urban environment.

Fire Protection

The Palm Springs Fire Department is responsible for fire protection in the City. The nearest fire station to the project site is located less than ½ mile south of the site, at North Indian Canyon Drive and Amado Road. The City's other fire stations, including those located on Racquet Club and El Cielo Roads, will also be available to serve the site. Response time to the site will meet the City's targeted 5-minute limit. The project will marginally increase service calls, insofar as the site is currently unoccupied. However, the addition of 46 hotel rooms on 1.1 acres in the City's urban core will not significantly impact fire department operations.

Project plans will be reviewed by the Fire Department to ensure they meet applicable fire standards and regulations. Overall impacts to fire protection services are expected to be less than significant.

Police Protection

The Palm Springs Police Department is located at 200 S. Civic Drive, approximately 2 miles southeast of the project site. The project will occur in the City's urban core, in an area already served and patrolled by the Department. Although the operation of 46 hotel rooms will marginally increase the demand for police services, it is not anticipated that this increase will be significant.

Schools

Palm Springs Unified School District provides public education facilities and services in the City. The nearest school to the project site is Katherine Finchy Elementary school, which is located approximately ½ mile northeast of the project site. Development of the hotel will only indirectly impact schools, insofar as the jobs created by the hotel may increase the demand to schools if an employee moves to the City. This potential increase, however, is expected to be minimal. The proposed project will be required to pay the mandated school fees, which are designed to offset the impacts of new projects to local schools. Impacts are expected to be less than significant.

Parks

The City's owns approximately 163.5 acres of public parks and 82.6 linear miles of trails. \ The project will marginally increase the use of these facilities; however, the increase is not expected to be substantial, or result in the need for new or expanded facilities.

**XIV. RECREATION**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**a-b) No Impact.** The development of a hotel will only marginally increase the use of local parks and recreational facilities, insofar as a transient population is unlikely to heavily use parks or facilities. The project will not generate the need for additional parks or recreational facilities. No impact is anticipated.

**XV. TRANSPORTATION/TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

A Traffic Impact Study (TIS) was prepared for the proposed project<sup>3</sup>. The discussion below summarizes its findings.

**a) & b) Less Than Significant Impact with Mitigation Incorporated.** The proposed project will generate up to 759 daily trips, with 29 trips occurring during the morning peak hour, and 60 trips occurring during the evening peak hour. The TIS studied a number of intersections in order to determine whether the project would impact the local street system. These intersections were:

- Palm Canyon Drive at:
  - Tamarisk Road
  - Project Access

<sup>3</sup> "Proposed 750 Lofts Project Traffic Impact Study," prepared by RK Engineering Group, December, 2014.

- o Granvia Valmonte
- Indian Canyon Drive at:
  - o Tamarisk Road
  - o Project Access
  - o Via Altamira
  - o Granvia Valmonte

The analysis found that existing intersections currently operate at Level of Service C or better. The City's General Plan standard is a Level of Service D or better. Therefore, the studied intersections all operate at an acceptable level of service.

The TIS then analyzed the future traffic conditions, including both traffic growth and surrounding future projects. The analysis assumed an opening year for the hotel of 2016. Under those conditions, background plus project levels of service would be C or better, with the exception of the intersection of Indian Canyon and Granvia Valmonte, which will operate at level of service D.

Finally, the TIS analyzed General Plan build out conditions in the year 2035. Under these conditions, without the proposed project, the intersection of Palm Canyon and Granvia Valmonte will operate at level of service A and Indian Canyon at Tamarisk Road will operate at level of service D. All other existing intersections will operate at level of service E or F, which is not an acceptable level of service. With projected improvements, and the addition of the proposed project, all intersections (including the project access points) will operate at level of service D or better, with the exception of the intersection of Granvia Valmonte and Indian Canyon, which will operate at level of service F. The TIS further determines that there is mitigation for this intersection, but recommends against it. The basis for the recommendation is as follows: the intersection will operate at an unacceptable level only during the evening peak hour, and only for the westbound movement on Granvia Valmonte. Level of service will be acceptable on Indian Canyon. The unacceptable level of service will occur for 4 vehicles attempting a left turn from westbound Granvia Valmonte to southbound Indian Canyon. The intersection will not meet traffic signal warrants, because of the very low traffic volume, and restriction of the left turn movement is not recommended for so few vehicle trips (4) is not recommended.

As noted above, all other intersections will operate at an acceptable level of service, with or without the proposed project in the year 2035. The project will contribute to the need for future improvements, but is not responsible for them. Therefore, in order to mitigate impacts associated with the proposed project, the TIS recommends the payment of fair share fees toward the required improvements. This mitigation measure will assure that impacts associated with the proposed project are less than significant.

**Mitigation Measure**

**MM XV-1** The proposed project shall pay a fair share contribution for the recommended off-site intersection improvements, including signalization of Tamarisk Road and Palm Canyon Drive, and the addition of left turn lanes to southbound and westbound travel lanes at this intersection.

- c) **No Impact.** The Palm Springs International Airport is located approximately 2 miles east of the proposed project. None of the improvements proposed by the project will adversely impact air traffic patterns, airport functions, or safety.



**DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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- d) **No Impact.** The project does not propose any hazardous design features. The project will be required to provide improvements to project driveways consistent with City standards.
- e) **Less Than Significant Impact.** The proposed project will have access on both Palm Canyon and Indian Canyon Drives. The Fire and Police Departments will impose their standard requirements for site access to assure public safety. These standard requirements will assure that impacts are less than significant.
- f) **Less Than Significant Impact.** A parking analysis was prepared for the proposed project, to address the shared uses on the property. Since it can be expected that the proposed hotel guests will utilize the ancillary retail and restaurant facilities, and that hotel facilities will be used by outside residents and visitors, an analysis was conducted, as is permitted by the City<sup>4</sup>. The proposed project, without shared parking, would require 75 parking spaces. A total of 62 spaces are proposed. The parking analysis demonstrates that the 62 parking spaces are adequate, based on certain assumptions of shared use. The report is currently under review, and must be approved before the reduced parking standard will be allowed. The project cannot proceed with a reduced parking space allocation without this approval. Therefore, the approval of the parking analysis will assure that parking impacts are less than significant.
- g) **No Impact.** Sunline Transit Agency provides public transit services in the Coachella Valley. Service is provided on both Palm Canyon Drive and Indian Canyon Drive, and extends throughout the City. The project will be well served by public transit.

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<sup>4</sup> "Proposed 750 Lofts Project Parking Analysis," prepared by RK Engineering Group, December, 2014.

**XVI. UTILITIES AND SERVICE SYSTEMS**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

**a-e) *Less Than Significant Impact.***

Wastewater Treatment

Project-related impacts to wastewater treatment requirements and facilities will be less than significant. The proposed project will require construction of onsite sewer infrastructure that will be connected to existing sewer lines in Palm Canyon and Indian Canyon. Wastewater will be transported to the City's Wastewater Treatment Plant (WTP). The WTP has a capacity of 10.9 million gallons per day (mgd) and treats approximately 6 mgd; therefore, it has available capacity to serve the proposed project.

The WTP implements all applicable requirements of the Colorado River Basin Regional Water Quality Control Board, and the proposed project will not cause any violation of wastewater treatment requirements.

Domestic Water

The Desert Water Agency (DWA) provides domestic water services to the subject property and vicinity. In 2013, the Coachella Valley Regional Water Management Group, of which DWA is a part, prepared an Integrated Regional Water Management Plan (IRWMP), to analyze and provide for long range planning to address the region's domestic water needs. The IRWMP indicates that long-term demand for potable water is expected to increase throughout the region; however, conservation measures and groundwater replenishment programs will make it possible to meet increasing demand.

The proposed project will require construction of onsite domestic water infrastructure, including water lines that serve individual rooms, the restaurant and bar, and back-of-house facilities. No new wells or additional water infrastructure or entitlements will be required.

Stormwater Management

Impacts associated with project-related stormwater improvements are expected to be less than significant. Please see the Hydrology and Water Quality section, above.

- f-g) Less Than Significant Impact.** Palm Springs Disposal Services (PSDS) provides solid waste collection and disposal services to the City and will serve the proposed project. Solid waste is transported to Edom Hill Transfer Station in northern Cathedral City and distributed to several regional landfills that have adequate capacity to serve additional development. Facility operators, including PSDS, are required to meet all local, regional, state, and federal standards for solid waste disposal.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

<b>Does the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>a) <i>No Impact.</i></b> The project site is fully developed, and contains no native vegetation or habitat. There is also no potential for archaeological resources on the property, because of its developed condition. The City has determined that the structure on the site does not have historic significance. The proposed project will have no impact on biological or cultural resources.</p> <p><b>b) <i>Less Than Significant Impact.</i></b> The proposed project will not result in cumulatively considerable impacts. The addition of 46 hotel rooms will not significantly affect cumulative impacts in the City, including traffic impacts.</p> <p><b>c) <i>Less Than Significant Impacts with Mitigation Incorporated.</i></b> As described in the Hazards and Hazardous Materials section and the Traffic and Circulation section, the proposed project has the potential to release ACMs during demolition, and to impact local traffic conditions, both of which would affect human beings. The mitigation measures included in this Initial Study, however, will assure that these impacts are reduced to less than significant levels.</p>				

**REFERENCES**

City of Palm Springs General Plan and General Plan EIR, 2007.

City of Palm Springs Zoning Code.

City of Palm Springs Class 1 and Class 2 Historic Sites and Historic Districts, revised December 2, 2013.

"CEQA Air Quality Handbook," South Coast Air Quality Management District, 1993.

"Final 2012 Air Quality Management Plan," South Coast Air Quality Management District, December 2012.

"2003 Coachella Valley PM<sub>10</sub> State Implementation Plan," South Coast Air Quality Management District.

"Special Report 159: Mineral Land Classification: Aggregate Materials in the Palm Springs Production-Consumption Region," California Department of Conservation, Division of Mines and Geology, 1988.

"Riverside County (West) Very High Fire Hazard Severity Zones in Local Responsibility Areas, as Recommended by CAL FIRE," California Department of Forestry and Fire Protection, December 24, 2009.

"Riverside County Airport Land Use Compatibility Plan, Volume 1, Policy Document," adopted by Riverside County Airport Land Use Commission, October 14, 2004.

"Riverside County Important Farmland 2010 Map," sheet 2 of 3, California Department of Conservation, published January 2012.

Envirostor Map Database, California Department of Toxic Substances Control, [www.envirostor.dtsc.ca.gov](http://www.envirostor.dtsc.ca.gov).

2010 U.S. Census.

## Ken Lyon

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**From:** Ken Lyon  
**Sent:** Wednesday, February 18, 2015 1:47 PM  
**To:** Nicole Criste (ncriste@terranovaplanning.com)  
**Subject:** FW: 750 Lofts City Case Nos. 5.1350 PDD 374 GPA CUP & 3.3795 MAJ

FYI

Ken Lyon, RA  
Associate Planner  
Department of Planning Services  
City of Palm Springs, California  
3200 Tahquitz Canyon Way  
Palm Springs, California 92283  
T 760 323 8245 F 760 323 8360

"Make no little plans,  
They have no magic to stir men's blood  
And probably won't be realized.  
Make big plans  
Aim high in work and in hope,  
Let your watchword be order,  
And your beacon beauty"  
- Daniel Burnham, Architect and Planner

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**From:** Guerin, John [<mailto:JGUERIN@rctlma.org>]  
**Sent:** Wednesday, February 18, 2015 10:14 AM  
**To:** Ken Lyon  
**Cc:** Cooper, Ed; Santos, Barbara  
**Subject:** 750 Lofts City Case Nos. 5.1350 PDD 374 GPA CUP & 3.3795 MAJ

Thank you for providing the Riverside County Airport Land Use Commission with copies of the Draft Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration for the above-referenced project sandwiched between North Palm Canyon and North Indian Canyon Drives, southerly of Tamarisk Road and northerly of Alejo Road in the City of Palm Springs.

Please be advised that the Assessor's Parcel Numbers cited in the Project Location paragraph of the Notice of Intent are inaccurate and refer to two parcels that do not match the location cited. Those two parcels are within the Airport Influence Area, but the project is not proposed to be located thereon. The Draft Initial Study correctly identifies the Assessor's Parcel Number as 505-303-018.

The Initial Study is correct that the site is located outside the Airport Influence Area. ALUC review is not required or requested.

March 1, 2012

Mr. Thomas Wilson, Assistant City Manager  
Mr. Craig Ewing, Director of Planning  
City of Palm Springs  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

RE: Colony Palms Hotel Parking Requirements

Dear Messrs. Wilson and Ewing:

As we have recently discussed, if there was a cancellation of our Lease for auxiliary parking spaces for the Hotel, we would like to have the City's approval of alternative parking provisions until a new lease or other appropriate parking can be established.

The Colony Palms Hotel currently has a lease at 750 N. Palm Canyon Drive, Palm Springs, CA, for 30 parking spaces which fulfill the parking requirements for the Hotel which are not met on the Hotel property.


The Colony Palms Hotel would propose that, if its Lease at 750 N. Palm Canyon Drive is terminated, the Hotel will maintain Daily Valet Services, until a new lease or appropriate arrangements for additional parking is provided. Based upon the provision of Daily Valet Services, the City will agree that the Hotel will continue to be in compliance with the City of Palm Springs' parking requirements.

Sincerely,



David Dittmer, General Manager  
Colony Palms Hotel

AGREED AND ACCEPTED, as presented above, this 1<sup>st</sup> day of March, 2012.



Thomas Wilson  
Assistant City Manager

cc: David Ready, City Manager  
Douglas Holland, City Attorney  
Britten Shuford, Managing Member - Colony Palms Hotel  
Andy Carpiac, Managing Member - Colony Palms Hotel

**Terri Hintz**

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**Subject:** FW: 750 NORTH PALM CANYON DRIVE

-----Original Message-----

From: [davidf2@earthlink.net](mailto:davidf2@earthlink.net) [mailto:[davidf2@earthlink.net](mailto:davidf2@earthlink.net)]

Sent: Tuesday, February 24, 2015 6:16 PM

To: Ken Lyon

Cc: K C Jones; Tim Wenzel; Tommy Shortess; Ronald M Zehel; Bill Shaw; bearfoot inn

Subject: 750 NORTH PALM CANYON DRIVE

Mr. Lyon:

I am writing to you to protest the planned 46 unit development at 750 N. Palm Canyon Dr.

My husband and I own unit #6 at 860 N. Indian Canyon. Our patio faces directly southeast. The reason we bought this unit was because of the wonderful view of the mountains from the patio.

This plan development will destroy our wonderful view. Instead of looking at the mountains, we will now be looking at the backend of a large hotel complex. It decreases the value of our property.

WE STRONGLY PROTEST THE TAKING OF OUR VIEW AND DECREASE IN THE VALUE OF OUR PROPERTY FOR THE COMMERCIAL GAIN OF ANOTHER PARTY.

Additionally, the charm of downtown Palm Springs is predicated on it lacking such high structures that deface the view for all residents, as you are aware I am sure. Clearly, if this structure is allowed, you will not be able to stop similar developments up and down Palm Canyon.

David Farah  
owner of 860 N. Indian Canyon, Unit #6  
760-808-3272

PS. I received the notice sent by the city only yesterday February 23. Why was this notice sent so late so that we had so little time to comment and protest? It would seem that the project is being rammed through with the least notice of those directly affected. Surely you could have given adequate notice a LONG time ago.

Planning Commission Meeting

Date: 2-25-15

Additional Material

Item 2B 128



# WORKSHOP KITCHEN + BAR

800 N. Palm Canyon Dr. Suite G  
Palm Springs, CA, 92262

Dear Sir or Madam:

I would like to formally lend my support to the 750 Lofts project that has been proposed in my immediate neighborhood. This neighborhood is not only historic, but has in full-force become a cultural and nightlife center of Palm Springs. In roughly ten years, Uptown has gone from empty storefronts and unimproved properties, to an attractive neighborhood which serves a clientele that is largely educated, travelled and passionate about design.

The proposed 750 Lofts project would only enhance the neighborhood, and further brand Palm Springs as a hip, attractive destination. The loft element of the project promotes a unique urban-desert lifestyle, helping to further Palm Springs's image as both a naturally beautiful city and an attractive place for younger generations to live.

Please feel free to contact me if I can be of any more assistance.

Kind regards,

Michael Beckman | Chef Owner  
Workshop Kitchen + Bar LLC  
800 N. Palm Canyon Dr. Suite G  
Palm Springs, CA, 92262  
e: [michael@workshoppalmsprings.com](mailto:michael@workshoppalmsprings.com)  
c: 310-977-7018  
o: 760-459-3451

Submitted to  
Planning Commission

FEB 25 2013

Case # \_\_\_\_\_ 129

SARA FRITH AND PATRICK HARBINSON  
sarafrith@gmail.com  
310-305-8011

RECEIVED  
CITY OF PALM SPRING  
2015 FEB 23 AM 9:4  
JAMES THOMPSON  
CITY CLERK

292 East Via Altamira  
Palm Springs, CA 92262

440 Linnie Canal  
Venice, CA 90291

February 20, 2015  
Palm Springs Planning Commission  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

Attention: James Thompson, City Clerk

Re: 750 Lofts, LLC planned development at 750 North Palm Canyon Drive / Case nos. 5.1350 PDD 374 /  
GPA / CUP and 3.3795 MAJ

Dear Sirs

We want to place on record our very strong objections to the planning application for 750 Lofts, LLC for development of the site at 750 North Palm Canyon Drive.

We own a home at 292 East Via Altamira, Palm Springs 92262. It is directly in the affected area of this proposed development. Until we received notice last Thursday of the hearing scheduled for February 25, 2015, we have received no notice of the previous hearings for this project since the hearing before the Historic Site Preservation Board in October 2012.

We strongly object to the failure by the City Planners to apply the guidelines governing building in this historic area to this development. This project clearly violates the letter and intent behind the building guidelines for historic areas of the city with respect to height, density, open space, and sensitivity to neighboring buildings. These guidelines were put in place to preserve the historic areas of the city and ensure that existing buildings were not overwhelmed by new development. It is the obligation of the City Planning Commission to ensure that those rules are properly, fairly and consistently applied. This does not appear to be happening in regard to this project.

Since the proposed project developers were unwilling to try to fit within those guidelines, it now seems they have sought a change in designation of the site to "a Planned Development District", to allow it to apply the more liberal high rise building regulations to this project with respect to height, density, setback and context. And it does not even fit within those rules. Nonetheless, the City Planners seem predisposed to waive it through.

We strongly object to the PPD designation. The intent and effect of such a designation in this case is to eviscerate the protections which we, the existing residents (both commercial and private) who also

Item 2B  
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Date: 2-25-15  
Additional Material

invested in this area, have abided by and have relied upon to protect the character and history of the area.

There are no high rise buildings in this area. The City Planners and their staff seem to have focused most of their analysis on the impact of the development from Palm Canyon. We would ask you to look more carefully at the impact from Indian Canyon and to the East from the Movie Colony. We also ask that height poles be erected at the site to clearly show how high and where (at what point of setback) the building will rise and that written notice be given to all property owners in the area so that they know well in advance when the poles will be put up.

This is not a large site; it is set among many historic buildings, none of which is over 2 stories and its style is completely out of keeping with those buildings on Indian Canyon Drive which look on to it and surround it on either end, which are mostly in the Spanish revival style. The proposed height, density and setbacks and lack of open green space at ground level all violate the existing rules governing buildings in this area - rules which we as homeowners have abided by and which the historic hotels opposite this site on Indian Canyon Drive have abided by. This has made it possible for homeowners and commercial premises to live happily together for decades with mutual respect for each other's space and views. In making those investments we have all relied on the City Planners to enforce those rules on anyone and everyone in the area. It is a trust that has been placed in you and which needs to be honored.

All of the buildings to the North, South, East and West of this building are significantly lower than that being proposed. The highest buildings in the vicinity are 2 story buildings, and all, without exception, to the North, South and East, have 2 stories on only a small proportion of their lots; they are set around courtyards and open spaces at ground level which balance the buildings with the surrounding environment. To the North the building next to this site is an historic one story building, to the East the building opposite it (Los Arboles) is a one story building, the Movie Colony Hotel is a substantially one story building with elements which are 2 story. The former Spanish Inn hotel is also a substantially one story hotel with two story elements. The same is true of the Colony Palms Hotel. Behind these hotels in the Historic Movie Colony area all the private residences, including ours, are one story. They will all be negatively impacted by this development. The building is far higher than anything in the area.

The developers (and the City) have sought to justify the height by taking the highest point of the highest neighboring building (the 2 story Alcazar) and going well above that point, disregarding the fact that that building and all the other buildings around it do not rise vertically to such height but only achieve such height at the apex of a sloping roof. And, further disregarding the fact that in the case of all the surrounding sites, the buildings (whether one or two story) are only built on a portion of their lots, with significant open space at ground level to balance the building with its environment.

The proposed development will block views of the mountains and stand way above the other buildings surrounding it. It is very urban in feel and not at all in keeping with the essential "Spanish" nature of the buildings in this area on Indian Canyon Drive and to the east in the Movie Colony area. On the Palm Canyon Drive side of the site, there is less of an historic Spanish feel, but still the buildings in the area are mostly one story and none overwhelms its neighbors as this one will. It is possible to see palm trees

above all of them and to see the mountains beyond. Both those views will be lost from the Movie Colony side of Indian Canyon Drive if this project proceeds.

In losing the views and that feel of light and space, and the peace and calm they bring with them, and by inserting such an essentially "urban" building in their midst with rooftop pool, bars and lofts and yet more retail space to add to the very many already unoccupied such spaces in town, you will be fundamentally altering the character of this area – to the detriment of all living here. This has already happened to disastrous effect in other parts of this town. But such rooftop living does not exist here – no one is overlooked and the views have been preserved for all. Until now, the Uptown Design District was and currently still remains an area that has preserved the history and character that draws people to Palm Springs in the first place.

When you enter Palm Springs along Highway 111, the first thing that strikes you are the palm trees and the mountains, and the low nature of the buildings that nestle discreetly into those. It creates a unique and beautiful atmosphere. Most of us who come here are deliberately seeking that escape from city dwelling among high rise buildings. It is what you think of when you think of Palm Springs. The 2 great eras for the city in terms of architecture were the 30's and the late 50's and 60s, both of which, fortunately for the city, essentially built to a modest height and in a way that balanced buildings with nature.

This development completely goes against that balance. It is urban to its core. It greedily seeks to exceed all the rules governing height, setback, open space and it overwhelms every building within its vicinity and robs those in the Movie Colony of their views of the mountains and the palm trees. Stylistically it is also not in keeping with any of the historic buildings surrounding it. The profit motive behind the development is obvious.

When people like us and so many others invest in this community we have a right to expect that the rules designed to protect the history, character, beauty and atmosphere of the place we are investing in, rules which existed at the time of those investments, will be applied equally to all who purchase property here. We all bring value to this community when we purchase homes here – we spend millions preserving and renovating the historic homes, paying real estate taxes, and employing the local workforce to maintain and renovate these properties. Those investments need to be protected by the City Planners and not undermined by allowing developers to come in and manoeuver around the rules and change the character of the area. There are sites in the city where such a building as that being proposed would fit in more appropriately but this is certainly not one of them. No-one is objecting to commercial development per se, just to manipulation of the rules and variations therefrom which allow developments to proceed that do not respect their neighbors or their location, or the rules supposed to govern them.

Sincerely

SARA FRITH  
Attorney

and

PATRICK HARBINSON  
Writer / Producer

Item 2B  
Planning Commission Meeting  
Date: 2-25-15  
Additional Material

February 22, 2015

To whom it may concern regarding:

2B. 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE NOS. 5.1350 PDD 374 / GPA / CUP AND 3.3795 MAJ). (KL)  
Item 2B - Oversized Exhibits

As homeowners for 22 years in the Movie Colony, we have several concerns with the proposed development. I am putting my concerns in writing since I am not in town on the date of the hearing. This recommendation will be delivered in person to the City prior to the hearing, as requested for consideration.

- 1. **Offsite parking.** This is a growing problem in the Movie Colony neighborhood immediately and adjacent to the proposed development. For example, we live behind the Colony Palms Hotel. Saturday, Feb. 21, at 5 p.m. a hotel employee parked the wrong way on the narrow one-way section of Via Colusa, blocking our driveway. We asked the employee to move her car, and she explained that the hotel has no employee parking. This is contrary to what was agreed upon when the Colony Palm Hotel was under review by the Planning Commission and City Council. It was stipulated that parking had to be available for employees, and that employees would not be parking in the adjacent neighborhood streets. I would like to know what has changed? What will be done about this? And how will parking for guests and employees be handled at the proposed 750 North Palm Canyon Drive hotel?

With the number of hotels and restaurants that have come into the immediate area — including but not limited to— The Colony Palms, Triada, Movie Colony Hotel, Alcazar, and Los Arboles — parking in our neighborhood is a problem.

Adding a four-story hotel and bar will make the parking impossible.

**2. Open Air Top Floor Pool Bar.**

More than enough liquor licenses have already been granted in this area, which is adjacent to residential properties. If a liquor license is permitted, it must be restricted so that there is NO AMPLIFIED MUSIC. The Movie Colony homeowners currently suffer from the ongoing noise of various out door concerts and celebrations. To add another nightly and/or weekly contributor to the current din is concerning. We would like to see the city enforce restrictions on outdoor amplified music.

**We as homeowners are entitled to the peaceful enjoyment of our homes by law.**

**3. Mountain Views.** The General Plan states:

“Scenic/View Corridors. Palm Springs’ location at the base of the San Jacinto and Santa Rosa Mountains creates opportunities for unparalleled mountain

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2015 FEB 23 PM 1:29  
JAMES THOMPSON  
CITY CLERK

February 22, 2015

and desert views and multiple means of immediate access into these beautiful natural areas. Efforts should be taken to protect existing scenic/view corridors and to create new ones when possible, and to enhance and increase the character and quality of those natural resource access points.”

The view of Mount San Jacinto is the primary visual aesthetic in Palm Springs. The mountain defines Palm Springs from any other southwestern city. To obstruct the view in anyway is the equivalent of blocking an ocean view at the beach.

Palm Springs has already approved a six-story hotel downtown which will block the view for visitors and residents and now we are contemplating a four-story structure?

Ladies and gentlemen, once you have blocked the view of the San Jacinto mountain from the downtown visitor, you will have destroyed the primary visual asset that makes Palm Springs the famous world-wide destination resort that it is today.

With so many hotels adjacent to this property, that followed the current height restrictions, why would you open Pandora's box and waive the height restrictions for this one? What will happen to other hotels that also want to add stories and block the homeowners and visitors views?

Sincerely,

  
William R. Wickham

  
Elizabeth Wickham

330 E. Via Colusa  
Palm Springs, CA 92262

ewickham@mac.com

**Cindy Berardi**

**From:** Claire Best <claire@clairebest.net>  
**Sent:** Sunday, February 22, 2015 10:18 PM  
**To:** CityClerk  
**Cc:** Sara Frith  
**Subject:** Objection to development at 750 North Palm Canyon Drive

RECEIVED  
CITY OF PALM SPRINGS  
2015 FEB 23 AM 9:44  
JAMES THOMPSON  
CITY CLERK

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

Re: Case no. is 5.1350 PDD 374 / CUP / GPA / 3.3795 MAJ;  
Applicant: 750 Lofts, LLC., address 750 North Palm Canyon Drive.

To Whom it May Concern:

As homeowners in Movie Colony East in Palm Springs, we are writing to object to the above application.

We understand that there have now been several hearings of which we have not been notified and that the developers are now attempting to circumvent the conditions imposed by the HSPB (which were to lower the height of the building on Indian Canyon to 20 feet at the outer edge, to lower the overall height to 34 feet and to have a further set back from the road) and to seek approval for their plans by re-designating the site as a "Planned Development District".

Allowing the developer to re-designate the site as a "Planned Development District" allows the developers to have the HSPB restrictions removed. It actually would allow the developers to construct a building as high as 60 feet (almost twice as high as the restriction put on them by the HSPB under the original planning application).

Although the current plans are now 46 feet, (already 12 feet higher than the HSPB approved). There are plans for a rooftop pool and bar which would bring the overall height up to at least 58 feet, if not 60 feet.

Even under the high rise rules, the developers are exceeding certain guidelines regarding setbacks and open space.

Where is the open space at ground level other than the parking and driveway? A rooftop open space does not mitigate the requirements for open space.

The developers are not in compliance with the Historic Business District building guidelines which is supposed to keep building height consistent with surrounding structures, none of which are higher than two stories and all of which have significant open space to balance their buildings within the site, set backs, density, massing. Additionally, under the HSPB guidelines, views to the mountains are not supposed to be blocked but a structure of 46 feet with a roof top bar, will.

I understand that the City Planning staff have recommended approval of everything. Who has been paying them off? It appears to be a very clear violation of the interests represented by the HSPB. So clearly someone in the city is making a lot of money by allowing this to pass and it should not be allowed. The rest of us and all the other businesses abide by the rules of the HSPB and the City. Developers need to follow the same rules. If they were given restrictions under their original plans, they need to follow those restrictions from the original application. Re-filing under a different "planned development district" yet to achieve the same results which were denied in the original application is simply cheating and an affront to the rest of the businesses and residents of Palm Springs who respect and adhere to the planning rules.

Item 2B

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Date: 2-25-15

Additional Material

If the City wants to increase the prosperity that it is currently enjoying, it would do well to preserve the attractions that brings tourists to Palm Springs – these are not high rise hotels which they can get in Vegas or Los Angeles or San Diego. The unobstructed view of the San Jacinto Mountains, the low rise and historic buildings and boutique hotels, shops and restaurants are what draw people to the center of Palm Springs.

The uptown design district has become much smarter in the last few years thanks to the low impact remodeling and improvements to existing buildings. It will be ruined by a 46-60 ft high rise building which is completely out of character with the rest of the district.

This area of Palm Springs is the last remaining part of the city which has preserved the historic Spanish revival style buildings. This is the oldest part of the city. Why would the City Planners want to destroy a part of the town that is a draw to visitors precisely because of its historic architecture and unobstructed views of the mountains. Palm Springs is proud of its historic buildings. If a developer is allowed to put in a high rise among these, then we may as well resign ourselves to becoming Cathedral City or Palm Desert which long ago gave way to new developers yet have none of the charm or history that Palms Springs, until now, has been proud of.

In the interests of the residents, businesses and public, the support from the City Planning Council into re-designating th is into a “Planned Development District” ought to be investigated since it is clearly against the principals and interests of the Historic Business District guidelines and smacks of a pay off by the developers to certain people in the city.

We therefore strongly object to the building at 750 North Palm Canyon Drive unless it adheres to the restrictions imposed on it under the original plan filing.

Sincerely,

Claire Best Hawley & Jordan Hawley  
1162 San Jacinto Way  
Palm Springs, CA 92262



**Terri Hintz**

---

**Subject:** FW: Project 750 Palm Cyn & Indian Cyn Hotel mixed use

-----Original Message-----

From: K C Jones [<mailto:kc@accuratetelecom.com>]

Sent: Wednesday, February 25, 2015 8:30 AM

To: Ken Lyon

Subject: Project 750 Palm Cyn & Indian Cyn Hotel mixed use

Ken,

Thanks for meeting with me yesterday evening. I am opposed to the height of the project.

Kind regards,

K.C. Jones

860 N. Indian Cyn. #1

**Planning Commission Meeting**

Date: 2-25-15

Additional Material

Item 2B

137

Mr. Frank Tysen  
Casa Cody Hotel  
Palm Springs, CA

February 25, 2015

To the Honorable City Council  
And Palm Springs Planning Department  
City of Palm Springs, CA

Submitted to  
Planning Commission

FEB 25 2015

Re: Item 2B  
Public Hearing dated February 25, 2015  
750 Lofts

Case # \_\_\_\_\_

To Whom It May Concern:

The project as assessed does not conform to the California Environmental Quality Act, in that a Mitigated Negative Declaration is not sufficient to meet the needs of the project. A full Environmental Impact Report should be required. Under the MND, the project has not been fully assessed, nor has it been fully mitigated, based upon the following:

1. The applicant has proposed a General Plan Amendment that inserts the density, height, and mass of the Downtown Central Business District into the heart of the Uptown Historic District. This was done for one very specific reason: to change a Floor Area Ratio (FAR) of .35 lot coverage to 1.0 FAR lot coverage – almost tripling the mass of the proposed building from all buildings that preceded it. Since the District is essentially built-out at .35 FAR, it is impossible for the City to conclude that this building conforms in either style, design, architecture, or open space, to its surroundings. At the very least, this creates a fair argument of significant impact, and an Environmental Impact Report (EIR) should be prepared to consider an alternative to the project – or particularly Adaptive Re-use of the Bank of America historic building and lot.
2. The City Council considered and approved an appeal by the developer to be relieved of the mitigation measures imposed by the Historic Site Preservation Board. Since mitigation has been eliminated, it is a fair argument that this leaves the project with a possibility of significant impact, and an EIR should be prepared.
3. The City has used a Planned Development District (PDD) permit to circumvent and overrule the High-Rise Ordinance of the City that required setbacks of 3:1 for buildings in excess of 35 feet. This proposed building reaches a height of 48 feet or more. California State Law, in its consistency requirements for the General Plan, creates ordinances as implementing tools for the General Plan. The ordinances must be internally consistent. One ordinance cannot overrule another unless it is explicitly designed by its language to do so. The PDD makes no mention that it can override the requirements of the High-Rise Ordinance. Therefore, the height of the building is out of compliance with the General Plan. This is another reason the EIR should allow considered adaptive reuse alternatives to the Plan.
4. The Las Palmas Business Historic District Conceptual Design Guidelines are another implementing tool of the City's General Plan, and they were created and used in this District to maintain the strict historic character under protection through its historic designation. This in itself sets an environmental threshold which has not been adequately assessed. By failing to follow these guidelines, the City is violating an environmental baseline, and has not properly mitigated or considered project alternatives.

5. The same environmental baseline is set through ordinances that set height limitations, setbacks and view restrictions. By not following these guidelines, the applicant has failed to consider or mitigate possible environmental effects.
6. The City, at page eight of its staff report, admits that Central Business District density, use, and mass are inherently incompatible in building type and scale with the Neighborhood Commercial District. This should be assessed in an EIR, with a proposed alternative to the General Plan Amendment to change land use classification.

The following are general considerations:

1. The Las Palmas Historic Business District is one of the most sensitive historic areas of Palm Springs, consisting of a considerable range of hotels, boutiques, restaurants, and retail stores that represent the unique architectural history of Palm Springs. The district was created with firm boundaries, as an intact and integrated neighborhood and historic unit, and is known for its quietness, gentle gardens, lovely open spaces, and low-level commercial activity, compatible with the adjoining high-end residential areas, including the Movie Colony, and Las Palmas District. The district clearly qualifies as neighborhood serving, and is primarily historical in context.
2. The developer and the staff recommendations for this project would choose to set aside protective ordinances designed specifically for this historic area, and, without justification, breach the designed limitations of those ordinances, more than doubling or tripling the building mass of what is allowed, and up-scaling the public use to noise levels incompatible with the neighborhood within its open space cantilevered areas, and especially the pool and bar on the open fourth floor, which have become the poor substitutes for real open space planning, which is required by general plan and ordinance to be landscaped and ground-level.
3. The City has justified this by filing a General Plan Amendment for Mixed-Use, Central Business District uses that are regional and tourism-driven, with major changes increasing density, massing and noise, and decreasing open space – while imposing design features completely out of context to the area. The city's idea (expressed in its staff report) is to "link" this site into the neighboring high-end, high-density commercial downtown district, with the idea that there is some need to extend a finger of high-end commercial into the historic district, and that it is a transition zone rather than a district. This is a poor concept that requires further environmental assessment.
4. Parking is truncated into a shared parking concept that is dubious, and looks as though it is formulated to cover up the deficiency that this is the wrong use and wrong building on the wrong lot within the wrong district.
5. The PDD appears to be used in place and instead of a variance, which the applicant could not qualify for.
6. The City also has ignored the implications of a very serious water shortage in the Valley, as it presses forward with a series of developments that maximize commercial use of the lots, far beyond what was originally intended by the General Plan. The series of departures from General Plan standards have created a pattern and practice of breaking boundaries, always in favor of maximizing use of the land.
7. Ultimately, because the standards proposed are so completely deviant from what was anticipated under the requirements of the General Plan, and under the nature of the historical area, a full Environmental Impact Report should be prepared, and the City should give serious consideration to a full redesign, with the emphasis on historical fit.

With regard,

Frank Tysen

## Terri Hintz

---

**Subject:**

FW: Case 5.1350 PDD374 mixed-use development at 750 N Palm Canyon

Let your watchword be order,  
And your beacon beauty"  
Daniel Burnham, Architect and Planner

**Planning Commission Meeting**

Date: 2-25-15

**Additional Material**

Item 2B

**From:** Bearfoot Inn [<mailto:info@bearfootinn.com>]

**Sent:** Tuesday, February 24, 2015 8:32 PM

**To:** Ken Lyon; Ken Lyon

**Cc:** K C Jones; Tim Wenzel; Tommy Shortess; Bill Shaw; Ronald M Zehel

**Subject:** Case 5.1350 PDD374 mixed-use development at 750 N Palm Canyon

Hi Ken,

I was just made aware of this application from our neighbours to the south at 860 N Indian Canyon, and I would like to add my voice to oppose this proposal.

As a hotel owner, I am acutely aware of occupancy rates in Palm Springs being lower than other desert cities. Perhaps this is due to the fact that Palm Springs is home to almost 100 hotels/resorts, more than twice as many hotels/resorts than all other desert cities combined.

I might add that more than half of the hotels/resorts in Palm Springs are owner operated, whereas barely a handful of the hotels/resorts in other desert cities are owner operated. In other words, this proposal, like so many others under the guise of trendy "boutique" (such as the newly opened Triada) and/or "mixed use" properties are corporately driven projects. Corporations are responsible to their shareholders. Projects are developed with the intent of realizing a short term profit. If a profit is not realized, the fiscally responsible thing to do with respect to shareholders is to cut your losses, close shop and pull out. A recent example is the devastation caused by the Target retail chain in Canada. They purchased a major Canadian retailer, rebranded and attempted to dominate the market, failed and pulled out all within two years, leaving more than 15,000 people unemployed, and numerous empty shells of buildings that cannot be re-purposed easily.

One of the most enticing aspects of Palm Springs is its respect for the architecture that has come to define the city. This is especially relevant on the heels of Modernism Week, which has grown to a major tourism event in the past few years. Recent rehabilitation projects of existing properties that retain the charm of the city are far more important than trash and build projects that are short-term investments ultimately leaving unoccupied buildings. Samuel Delany's 1999 accounting of the unsuccessful "rehabilitation" of Times Square, "Times Square Red, Times Square Blue" is a testament to the value of organically developing communities as opposed to a forced, revenue driven, short-sighted approach to growing cities. The short-term profit is in the construction phase of the project, whereas operating the property usually yields smaller returns on investment.

All of the above is to say, does Palm Springs really need a newly constructed hotel?

Especially one that defies current building codes and destroys the aesthetics of the uptown design district with a height inappropriate building.

The approach to artificially inflate property values in order to maximize short term profits is happening in major cities and devastating neighbourhoods all over North America. One of the main reasons for choosing to move our business to Palm Springs was the respect for small, owner-operated businesses and a sense of community that has been eroded in other resort towns such as Fort Lauderdale, FL. While we were under construction we

were approached no less than three times from off-shore "investors" who offered to take the property off our hands, so we are aware that the potential to capitalize on prospective property values and erode the charm of Palm Springs is very much in play here.

This approach seems to be championed by the likes of the Greater Palm Springs Convention & Visitors Bureau, who have co-opted the Palm Springs brand, ultimately diluting its authenticity.

As a resident, I am profoundly disheartened by the prospect of multi-level buildings devastating the aesthetics of downtown Palm Springs. Every misguided approval sets precedent, representing limits that will ultimately be challenged by future developers, further eroding part of Palm Springs' charm.

A resounding "No" to this proposal is a resounding "Yes" to the good work carried on by residents and business owners, as well as the Palm Springs Bureau of Tourism, who are truly invested in the well being and measured growth of Palm Springs.

Thanks,

Jerry Pergolesi and Glen Boomhour  
Owners, operators

**bearfoot inn**

[www.bearfootinn.com](http://www.bearfootinn.com)  
888 N Indian Canyon Dr  
Palm Springs, CA 92262-5719  
760-699-7641  
855-438-0414 toll free

**Terri Hintz**

---

**Subject:** FW: protest to the construction at 750 North Indian Canyon Drive in Palm Springs

-----Original Message-----

From: Ronald M Zehel [<mailto:rareaccident11@gmail.com>]

Sent: Tuesday, February 24, 2015 7:15 PM

To: Ken Lyon

Subject: Fwd: protest to the construction at 750 North Indian Canyon Drive in Palm Springs

>  
> Dear Mr. Lyon,  
>  
> I am writing to protest the proposed development across the street from me at 750 N Indian Canyon Drive of a 46 unit, four story hotel complex. Having just taken up residence at 860 N. Indian Canyon Drive #5, right across the street, I would be directly affected by this construction. It would remove or greatly diminish the priceless view I have of the mountains, one of the main reasons I just purchased my property. Not to mention the diminished property value I would experience for having the view taken away or defiled. Downtown Palm Springs has a beautiful ambiance. A construction of this type could only serve to defile and diminish that charm with a building of such height being built. A building of no more than two levels would fit right in.  
>  
> Ronald M Zehel  
> 860 North Indian Canyon Drive #5  
> Palm Springs, CA 92262  
> 760-895-5215  
> [RareAccident11@gmail.com](mailto:RareAccident11@gmail.com)  
>  
> I would greatly appreciate it if you could submit this mail as part of the formal protest against this development. If possible I will attend the city council meeting tomorrow at 1:30 to lodge complaints verbally as well, but given the last minute notification I received about this am not sure I will be able to attend. I find it unacceptable to be notified about something this important with so little time to be able to react properly or make arrangements to attend the meeting.  
>  
> I am very interested to follow up on this in whatever way will provide the strongest opposition to this project.  
>  
> Sincerely,  
>  
> Ronald M Zehel  
>  
> Sent from my iPad

Planning Commission Meeting

Date: 2-25-15

Additional Material

Item 213



RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

RECEIVED

MAR 09 2015

PLANNING SERVICES  
DEPARTMENT

City of Palm Springs  
Department of Planning and Building  
Post Office Box 2743  
Palm Springs, CA 92263-2743

Attention: Ken Lyon

Ladies and Gentlemen:

Re: Case 5 1350 and Case 3 3795

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- No comment.
- This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.
- This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project is located within the limits of the District's Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.
- The District's previous comments are still valid.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

HENRY OLIVO  
Engineering Project Manager

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c: Riverside County Planning Department

Attn: Kristi Lovelady

SKM:blm

Date: March 3, 2015



## PLANNING COMMISSION STAFF REPORT

DATE: February 25, 2015

PUBLIC HEARING

SUBJECT: CASE 5.1350 PDD 374 / GPA / CUP, AND CASE 3.3795 MAJ, AN APPLICATION BY 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (APN # 505-303-018) ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (KL)

FROM: Department of Planning Services

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### SUMMARY

The purpose of the hearing is to consider a proposal to demolish existing buildings and parking areas for construction of a four-story mixed use 46-unit hotel with ancillary space for retail, a restaurant, a spa, a rooftop pool and bar, and off-street parking.

The project is comprised of the following:

- A planned development district (PDD) in lieu of a change of zone, pursuant to PSZC 94.07 (zone change) seeking to change the underlying split C-1/R-3 zone with PD 104 overlay to a PD in lieu of a change of zone that would be applied to the entire 1.13-acre site, with its own development standards and permitted uses.
- Due to the building's proposed height, the PDD/CUP pursuant to PSZC 94.02 is required to engage the high-rise ordinance (PSZC 93.04). The applicant is also using the PDD to seek relief from the development standards of the high-rise ordinance in terms of setbacks and open space.
- A general plan amendment (GPA) changing the land use designation from Neighborhood Community Commercial (NCC) to Mixed-use / Multi-use – CBD to allow an increase the maximum allowable floor area ratio (FAR) from 0.35 to 1.0 for the site.
- A major architectural application (MAJ) pursuant to PSZC Section 94.04; to review the proposed architecture & site design, and
- A Conditional Use Permit (CUP) pursuant to PSZC Section 94.02 for the proposed spa & bar (cocktail lounge) uses and for hotel uses in which more than 10% of the guest rooms are provided with kitchens.



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RECOMMENDATION:

1. Open the public hearing and take testimony.
2. Close the public hearing and adopt Resolution # \_\_\_\_\_, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION UNDER CEQA, APPROVING CASE 5.1350 PDD 374 / CUP / GPA, A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE; A CONDITIONAL USE PERMIT FOR SPA USE, COCKTAIL LOUNGE (BAR) USES, HOTEL USES IN WHICH MORE THAN 10% OF THE GUEST ROOMS ARE PROVIDED WITH KITCHENS AND TO ENGAGE THE REGULATIONS OF THE HIGH-RISE ORDINANCE, A GENERAL PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC) TO MIXED-USE / MULTI-USE – CBD AS DEFINED IN THE 2007 GENERAL PLAN (ADOPTED BY CITY COUNCIL RESOLUTION #22077), AND CASE 3.3795 MAJ; A MAJOR ARCHITECTURAL APPLICATION FOR A FOUR-STORY, MIXED USE HOTEL COMPRISED OF 46 HOTEL UNITS, RETAIL AND RESTAURANT SPACE, A SPA, A ROOF TOP POOL AND BAR (COCKTAIL LOUNGE), 62 OFF-STREET PARKING SPACES AND LANDSCAPING ON A ROUGHLY 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (ZONE C-1 / R-3 / RESORT COMBINING ZONE, PD 104, LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1); (APN 505-303-018) AND RECOMMENDING APPROVAL OF THE SAME BY THE PALM SPRINGS CITY COUNCIL, SUBJECT TO CONDITIONS OF APPROVAL".

ISSUES:

1. *Building Height.* The proposed building height exceeds allowable maximum height for the zone, and requires PDD to engage the high-rise ordinance, however the applicant is also seeking relief from the high-rise development standards via the PDD.
2. *Reduced Off-street Parking.* Zoning Code 93.06 (off-street parking) requires ninety-three (93) parking spaces. The applicant is proposing 62 off-street parking spaces and has submitted a parking study to demonstrate adequacy as proposed. Thus, parking is a development standard for which the PDD also seeks relief.
3. *No dedicated loading zone.* Loading, unloading, deliveries, and trash are proposed to be handled via on-street access during early morning hours; the PDD seeks relief from the requirement for an off-street loading dock.
4. *Historic District Review.* The project is located in the Las Palmas Business Historic District (LPBHD) (HD-1) and is subject to review against the Las Palmas Business Historic District Conceptual Design Guidelines.

5. *FAR Increase.* The GPA requests increases in the floor area ratio (FAR) from 0.35 to 1.0, a considerable density increase for this site.
6. *Views / Privacy.* Concerns were expressed by the AAC and HSPB regarding whether scenic views from adjacent properties to the east might be blocked and whether privacy of adjacent one and two-story hotels and residences might be compromised from the project's upper floor balconies and roof deck.

**BACKGROUND:**

The project is located in a fully developed part of the city in the Uptown District. It is bounded roughly by North Palm Canyon Drive on the west, and North Indian Canyon Drive on the east and lies between East Granvia Valmonte on the south and Tamarisk Road on the north.

<b>Most Recent Change of Ownership</b>	
2007	Purchase by the current owner / applicant

<b>Sign Posting of Pending Project</b>	
8-15-14	Sign posted on site; 2 sides, facing both Indian Canyon and Palm Canyon

<b>Neighborhood Meeting</b>	
9-16-14	Neighborhood Outreach meeting held at Trio Restaurant for Old Las Palmas and Movie Colony neighborhood organizations.



PROJECT SITE

<b>Past City Actions</b>	
1980	City approval of Case 5.0121 PD 104 for Security Pacific National Bank (the PD was approved for the drive-thru banking use)
1986	City Council established the Las Palmas Business Historic District (City Council Resolution #15858). The project is located in this district.
2008	Pre-application PA-003 for a proposed 5-story mixed use hotel processed by the Planning Department.
2012	Pre-application PA12-001 for a proposed 5-story mixed use hotel processed by the Planning Department
October 6, 2014	AAC voted 6-0 to recommend approval of the subject preliminary PDD / GPA / CUP by the Planning Commission with conditions. (see attached AAC meeting minutes)
October 12, 2014	HSPB voted 5-1 (Ploss opposed) to approve the Preliminary PDD / GPA / CUP with conditions and recommend approval by the Planning Commission. (see attached HSPB meeting minutes)
December 22, 2014	The AAC reviewed the Major Architectural Application (Case 3.3795 MAJ) and voted 7-0 to recommend approval by the Planning Commission as submitted.
January 13, 2015	The HSPB reviewed the Major Architectural Application and voted 6-1 (Johns opposed) to approve subject to the following conditions of approval: <ol style="list-style-type: none"> <li>1. The height is inconsistent with historic district guidelines and needs to be reduced by approximately four feet (to roughly 34 feet total);</li> <li>2. The elevation along Indian Canyon Drive should be reduced to two stories and twenty (20) feet closest to the street, and allowed to step back to higher elevations further within the site.</li> <li>3. No additional rooftop structures should be permitted other than those illustrated in the submitted plans (no umbrellas, etc.)</li> <li>4. The parking study should be reviewed by the City Engineer for adequacy of off-street parking such that the project not adversely impact the historic district.</li> </ol>
January 22, 2015	The applicant filed an appeal of the HSPB action requesting removal of Conditions 1 and 2.
February 4, 2015	The City Council voted 4-0 (Foat abstained) to uphold the appeal and remove HSPB conditions 1, 2, and 3.

<b>Adjacent General Plan Designations, Zones and Land Uses:</b>			
	<b>General Plan</b>	<b>Zoning</b>	<b>Existing Land Uses</b>
Site	Neighborhood Community Commercial	C-1/R-3	Vacant bank building and parking lot.
North	Neighborhood Community Commercial (NCC)	C-1/R-3	Commercial Retail (Kocher/Samson Bldg. & Pacific Building)
South	Neighborhood Community Commercial (NCC)	C-1/R-3	Hotel / Restaurant / Retail (Alcazar Hotel / Cheeky's Restaurant and the Howard Lapham bldg.)
East	High Density Residential (HDR)	R-3	Hotel / Residential (Indian Manor Hotel / Movie Colony Hotel / Spanish Inn Hotel)
West	Neighborhood Community Commercial (NCC)	C-1	Commercial / Restaurant / (Trio Restaurant / Latham Bldg, Dental office)

The Uptown commercial district contains numerous small retail stores, restaurants, coffee shops, and other commercial and office uses. There are also a number of small hotels in the vicinity including the Alcazar, the Movie Colony Hotel, the Colony Palms Hotel, the Triada Hotel, the Indian Manor Hotel and others. Uptown is pedestrian-oriented and in recent years is experiencing a great deal of increased economic activity.

#### PROJECT DESCRIPTION:

The proposed project is a four-story mixed use development. On the first floor are commercial/retail spaces fronting Palm Canyon Drive, a 50-seat restaurant proposed with outdoor dining fronting Indian Canyon Drive, hotel lobby and a 62-car off-street parking lot that incorporates a two-way drive connecting Indian Canyon and Palm Canyon Drives with an adjacent hotel drop-off/check-in lane and trash rooms that take access off the north side of the building. Gross building square footage is roughly 39,248 square feet.

At the second and third levels are proposed a roughly 2,200 square foot spa for hotel guests and forty-six (46) hotel rooms, all of which are proposed to have kitchens with cooking facilities. At the fourth floor is a sun deck, pool, a 47-seat bar open to the public, toilets, storage and support spaces. An existing two story commercial (bank) building built in the eighties and a parking lot (that has in the past provided valet parking capacity for nearby hotels), is proposed to be demolished to redevelop the site.

As noted above, trash collection rooms / dumpsters are proposed along the north side of the building and could be accessed from both streets to provide early morning trash removal, however no loading dock is proposed. An east-west pedestrian passageway linked to a mid-block cross walk at Indian Canyon Drive is proposed to encourage pedestrian connectivity between commercial uses along Palm Canyon in the Uptown District and the neighborhoods and hotels to the east of the site. A grouping of architectural elements integrated with a wall that partially screens the parking lot is proposed along the North Indian Canyon Drive frontage which the applicant refers to as "an Art Walk"; these are envisioned to provide a series of spaces for art and sculpture to be highlighted.

The project is approximately 47 feet in height (50 feet as measured from the lowest point on the site), but is lower along the street frontages. High-rise buildings up to 60 feet are permitted in the zone subject to approval of a CUP or PD pursuant to Zoning Code Section 93.04 (high-rise) and 94.02 (Conditional Use Permit).

Along Palm Canyon Drive the building at street level is close to the public sidewalk with large pedestrian-oriented storefront windows to integrate the building with the pedestrian experience. It is set further back from the Indian Canyon street frontage, but an outdoor dining area extends toward the Indian Canyon sidewalk to create outdoor dining along that street frontage that will enliven the Indian Canyon Drive frontage. The maximum building height occurs in the center of the building, set back from both street

frontages.

The project proposes open space at grade, at balconies and at a roof deck. Forty three percent (43%) of the site area is proposed for usable outdoor space (including balconies and roof deck). Sixty percent (60%) open space is required by the high-rise ordinance, however the applicant is requesting relief from this development standard with the PDD. The scale of the proposed development is substantially different from many existing adjacent structures in terms of height, bulk, and scale, however the building's architecture achieves a certain degree of harmony with the nearby modern era structures such as the Latham building next door.

The site is located in the Las Palmas Business Historic District (LPBHD) established by the City Council in 1986 (Resolution #15858) which requires new structures in the district to be evaluated for compatibility against an set of district conceptual design guidelines that were part of the District's original designation. Immediately adjacent to the project site are several structures that are deemed "contributing sites" within the LPBHD. They include:

- The Alcazar Hotel (formerly the Peppertree Hotel, c. 1924),
- The Colony Palms Hotel (formerly Colonial House, c. 1934)
- The Triada Hotel (formerly the Ambassador Hotel / Spanish Inn, c. 1936),
- The Casa Palmeras Hotel (c. 1935), (HSPB 82)
- The Pacific Building (c. 1936) (HSPB 13),
- The Indian Manor Hotel (formerly Los Arboles Apartments, c. 1935)
- Clifton Dental / Purcell Building (700 N. Palm Canyon Drive c.1936)
- The Kocher-Samson Building (c. 1935) (HSPB 79)

In addition to these, the following adjacent sites, by virtue of their date of construction prior to 1969 are Class 3 historic sites:

- The Movie Colony Hotel (formerly The San Jacinto Hotel, c.1945)
- The Howard Latham Building (a.k.a. Backstrom-Reid Building, c. 1956)
- The Dollard Building 687 N. Palm Canyon Drive (c. 1947)
- Trend House (formerly Adolph Israel Insurance, c 1952)
- Samson-Curtis Insurance (756 N. Palm Canyon Drive) (c. 1947)
- Shops & Apartments 639-47 N. Palm Canyon Drive (c.1947)
- Cheeky's Restaurant (formerly Soloman's Deli, c. 1930's)
- Village Inn (formerly Crawford Apartments, c. 1945)
- Tchotchke's (formerly Dr. Reid Clinic II, c. 1939)
- Jake's Fine Eats (formerly Wilson-Sorun Building, c. 1937)
- Trio Restaurant (formerly Turonnet Building, c. 1949)
- Integrated Wealth Management (formerly El Paseo Pharmacy, c. 1960)

The existing buildings in the vicinity of the site reflect many architectural styles. The

buildings that were identified as "contributing structures" in 1986 with the designation of the LPBHD primarily reflect the Spanish/Mediterranean colonial revival style, however many notable buildings from the Modern period are also represented in the district. At the time of designation of the district, however, the City had not yet come to appreciate and understand the significance of the stock of buildings from the Modern period. Pursuant to City Council Ordinance. Evaluation of the proposed development against the Historic District guidelines is included below.

Initially the applicant sought to merge the parcel on which the project is located with the adjacent Alcazar Hotel for purposes of establishing an overall density or floor area ratio (FAR) consistent with the General Plan. Further analysis has concluded that with the approval of the GPA from NCC (FAR: 0.35) to Mixed-use – CBD (FAR: 1.0), the project with an FAR of 0.82 can conform to the General Plan without necessity for the lot merger; thus the applicant is no longer seeking the merger.

#### ANALYSIS:

The project is being evaluated for conformance with several sections of the Palm Springs Zoning Code including:

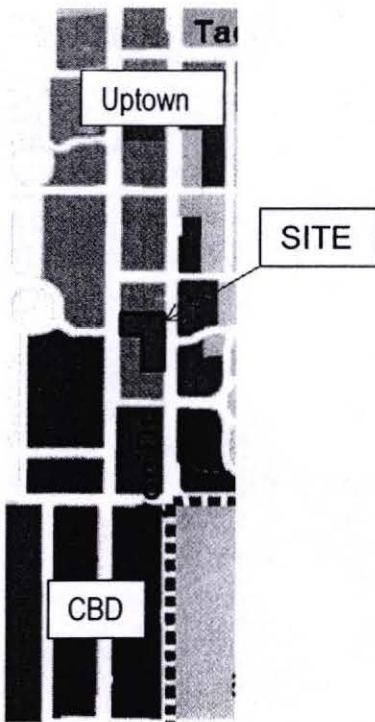
- Section 92.25 (Resort Overlay Zone)
- Section 93.04 (High-rise Buildings),
- Section 93.06 (Off-street parking)
- Section 94.02 (Conditional Use Permit)
- Section 94.03 and 94.07 (Planned Development / Zone Change)
- Section 94.04 (Architectural Review),
- The Las Palmas Business Historic District Conceptual Design Guidelines (HD-1)

A General Plan Amendment. The applicant proposes a General Plan Amendment (GPA) changing the land use designation for the 1.13-acre parcel from Neighborhood Community Commercial (NCC) (FAR: 0.35) to Mixed-use / Multi-use – CBD (FAR 1.0). The purpose of this GPA is to take advantage of the significantly greater density afforded by the MU-CBD designation. The MU-CBD land use designation offers nearly three times the density (FAR)<sup>1</sup> than NCC.

Below is a portion of the General Plan Land Use Map showing CBD (in red) and Neighborhood Community Commercial (NCC) in pink.

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<sup>1</sup> Building intensities for nonresidential uses are measured by Floor Area Ratio, or "FAR". It is the ratio of total net floor area of a building to the total lot area.



The majority of land in Uptown is "NCC". This is consistent with the mix of existing uses and future development patterns envisioned there -- smaller restaurants and specialty stores, gift shops, art galleries, bookstores, coffee shops, real estate offices and other modestly-scaled commercial uses that serve the adjacent residential areas of Las Palmas, Movie Colony, Vista Las Palmas and the Ruth Hardy Park neighborhood.

Although there are many retail uses in the Uptown district that also have a tourist and "city-wide" draw, "NCC" is unlike other commercial land use designations such as Tourist Resort Commercial (TRC) or Regional Commercial (RC) both of which encourage large-scale resort-type development, big box stores and tourist-oriented shopping and entertainment centers -- a building type and scale that would be incompatible with the Uptown District.

The Mixed-use - CBD land use designation and NCC both envision a wide variety of pedestrian-oriented commercial, residential and hotel uses that serve both tourists and the surrounding residential areas. Both land use designations encourage and accommodate the existing small scale, older, single-lot development pattern found in the Downtown and Uptown districts. The notable difference in the two is density or intensity of development -- defined by FAR. The subject site is located in relatively close proximity to the northerly edge of the Mixed-use CBD area. This GPA requests the expansion of the higher density Mixed Use -- CBD into this "transition area" between Downtown and Uptown. In doing so, the proposed development incorporates many of the important design considerations found in the Downtown Urban Design Guidelines of the General Plan into the design of this project.

The creation of mid-block pedestrian passageways, view corridors, a walkable scale, interesting public spaces provided with shade, artwork and a variety and mix of commercial, hotel and residential uses, as well as the use of different paving materials to separate pedestrian and vehicular areas, is encouraged in the Downtown Urban Design Guidelines and are features that are found in the proposed development. Thus staff believes the proposed project is consistent with this form of development and therefore is consistent with the proposed Mixed-use / Multi-use -- CBD land use designation that is requested.

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Evaluation of the project against the development standards for Planned Developments PSZC Section 94.03.00 (Planned Development District):

*The planning commission and the city council shall establish a full range of development standards appropriate to the orderly development of the site which shall include the following:*

*1. Building heights shall conform to the requirements of the underlying zoning district. Structures which exceed permitted heights shall be subject to the requirements of Sections 93.03.00 (Building Height) and 93.04.00 (High Rise).*

The project is approximately 47 feet in height. High-rise buildings up to 60 feet are permitted in the zone subject to approval of a CUP; the project thus conforms to this standard.

*2. Parking and loading requirements shall be subject to the requirements of Sections 93.06.00 and 93.07.00, respectively. The planning commission and the city council may modify such requirements based upon the submittal of a specific parking plan.*

The project proposes sixty-two (62) off-street parking spaces; which is roughly 30% less than the minimum ninety three (93) spaces required for a mixed use development of this size. The applicant has submitted a parking study (RK Associates, Inc.; excerpt attached) which argues that the proposed 62 parking spaces with valet service, are adequate given that many of the restaurant, retail and bar patrons will also be hotel guests (this is based upon a concept known as "captive ratios for shared parking" as outlined in the Urban Land Institute's 2005 Shared Parking Report; the study assumes a 50% capture ratio). The City commissioned its own parking study via the CEQA process (Kunsmann Engineering, excerpt attached). The City's consultant concluded that the assumptions of a "50% capture ratio" of shared parking made by the applicant are reasonable. Further discussion of capture ratios and parking in the Uptown district is further discussed in the attached Exhibit "B".

As noted earlier, the site upon which the project is proposed has an existing parking lot. In the past, this lot was used to accommodate the required off-street parking for the adjacent 58-room Colony Palms Hotel and the 75 seat Purple Palm Restaurant<sup>2</sup>. According to the 2006 staff report for that project, the hotel and restaurant uses at the Colony Palms require 81 off street parking spaces, and sixty-five (65) spaces exist on that site. The deficiency was resolved with a reciprocal parking agreement for the 750 site to provide the additional off-street parking spaces that the Colony Palms / Purple Palm needed to operate. In 2012 the City agreed to allow the Colony Palms to cancel

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<sup>2</sup> In 2006, the City approved a Conditional Use Permit for the hotel and restaurant use at Colony Palms (Case 5.1093 CUP).



the reciprocal parking agreement with the understanding that Colony Palms would provide "daily valet services until a new lease or appropriate arrangements for off-street parking is provided." Staff believes that the valet service has continued to use the existing 750 lot to park cars, since the Colony Palms site has only bay parking and no where to stack valet-parked cars. Staff has contacted Colony Palms to further ascertain what new parking arrangements have been put in place and if valet, where the cars are being parked by the valet service so that it does not become a parking problem in the public streets of the adjacent residential neighborhood once the 750 lot is eliminated.

Zoning Code 93.07 requires off-street loading facilities, however none are proposed. The PDD is seeking relief from providing an off-street loading dock. The applicant asserts deliveries, loading and trash will be handled from the public street or the through-site drive aisle, during early morning hours, consistent with similar arrangements elsewhere in the downtown and Uptown areas.

*3. Front yard setbacks compatible with the existing or potential development adjacent and/or opposite from existing development shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to the proposed PD. Non-peripheral areas of the PD shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the planning commission.*

The existing development pattern along Palm Canyon and Indian Canyon are pedestrian-oriented with buildings set close to the front property lines. The proposed development is harmonious with this existing development pattern.

*4. Minimum lot frontage not less than that of existing lots adjacent and/or opposite from existing developments shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to a proposed PD. Non-peripheral areas of the PD shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the planning commission.*

The project is sited in a commercial district with lots of varying width. The project not only continues the streetscape in a harmonious manner along Palm Canyon, with a commercial use (restaurant) proposed on the Indian Canyon frontage, it works to invigorate and enliven that streetscape also.

*5. Open space for planned districts shall be equal to or greater than the minimum open space requirement for the zone in which the planned district is located, unless otherwise approved by the planning commission and city council. Recreational areas, drainage facilities and other man-made structures may be considered to meet a part of the open space*

*requirements.*

Open space for the project, including balconies and usable roof top areas is approximately 43%. Minimum required open space for the R-3 zone is 45%. Staff believes the project strikes a balance between ample outdoor space at ground level for the retail/restaurant uses, as well as generous outdoor space in the form of terraces, pool deck areas, balconies and usable rooftop areas.

*a. Protection of natural landscape features such as watercourses, hillsides, sensitive land area, existing vegetation, wildlife, unique topographical features, and views shall be encouraged. Open spaces shall be integrated into the overall design of the project.*

The project is not located in an area of sensitive open space and this standard is not applicable in this case.

*b. Open space for commercial, industrial and mixed uses shall be determined by the development plan approved by the planning commission and city council.*

As noted above, many areas of open space, terraces, rooftop decks, balconies and ground level areas adjacent to the public sidewalk are provided. Staff believes the amount of open space proposed is appropriate.

Evaluation of the project against PSZC 93.04.00 - High-rise Property Development Standards.

*High-Rise Ordinance development standards: "For the purpose of this section, a "high-rise building" is defined as a building or structure which exceeds thirty-five (35) feet in height or as otherwise permitted. In all cases, high-rise buildings shall be subject to approval of a conditional use permit or planned development district, pursuant to Section 94.02.00 or Section 94.03.00, and shall be considered in only those zones where specifically permitted, pursuant to the following standards:*

*A. Sixty (60) percent of a site area for high-rise building shall be developed as usable landscaped open space and outdoor living and recreation area and shall be so designated on the site plan. The remaining forty (40) percent of a site area may be used for buildings and parking. Required landscaping for surface parking areas shall not be included in the sixty (60) percent open space requirement. To insure that all required open space shall remain in perpetuity, the owner shall offer to dedicate development rights for all open space required by this Zoning Code.*

The project provides roughly 43% open space. This is a development standard for which the applicant is seeking relief via the PDD, which allows reasonable departures from the strict application of such standards to allow better project design. Staff believes the project achieves this with the amount and type of open space proposed.

*B. 1. Maximum height of high-rise buildings shall be sixty (60) feet. An additional fifteen (15) feet maximum may be allowed for stairways, elevators and mechanical equipment on the roof; provided, the bulk of the building does not appear to be over sixty (60) feet.*

The project's maximum height is approximately 47 feet (50 feet at its highest point as measured from the lowest point on the site.) The site slopes downward from north to south, with a total elevation difference of roughly nine (9) feet. The average height of the proposed development is roughly 28 feet to the roof of the hotel units to average grade at the street and approximately 38 feet to the top of the fourth floor structures from the average grade at the street. The project conforms to this standard.

*C.1. A high-rise building shall have a minimum setback of three (3) feet of horizontal setback for each one (1) foot of vertical rise of the building. This setback requirement is to be measured from property lines except when a site in question abuts a street. Then it shall be measured from the right-of-way line on the opposite site of the abutting street. The city's general plan street plan shall be used to determine the right-of-way line, and in no case shall more than one hundred (100) feet of street right-of-way be used in determining a setback distance. The minimum setback for any structure, regardless of height, shall be as prescribed by the underlying zone.*

The project has setbacks that vary between zero and fifteen (15) feet and thus does not conform to the high-rise ordinance. The project is located in an urbanized area of the city in which continuity of the ground level street frontage is a desirable quality to encourage and promote an environment conducive to pedestrian shopping and strolling. The applicant will be seeking relief from this development standard via the PDD to maintain the pedestrian edge at street level and smaller setbacks at the side property lines, consistent with the development patterns in the vicinity.

*D. Proximity to Low-density Development.*

*When a high-rise building is adjacent to or across the street from an R-1 zone or properties in an area designated on the general plan for low-density residential development, such high-rise building shall have a minimum setback from the closest part of said R-1 zone or low-density residential designation of six (6) feet of horizontal distance for each one (1) foot of vertical rise of the building, as measured in subsection C of this section.*

The building is not adjacent to R-1 zoning, and thus this standard is not applicable. The

project is, however, adjacent to existing one and two story structures. The scale of the proposed development is substantially different from many existing adjacent structures in terms of height, bulk, and scale, however the building achieves a certain degree of harmony with the existing structures in terms of its architecture, such as the Latham building next door.

*F. High-rise buildings shall be designed to insure that each structure fits into the resort character of the community and blends in with the natural surroundings.*

The proposed building strengthens the commercial/retail corridor of Palm Canyon Drive through the Uptown district. Furthermore, it encourages pedestrian movement and vitality along Indian Canyon by locating additional commercial (restaurant) uses along that frontage. The project makes use of a through-the-site drive aisle and drop off lane adjacent to the parking areas and hotel reception to minimize the interruption in the pedestrian movement along the street. Its many decks and terraces encourage outdoor activity that is in keeping with the resort character of the city. The applicant has also proposed a mid-block east-west pedestrian crosswalk across Indian Canyon Drive which could promote pedestrian connectivity between the Uptown commercial district and the residential areas east of the site and an Art Walk along Indian Canyon, further encouraging pedestrian movement along this thoroughfare.

*G. The city council may alter the provisions of this section upon finding that the intent of this section is met.*

Staff believes that the intent of the high-rise ordinance – to ensure physical development that is harmonious and not detrimental with existing adjacent structures has been met.

Evaluation of the project against the guidelines of Zoning Code Section 94.04 "Architectural Review".

The Architectural Advisory Committee reviewed the subject project twice with recommendation to approve. The evaluation of the project against the guidelines of Zoning Code Section 94.04 is provided in Exhibit "C" attached to this staff report.

Evaluation of the project against the Conceptual Design Guidelines for New Commercial Construction in the Las Palmas Business Historic District (LPBHD).

The project is subject to review against the Las Palmas Business Historic District's Conceptual Design Guidelines for New Construction. The City's Historic Site Preservation Board reviewed the project twice as summarized in the staff report. The staff analysis of the project against the LPBHD Guidelines is provided in the attached

"Exhibit "D".

Discussion of Public Benefit:

Pursuant the City Council 2008 policy on Public Benefit on Planned Developments, the applicant is to propose some form of public benefit "*proportional to the nature, type and extent of the flexibility granted from the standards and provisions of the Palm Springs Zoning Code*" and may only be considered a public benefit "*when it exceeds the level of improvement needed to mitigate a project's environmental impacts or comply with dedication or exactions which are imposed on all projects such as Quimby Act, public art fees utility undergrounding, etc.*"

The applicant is seeking the following relief via the Planned Development District:

- Reduced setbacks including high-rise ordinance standards.
- Increased height (via the high-rise ordinance)
- Roughly 30% less off-street parking that the minimum required by the Zoning Code.
- No provision for off-street loading.
- Less usable open space than required by the high-rise ordinance.

The applicant has proposed the following Public Benefits:

- Transient Occupancy Tax (TOT) on the 46 hotel rooms.
- A proposed median island and crosswalk connection to the hotels and residential area to the east of the project site (subject to approval by Public Works).
- A public "Art Walk" along the project's Indian Canyon Drive frontage.
- Outdoor Dining on Indian Canyon Drive which will help invigorate this street with pedestrian activity.
- Thru-the-site publicly accessible walkway from Indian Canyon Drive to Palm Canyon Drive, again, which encourages pedestrian linkages between commercial and residential areas.
- Business generator of new retail, restaurant and 46 hotel units in the Uptown district.

Staff believes the level of deviation sought through the PDD application is reasonably proportionate to the degree of relief being sought via the PDD. The applicant has indicated locations on the roof for photovoltaic panels, however there is no indication of whether they will be provided. Some aspect of "pre-wire" for photovoltaic systems may be an aspect that the Planning Commission may wish to consider imposing as a public benefit, which would be consistent with similar actions taken by the Commission.

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**FINDINGS:**

The project was evaluated against the findings for the Planned Development District in lieu of Change of Zone pursuant to PSZC 94.03 and 93.07 (Zone Change), and the Resort Combining Zone pursuant to PSZC 92.25.00 and 94.02 (Conditional Use Permit), as follows:

**Planned Development in lieu of Change of Zone Findings (PSZC 94.07):**

*The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:*

- 1. The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed project is located in the Neighborhood Community Commercial (NCC) (FAR 0.35) land use designation of the General Plan. The project is not consistent with this land use designation in terms of proposed density (FAR) and thus a General Plan Amendment (GPA) is included proposing to amend the land use designation to Mixed-use / Multi-use – CBD (FAR 1.0). With approval of this GPA, the project density which is roughly 0.82 can be found consistent.

The General Plan notes that the Mixed-use / Multi-use designation "...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."

Staff believes the proposed project is success at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive.

- 2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed project is located in the C-1/R-3/PD 104 zones with the Resort Combining Overlay. The PDD is proposed to change the split zoning to a single PD

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zone designation with its own development standards. Specific Uses requested for approval for the PDD include: a Hotel in which all the rooms have kitchen/cooking facilities, a Spa (subject to the business regulations of PSMC 5.34 (Massage Establishments), a roof top cocktail lounge/bar, general retail uses, and restaurant uses with outdoor dining (outdoor dining subject to approval of a Land Use Permit). Staff recommends all other uses associated with the C-1 zone as defined in Zoning Code Section 92.12.01 (Permitted Uses) and 92.12.02 (Prohibited Uses) be incorporated in the uses for the subject PDD.

The project provides vehicular access from Indian Canyon Drive and Palm Canyon Drive, both major thoroughfares on the City's General Plan Circulation Plan. The project proposes a mix of hotel and commercial uses that are harmonious with adjacent uses in the vicinity. Thus the project conforms to this finding.

*3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed PDD in lieu of zone change has been evaluated against the development standards for the underlying zones, the Resort Combining Zone, architectural review and the Las Palmas Business Historic District Conceptual Design Guidelines. Although the applicant is seeking relief from several important development standards, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Palm Canyon and introduces commercial uses along Indian Canyon which is desirable. The project height is slightly higher than adjacent development however maximum building height is proposed in the center of the site and therefore is not detrimental to adjacent properties. The project conforms to this finding.

*Resort Combining Zone Findings (PSZC Section 92.25.00):*

The "R" resort overlay zone is intended primarily to provide for accommodations and services for tourists and visitors while guarding against the intrusion of competing land uses.

The Resort Combining Zone runs along Palm Canyon Drive for nearly its entire length through the City. The subject site lies entirely within this overlay zone.

The project is evaluated against the findings the resort combining finding as follows:

*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 proposed development would provide additional hotel rooms, restaurant, retail, spa, and cocktail lounge/bar uses that are supportive of the tourist resort nature of the Uptown district. Staff believes the proposed project is consistent with this finding.

Conditional Use Permit / Planned Development District Findings (PSZC 94.02/PSZC 94.03):

In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for Spa and Cocktail Lounge / Bar uses as well as to establish findings for the proposed high-rise form of development as follows:

*The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:*

*a. 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;*

The proposed hotel use is permitted in the underlying C-1 zone. The Spa use, Cocktail Lounge / Bar use and development of hotel uses in which more than 10% of the rooms are provided with kitchens and cooking facilities are permitted in C-1 subject to the CUP findings. Furthermore, pursuant to PSZC 92.12.03, C,1a (Development Standards for the C-1 zone), high-rises are permissible subject to the high-rise ordinance and the CUP findings. Deviations in these development standards may be approved subject to evaluation against the same CUP / PDD findings. The project proposes a PDD in lieu of a change or zone for the proposed uses and seeking relief from the high-rise development standards. With approval of the PDD, the project is consistent with this finding and the spa, cocktail lounge / bar, and hotel rooms with cooking facilities may be established as permitted uses within the PDD.

*b. 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;*

Development of the subject site with hotel and commercial uses is desirable as a means of strengthening the tourist commercial resort nature of this part of the City. With approval of the GPA, the project is consistent with the General Plan Mixed Use / Multi Use – CBD land use designation in terms of density and with policies of the General Plan that encourage infill development, pedestrian walkability between commercial and residential zones and a mix of tourist / resort uses. The project therefore conforms to this finding.



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*c. 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 roughly 1.13-acre site is proposed with 46 hotel units comprised of 38 standard hotel rooms and 8 "loft style" units. With the approval of the PDD in lieu of a change of zone, the City would be establishing the PDD as a separate zone with its own unique development standards and the project would be deemed in conformance with this finding.

*d. 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 project proposes to take vehicular access off both North Palm Canyon Drive and North Indian Canyon Drive both of which are major thoroughfares on the City's General Plan Circulation Plan. Although the project proposes less off-street parking than is minimally required per the zoning code, the parking study substantiates a certain amount of "joint use" by hotel guests at the restaurant, retail and bar uses and thus the amount of parking proposed, along with requiring a valet parking arrangement is appropriate for handling the type and quantity of traffic and parking generated by the proposed use and thus the project conforms to this finding. The valet-parked cars can be accommodated in the drive aisles of the proposed parking lot without causing adverse impact of cars being parked in the nearby residential streets.

*e. 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 proposed and attached to this staff report as Exhibit "A".

#### ENVIRONMENTAL ANALYSIS:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, traffic, land use compatibility and hydrology. Potential Significant Adverse Impacts were identified along with Mitigation Measure that would reduce the potential adverse impacts to less than significant levels.

Potentially significant impacts include the existence of possible asbestos containing materials, mold, and traffic impacts. Mitigation measures are noted as follows:

*MM VII-1: Any suspected Asbestos Containing Materials (ACM) should be sampled prior to the initiation of any demolition activities on the project site. Identified ACMs must be abated by a licensed abatement contractor, and disposed of in conformance to all state and local requirements.*

*MM VII-2: Any mold identified on the project site shall be abated in a manner that conforms to all state and local requirements.*

*MM XV-1 The proposed project shall pay a fair share contribution for the recommended off-site intersection improvements, including signalization of Tamarisk Road and Palm Canyon Drive, and the addition of left turn lanes to southbound and westbound travel lanes at this intersection.*

The analysis was available for public comment for a 20-day period from February 6, 2015 through February 25, 2015. Public comment letters were received which are attached to this staff report. Through the public comment period, no new information was found that would require recirculation or further analysis of the project's impacts under CEQA. A Mitigated Negative Declaration is proposed. The owner has agreed in writing to implement all of the required mitigation measured identified.

#### NOTIFICATION

A public hearing notice was mailed to all property owners and occupants within 500 feet of the site and published in the local paper. Furthermore, pursuant to State Bill SB 18 Invitation for Native American Consultation was given on September 30, 2014 and concluded on December 30, 2014 regarding the General Plan Amendment. No requests for Tribal Consultation were received. Public correspondence received is attached to this staff report.



Ken Lyon, RA  
Associate Planner



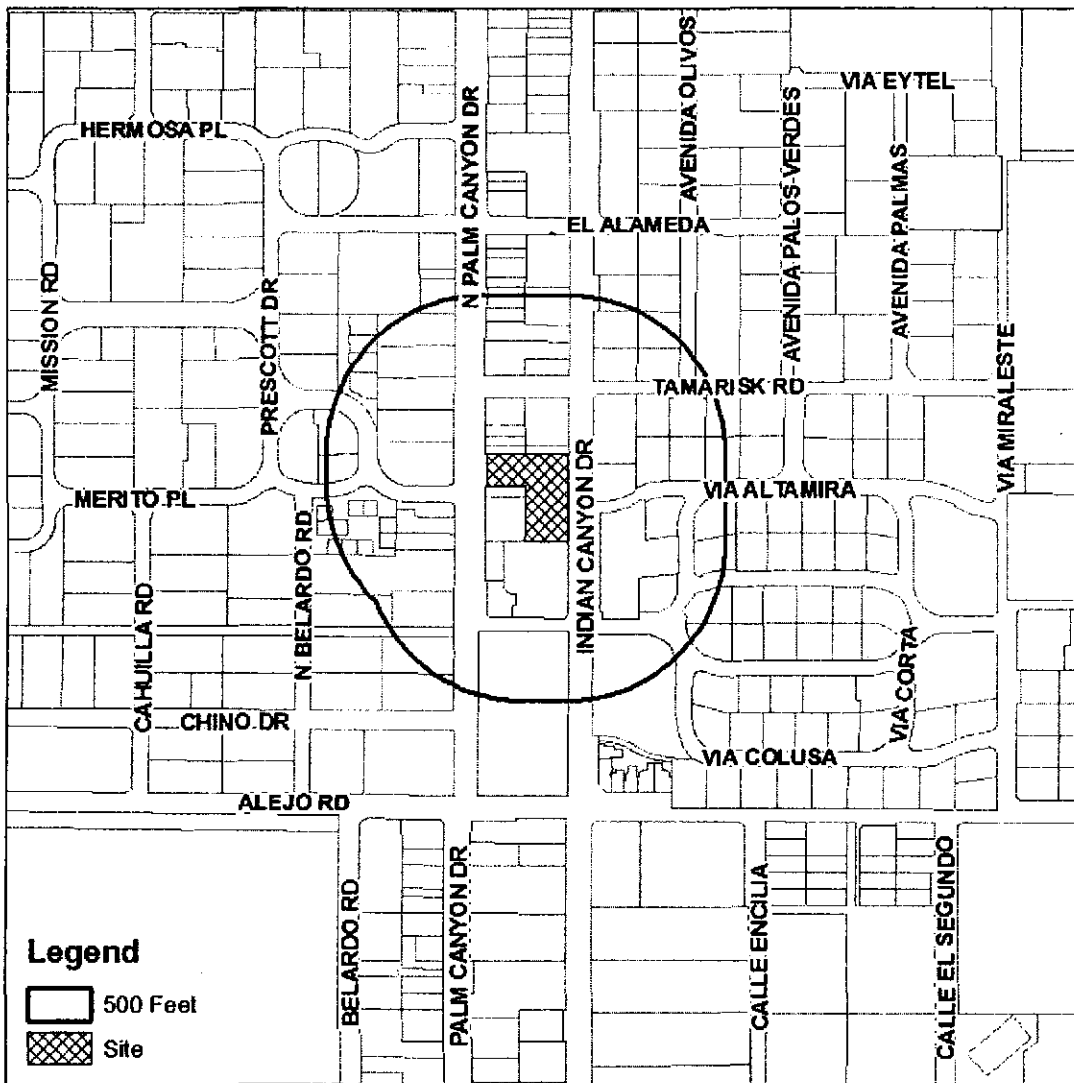
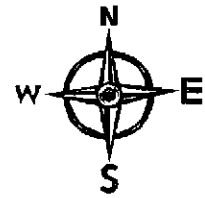
Finn Fagg, AICP  
Director of Planning Services

#### Attachments:

1. Vicinity Map
2. Draft Resolution
3. Exhibit "A" - Draft Conditions of Approval
4. Exhibit "B" - Parking in Uptown Discussion
5. Exhibit "C" - Summary of Architectural Review pursuant to PSZC 94.04.
6. Exhibit "D" - Summary of the Las Palmas Business Historic District Conceptual Design Guidelines.
7. Draft Mitigated Negative Declaration
8. Public Comment Letters
9. Minute Excerpts of the AAC meetings and HSPB meetings.
10. Applicant Justification Letter
11. Excerpt of Applicant's Parking Study and Excerpt of City's Parking Study evaluation.
12. Existing Site Photographs
13. Preliminary Architectural Plans, Sections, Elevations, Colors, Landscape Plan, Perspective Images.



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** 5.1350 PDD 374 /  
CUP / GPA / 3.3795 MAJ

**APPLICANT:** 750 LOFTS, LLC

**DESCRIPTION:** A Planned Development District in lieu of a Change of Zone, a Conditional Use Permit, a General Plan, and a Major Architectural Application for a four story mixed use hotel project located at 750 North Palm Canyon Drive (Zone C-1 / R-3 / PD-104 / Resort Combining Zone / Las Palmas Business Historic District (HD-1))

~~Commissioner Roberts said that he does not have a problem and made the following motion.~~

**ACTION:** To continue to a date uncertain to allow the applicant to work with staff in making the following modifications to the project:

- Density / height - justification.
- Distance between buildings - 10 feet.
- Calle Alvarado - a two-way street.
- Viability of live/work (configuration)
- Public benefit - (preserve and consider study)
- Solar panels.
- Consider live/work units on side streets.

Motion Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calderine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

Commissioner Calderine noted that Tribe's conservation plan fees were dropped and requested staff look into the applying the CVMSHCP fees.

A recess was taken at 3:38 pm.

~~The meeting resumed at 3:47 pm.~~

**2B. 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE NOS. 5.1350 PDD 374 / GPA / CUP AND 3.3795 MAJ). (KL)**

Associate Planner Lyon provided an overview of the proposed mixed-use hotel as outlined in the staff report.

The Commission asked further clarification on issues relating to:

- Capture rates for valet parking at the Colony Palms.
- Parking survey to determine the whether the rest of the Uptown area is adequately parked.
- Reciprocal parking agreement with Colony Palms for the existing 750 lot.

Chair Hudson opened the public hearing:

JAMES CIOFFI, project architect, provided additional information regarding the parking, crosswalk, architectural drawings, grade change across the site, and building elevations.

MARVIN ROOS, MSA Consulting, requested removal of engineering conditions #2 and #8 asking for additional dedication and #29 a requirement to pay flood control fees - this would be worked out with Engineering staff.

WALTER HAAK, Movie Colony Hotel, owner, spoke in favor of this project; does not have a problem with the height or setbacks. He likes the passage ways and the interesting architecture fits the modernism concept of Uptown.

DOUG JONES, spoke in favor of the proposed project.

TEE JONES, spoke in favor of the project.

DAVID DOYLE, resides in Movie Colony, read a letter by William Wicom, expressing opposition to the project citing concerns with the lack of parking, amplified roof-top music and obstruction of mountain views.

GARY JOHNS, spoke in support of the project.

DAVID JONKLEINTL, read a letter on behalf of MICHAEL BECKMAN, in support of the project and spoke on his own behalf in support of the project.

SARA FRITH, resides in Movie Colony, spoke in opposition of the proposed project.

ROXANN PLOSS, spoke in opposition of the proposed project.

STEVEN SIMMS, Go Bike USA, requested bike paths, better sidewalks and slowing down the traffic on Palm Canyon and Indian Canyon because these streets are a hazard for cyclist and pedestrians.

DR. MICHAEL MCQUARTER, spoke in favor of the project.

JUDY DEERTRACK, spoke in opposition of the proposed project.

SCOTT SEIBERLING, spoke in opposition of the proposed project.

FELIPE CASTANADA, Los Arboles Hotel, owner, spoke in opposition of the project citing concerns blocking views, height and density. He requested story poles be placed on the site for more than several hours and the lack of public noticing for the project.

FRANK TYSEN, spoke in opposition of the project.

JAMES CIOFFI, said that this project will add vibrancy to the neighborhood and at least 30 added cars could be parked in the lot using valet parking.

There being no further speakers the public hearing was closed.

Commissioner Weremiuk expressed concern with the retail portion; it does not appear to be the right fit for the frontage on Palm Canyon.

Commissioner Middleton spoke in support of the project - it is well designed for this difficult site. She expressed concern with the parking and lack of public benefit - she requested a condition be added to have the photovoltaic system installed.

Commissioner Weremiuk has concerns with the potential for noise from the rooftop bar, lack of shade structures on Palm Canyon and height. She requested the landscape plan return for review citing concerns with the proposed use of thorny plants near sidewalks.

Commissioner Roberts said he likes how this project opens up on Indian Canyon; however, he is struggling with the under-parking and density. He suggested removing one floor or moving it back from the sidewalk.

Chair Hudson commented that this site cannot solve all the parking problems of Uptown; this is a district-wide issue that needs separate study by the City. He thinks the building steps back adequately from Indian Canyon and likes the pathways with landscaping through the parking lot. He said the biggest issue is the rooftop use which can be mitigated by limiting decibel levels or designing architectural sound screens. He said buildings in the Historic District have many variations in height and this is what makes the district successful. He agrees with the bicycling hazards on Indian Canyon and would like to see further study of Indian Canyon Drive including a median and pedestrian amenities along the entire street.

Commissioner Lowe concurred with Chair Hudson and said it would be a tremendous improvement to the neighborhood. He expressed concern with rooftop noise and recommended adding mitigation measures.

Commissioner Weremiuk expressed support for the project because it adds hotel rooms and more people to the district who will support the businesses in the area.

**ACTION:** To approve subject to conditions as amended:

- The rooftop bar shall comply with City Noise Ordinance for residential uses and those limits should be included in the conditions.

- Land Use Permit required for outdoor dining.
- Land Use Permit required for rooftop bar including noise mitigation measures.
- Validated valet parking system with site plan showing proof of added parking capacity on site in parking lot drive aisles.
- Install the photo voltaic system as an aspect of public benefit, not simply pre-wire.

**Motion:** Commissioner Calderine, seconded by Commissioner Middleton and unanimously carried on a roll call vote

**AYES:** Commissioner Calderine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

**3. NEW BUSINESS:**

**3A. WOODRIDGE PACIFIC GROUP, LLC REQUESTS FOR A MAJOR ARCHITECTURAL APPROVAL FOR THE CONSTRUCTION OF 40 SINGLE-FAMILY RESIDENTIAL HOMES ON APPROXIMATELY 20-ACRE VACANT PARCEL LOCATED AT 665 WEST RAMON ROAD; ZONE R-1-C (CASE NO. 3.3802-MAJ). (ER)**

Principal Planner Robertson presented the proposed project as outlined in the staff report.

TODD CUNNINGHAM, Woodridge Pacific Group, president, provided details on the project.

The Commission questioned and/or commented on:

- The paseo connection.
- The glass garage doors.
- The structure of the shed roof.
- Add a condition that gates are prohibited.

**ACTION:** Approve subject to conditions, as amended:

- Gates are prohibited for this project including the paseo.

**Motion** Commissioner Roberts, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

**AYES:** Commissioner Calderine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

RESOLUTION NO. 6470

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION PURSUANT THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), APPROVING CASE 5.1350 PDD 374 / CUP / GPA, A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE; A CONDITIONAL USE PERMIT FOR SPA USES, COCKTAIL LOUNGE (BAR) USES, HOTEL USES IN WHICH MORE THAN 10% OF THE GUEST ROOMS ARE PROVIDED WITH KITCHENS, AND TO ENGAGE THE REGULATIONS OF THE HIGH-RISE ORDINANCE, A GENERAL PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC) TO MIXED-USE / MULTI-USE – CBD AS DEFINED IN THE 2007 GENERAL PLAN (ADOPTED BY CITY COUNCIL RESOLUTION #22077), AND CASE 3.3795 MAJ; A MAJOR ARCHITECTURAL APPLICATION FOR A FOUR-STORY, MIXED USE HOTEL COMPRISED OF 46 HOTEL UNITS, RETAIL AND RESTAURANT SPACE, A SPA, A ROOF TOP POOL AND BAR (COCKTAIL LOUNGE), 62 OFF-STREET PARKING SPACES AND LANDSCAPING ON A ROUGHLY 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (ZONE C-1 / R-3 / RESORT OVERLAY ZONE, PD 104, LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1); (APN 505-303-018) AND RECOMMENDING APPROVAL OF THE SAME BY THE PALM SPRINGS CITY COUNCIL, SUBJECT TO CONDITIONS OF APPROVAL.

WHEREAS, 750 Lofts, LLC (“applicant”) submitted applications pursuant to Palm Springs Zoning Code (PSZC) Section 94.03 (Planned Development District), PSZC 93.07 (Zone Change) PSZC 94.04 (Architectural Review), PSZC 93.02 (Conditional Use Permit) PSZC 92.25.00 (Resort Overlay Zone), PSZC 93.04 (High-rise Buildings), and State of California Governmental Code 65350 – 65362 pertaining to the procedures for jurisdictions to amend their General Plan, seeking approval of a Planned Development District in lieu of a Change of Zone, a General Plan Amendment, a Conditional Use Permit, and a Major Architectural review for development of four-story, forty-six (46) unit hotel with accessory uses, off-street parking and open space on a roughly 1.13 acre site located at 750 North Palm Canyon Drive (Case 5.1350 PDD 374 / GPA / CUP, and Case 3.3795 MAJ; APN 505-303-018, Zone C-1 / R-3 / PD 104 / Resort Combining Zone / the Las Palmas Business Historic District (HD-1); and

WHEREAS, on October 6, 2014 Case 5.1350 PDD 374 (the PDD / GPA / CUP) was reviewed by the City’s Architectural Advisory Committee (AAC), which voted 6-0 to



recommend approval of the project by the Historic Site Preservation Board and the Planning Commission subject to conditions; and

WHEREAS, on October 12, 2014, Case 5.1350 PDD 374 (the PDD / GPA / CUP) was reviewed by the City's Historic Site Preservation Board (HSPB) for the project's conformance with the Conceptual Design Guidelines for New Construction within the Las Palmas Business Historic District (LPBHD) and voted 5-1 (Ploss opposed) to approve the project subject to conditions, and

WHEREAS, on December 22, 2014, the AAC reviewed Case 3.3795 MAJ, the major architectural application associated with the subject project and voted 7-0 to recommend approval of the architecture and site plan by the Planning Commission; and

WHEREAS, on January 13, 2015, the HSPB reviewed Case 3.3795 MAJ and voted 6-1 (Johns opposed) to approve the project subject to conditions, and

WHEREAS, on January 22, 2015, the applicant filed an appeal of the action of the HSPB requesting removal of Condition 1 related to total building height and Condition 2 related to building height adjacent to the public street, and

WHEREAS, on February 4, 2015, the City Council considered the applicant's appeal of the HSPB action and voted 4-0 (Foat abstained) to uphold the appeal and remove HSPB Condition 1 (total building height), Condition 2 (building height adjacent the public street) and Condition 3 related to restricting the use of shade umbrellas and prohibiting additional rooftop structures beyond those illustrated in the project at the fourth floor / rooftop deck area, and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs to consider the proposed project was given in accordance with applicable law, and

WHEREAS, on February 25, 2015 a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, at said hearing, 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

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed development has been determined to be a project subject to environmental analysis under guidelines of CEQA.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: CEQA.

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis considered all required CEQA issues, including but not limited to air quality, scenic views, traffic, land use compatibility, historic resources and hydrology.

Potentially significant impacts were determined to include the existence of possible asbestos containing materials, mold, and traffic impacts. The Planning Commission has determined that the Mitigation measures that follow will reduce the potentially significant impacts to a less than significant level:

*MM VII-1: Any suspected Asbestos Containing Materials (ACM) should be sampled prior to the initiation of any demolition activities on the project site. Identified ACMs must be abated by a licensed abatement contractor, and disposed of in conformance to all state and local requirements.*

*MM VII-2: Any mold identified on the project site shall be abated in a manner that conforms to all state and local requirements.*

*MM XV-1 The proposed project shall pay a fair share contribution for the recommended off-site intersection improvements, including signalization of Tamarisk Road and Palm Canyon Drive, and the addition of left turn lanes to southbound and westbound travel lanes at this intersection.*

The CEQA analysis including a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) was made available for public comment during a 20-day period which began on February 6, 2015 and ended February 25, 2015. Public comment letters were received which are attached to this staff report. Through the public comment period, no new information was found that would require recirculation or further analysis of the project's impacts under CEQA.

The Planning Commission independently reviewed and considered the information contained in the draft MND and NOI prior to its review of the proposed project, and the draft MND reflects the City's independent judgment and analysis. The Planning Commission finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the Planning Commission hereby adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

Section 2: Planned Development in lieu of Change of Zone Findings (PSZC 94.07):

*The Planning Commission considered whether the following conditions exist in reference to the proposed planned development district in lieu of a change of zone for the subject property:*

- 1. The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed project is located in the Neighborhood Community Commercial (NCC) (FAR 0.35) land use designation of the General Plan. The project has a density FAR of 0.82 and thus is not consistent with this land use designation in terms of density. A General Plan Amendment (GPA) is included proposing to amend the land use designation from Neighborhood Community Commercial to Mixed-use / Multi-use – CBD (FAR 1.0). With approval of this GPA, the Planning Commission has determined that the project can be deemed consistent with this finding.

*The General Plan notes that the Mixed-use / Multi-use designation "...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."*

The Planning Commission finds that the proposed project is successful at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive with a proposed mid-block cross walk on Indian Canyon Drive.

- 2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed project is located in the C-1/R-3 zone with PD 104 overlay and is within the Resort Overlay. It is also within the Las Palmas Business Historic District (LPBHD). The current PDD is proposed to eliminate PDD 104 and change the split zoning to a single PD zone designation with its own development standards. Specific uses requested for approval for the PDD include: a hotel in which all the rooms have kitchen/cooking facilities, a spa for hotel guests only (subject to the business

regulations of PSMC 5.34 (Massage Establishments), a roof top cocktail lounge/bar open to the public, general retail uses, and restaurant uses with outdoor dining (outdoor dining subject to approval of a Land Use Permit). The Planning Commission finds that the subject property is suitable for these specific uses. Furthermore, other uses typically associated with the C-1 zone as defined in Zoning Code Section 92.12.01 (Permitted Uses) and 92.12.02 (Prohibited Uses) as amended from time to time, may be incorporated in the list of permitted uses for the subject PDD in lieu of zone change.

In terms of access, the project provides vehicular access from Indian Canyon Drive and Palm Canyon Drive, both major thoroughfares on the City's General Plan Circulation Plan. Pedestrian access is provided via adjacent sidewalks as well as a proposed mid-block cross-walk at Indian Canyon Drive. The project proposes a mix of hotel and commercial uses that are harmonious with adjacent uses in the vicinity. Thus the project conforms to this finding.

*3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed PDD in lieu of zone change has been evaluated against the development standards for the underlying zones, the Resort Overlay Zone, the Architectural Review Guidelines of PSZC 94.04, and the Las Palmas Business Historic District Conceptual Design Guidelines for New Construction. Although the applicant is seeking relief from several important development standards, the Planning Commission finds that the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Palm Canyon and introduces commercial uses along Indian Canyon which should contribute to creating a more pedestrian-oriented environment along that major thoroughfare. The project height is slightly higher than adjacent development however maximum building height is proposed in the center of the site, stepping down to lower levels closer to the public streets and east-west view corridors are created by providing openings in the massing of the proposed building. Therefore the project is not detrimental to scenic views from adjacent properties. The project conforms to this finding.

Section 3: Resort Overlay Zone Findings (PSZC Section 92.25.00):

The "R" resort overlay zone is intended primarily to provide for accommodations and services for tourists and visitors while guarding against the intrusion of competing land uses.

The Resort Overlay Zone runs along Palm Canyon Drive for nearly its entire length through the City. The subject site lies entirely within this overlay zone.

The project is evaluated against the findings of the Resort Overlay Zone finding as follows:

*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 proposed development would provide additional hotel rooms, restaurant, retail, spa, and cocktail lounge/bar uses that are supportive of the tourist resort nature of the Uptown district and compatible with the pedestrian-oriented commercial nature of the Uptown district. The Planning Commission has therefore determined that the proposed project is consistent with this finding.

Section 4: Findings for the Conditional Use Permit / Planned Development District (PSZC 94.02/PSZC 94.03):

In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the subject PDD incorporates the findings of the CUP (PSZC 94.02.00) seeking relief from development standards and establishing specific uses within the PDD for Hotels in which more than 10% of the rooms contain cooking facilities, Spa and Cocktail Lounge / Bar uses as well as to establish findings and impose development standards for the proposed high-rise form of development pursuant to PSZC 93.04, (high-rise development) as follows:

*The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:*

*a. 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;*

The proposed Spa use, Cocktail Lounge / Bar use and development of hotel uses in which more than 10% of the rooms are provided with kitchens and cooking facilities are permitted in the C-1 zone subject to the CUP findings. Furthermore, pursuant to PSZC 92.12.03, C,1a (Development Standards for the C-1 zone), high-rises are permissible subject to the development standards set forth in the high-rise ordinance and subject to the CUP findings. Deviations in these development standards may be approved subject to evaluation against the same CUP / PDD findings. The project proposes a PDD for the proposed uses and to seek relief from the high-rise development standards and the standards of the C-1 zone. With approval of the PDD, the project is consistent with this finding and the spa, cocktail lounge / bar, and hotel rooms with cooking facilities may be established as permitted uses within the PDD.

*b. 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;*

Development of the subject site with hotel and commercial uses is desirable as a means of strengthening the tourist commercial resort nature of this part of the City. With approval of the GPA, the project is consistent with the General Plan Mixed Use / Multi Use – CBD land use designation in terms of density and with policies of the General Plan that encourage infill development, pedestrian walkability between commercial and residential zones and a mix of tourist / resort uses and many of the characteristics of the Downtown Urban Design Guidelines of the General Plan. The project therefore conforms to this finding.

*c. 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 roughly 1.13-acre site is proposed with 46 hotel units. With the approval of the PDD, the City would be establishing it as a separate zone with its own unique development standards and the project would be deemed in conformance with this finding. The project proposes 63 parking spaces which is less than the 92 spaces calculated under the requirements of Zoning Code Section 93.06 (off-street parking) for the individual uses proposed. The applicant has submitted a parking study which concluded that assuming a "capture ratio" of 50%, pursuant to the Urban Land Institute manual on shared parking, adequate parking with no adverse impacts to the adjacent community would be possible with the quantity of parking spaces proposed and the mix of related uses within the project, utilizing valet parking under peak use periods. A condition of approval requiring "validated valet parking" was imposed that also requires the applicant to provide a site plan of the parking lot showing the capacity of stacked cars that, under valet conditions would demonstrate the total capacity of the parking lot. As conditioned, the project conforms to this finding.

*d. 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 project proposes to take vehicular access off both North Palm Canyon Drive and North Indian Canyon Drive both of which are major thoroughfares on the City's General Plan Circulation Plan. Although the project proposes less off-street parking than is minimally required per the zoning code, the parking study substantiates a certain amount of "joint use" by hotel guests at the restaurant, retail and bar uses and thus the amount of parking proposed, along with requiring a valet parking arrangement is appropriate for handling the type and quantity of traffic and parking generated by the proposed use and thus the project conforms to this finding. The valet-parked cars can be accommodated in the drive aisles of the proposed parking lot without causing adverse impact of cars being parked in the nearby residential streets. Mitigation measure relating to signalization and dedicated turn lanes have been identified and the applicant has agreed in writing to implement these mitigation measures. As such, the project conforms to this finding.

*e. 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 to this resolution as Exhibit "A".

Section 5: Findings for the General Plan Amendment (State Governmental Code 65350 - 65362)

State of California Governmental Code Sections 65350 – 65362, outline the procedures and requirements for Cities and Counties to create and amend their General Plan. There are, however, no specific findings for a General Plan Amendment. The Planning Commission has evaluated the requested GPA based upon the following:

- Compatibility of the proposed Mixed use – CBD land use designation with adjacent land uses and development patterns.
- Consistency of the proposed designation and development with Appendix "A" of the General Plan, "*The Downtown Urban Design Guidelines*".
- Potential adverse impacts to existing or future development in the vicinity.

*Findings of Compatibility of the proposed Mixed use - CBD land use designation with existing adjacent land uses and development patterns.*

The Mixed-use - CBD land use designation and NCC both envision a wide variety of pedestrian-oriented commercial, residential and hotel uses that serve both tourists and the surrounding residential areas. Both land use designations encourage and accommodate the existing small scale, older, single-lot development pattern found in the Downtown and Uptown districts. The pattern of existing development in both the NCC – Uptown area and the CBD – downtown is similar: with smaller scale commercial uses that support both the adjacent residential neighborhoods as well as tourists with restaurants, specialty stores, gift shops, bookstores and retail stores specializing in art and home design, furnishings and accessories. Thus the proposed GPA is compatible with the surrounding land uses and development patterns. The notable difference in the two is density or intensity of development – defined by FAR (Floor Area Ratio). The subject site is located in relatively close proximity to the northerly edge of the Mixed-use CBD area. This GPA requests the expansion of the higher density Mixed Use – CBD into this "transition area" between Downtown and Uptown. The Planning Commission finds the increased density proposed in the subject development is harmonious with the transitional nature and development patterns in this area and is desirable to further strengthen the pedestrian-oriented vitality of this commercial area.

Findings of consistency of the proposed designation with Appendix "A" of

the General Plan, "*The Downtown Urban Design Guidelines*".

The Downtown Urban Design Guidelines encourage the integration of design parameters that are pedestrian-friendly, conducive to small lot and small block development patterns, emphasis on preservation of views and promoting an area of vibrant activity at the street level.

The project proposes creation of mid-block pedestrian passageways, view corridors, a walkable scale, interesting public spaces provided with shade, artwork and a variety and mix of commercial, hotel and residential uses. The design makes use of different paving materials to separate pedestrian and vehicular areas. These characteristics that are encouraged in the Downtown Urban Design Guidelines are features that are found in the proposed development. Thus the Planning Commission finds that the project is consistent with this finding.

*Finding that there are no potential adverse impacts to existing or future development in the area.*

The proposed General Plan Amendment would allow a significant increase in density, however it is in a transitional area between the higher intensity area of downtown Palm Spring and the moderate density character of Uptown. The project design includes ground floor retail and by locating of the building and outdoor dining in close proximity to the street edge, it continues and expands the walkable nature of existing development this area of the City. The Downtown Urban Design Guidelines envision characteristics that are found in both Uptown and Downtown which include interesting architectural and visual design features, building placement close to the front property line, use of decorative paving patterns that distinguish vehicular travelways from pedestrian routes, shade and other pedestrian amenities. Thus proposed development is consistent with the overall vision of the General Plan for both Uptown and Downtown: to retain their pedestrian scale, small-lot development patterns, mid-block crosswalks, emphasis on viewsheds and enhancements that encourage pedestrian-oriented commercial vitality and connectivity with adjacent residential areas. Thus, the Planning Commission finds that the proposed GPA is consistent with this finding.

The General Plan notes that the Mixed-use / Multi-use designation

*"...should promote civic activity, define neighborhood character, and provide places for people to meet and socialize, enhancing the area's overall quality of life. These areas are intended to provide services and distinct gathering places and activity centers for surrounding neighborhoods and businesses."*

The Planning Commission finds that the proposed project is successful at promoting civic activity, and in providing places for people to meet and socialize. It also encourages pedestrian movement between the adjacent residential areas to the east and the commercial areas along Palm Canyon Drive.



NOW THEREFORE, BE IT RESOLVED THAT based upon the foregoing, the Planning Commission hereby

1. Approves Case 5.1350 PDD 374; a preliminary planned development district in lieu of a change of zone establishing unique development standards for the subject site for the development of a four-story, mixed-use development, and defining uses within the PDD to include off-street parking, hotel, spa, restaurant, cocktail lounge / bar, open space and landscaping, as well as other future uses consistent with those permitted in the C-1 zone and recommends approval of the same by the City Council subject to Conditions of Approval as outlined in Exhibit "A".
2. Approves Case 5.1350 CUP; a conditional use permit establishing specific uses as follows: a forty-six unit hotel in which all units have kitchens and cooking facilities, a fifty (50)-seat restaurant, a forty-seven (47)-seat rooftop cocktail lounge / bar open to the public, and a spa use for hotel guests only consistent with the regulations of PSMC 5.34 (Massage Establishments). The CUP is also approved engaging the regulations and development standards of the high-rise ordinance as amended by the PDD and recommends approval of the same by the City Council subject to the conditions of approval outlined in attached "Exhibit A".
3. Recommends approval by the City Council of Case 5.1350 GPA; a General Plan Amendment changing the land use designation for the subject 1.13-acres site from Neighborhood Community Commercial (NCC, FAR 0.35) to Mixed use – CBD (FAR 1.0) and imposing the Downtown Urban Design Guidelines on the current and future development of the site, consistent with the Mixed-use - CBD land use designation as described in the 2007 Palm Springs General Plan, as adopted by City Council Resolution No. 22077.
4. Approves Case 3.3795 MAJ, as evaluated against the Architectural Review Guidelines of PSZC 94.04 and outlined in attached "Exhibit C" for the architecture, site plan, and landscape development of a four-story mixed use development of roughly 39,248 square feet with 62 off-street parking spaces, hotel units, restaurant, spa, rooftop bar, open space and landscaping as described in the site plan, landscape plan, architectural floor plans, sections and elevations and other related application materials date stamped December 17, 2014. 1237 PDD 357;
5. Planned Development District Overlay PDD 104 is hereby made null and void.

ADOPTED this twenty-fifth day of February, 2015.

AYES: 7, Commissioner Calerdine, Commissioner Middleton, Commissioner  
Lowe, Commissioner Roberts, Commissioner Weremiuk, Vice-  
Chair Klatchko and Chair Hudson

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

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Flinn Fagg, AICP  
Director of Planning Services

~~A SINGLE FAMILY RESIDENCE ON A HILLSIDE LOT LOCATED AT 587  
CAMINO CALIENTE, ZONE R-1-A (CASE 9.2772 MAJ / 7.1439 AMM). (KL)~~

~~Approve, as submitted.~~

**NEW BUSINESS:**

4. **ALCAZAR LOFTS, LLC, FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE, A GENERAL PLAN AMENDMENT, A CONDITIONAL USE PERMIT AND A LOT MERGER PROPOSING DEVELOPMENT OF A FOUR STORY MIXED-USE HOTEL WITH RESTAURANT, SPA, RETAIL SPACES, PARKING AND OPEN SPACE LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1 / R-3 / RESORT COMBINING ZONE / THE LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE 5.1350 PDD-374 / GPA / CUP / HD-1). (KL)**

Associate Planner Lyon presented the project as outlined in the staff report.

The Committee asked the following questions:

- Height of the bank - 2 stories;
- Outcome of neighborhood meeting;
- Clarification of trash location/removal;
- Parking deficiency (amount of deficiency);
- Nearby Class I structures, contributing structures;
- Traffic impact on Palm Canyon and Indian Canyon.

James Cioffi, applicant, provided the following comments:

- Described grading of site and how the proposed building is stepped to address changes in grade;
- Pedestrian connections to Alcazar Hotel;
- Pedestrian connections through the site from Indian Canyon to Palm Canyon;
- Colors and materials will be presented at a later time;
- Parking study will be provided;
- How the building fits into context of adjacent buildings.

No public comments were made.

Vice-Chair Fredricks asked about the mid-block cross walk, and noted that if the building is painted white, it may help blend in with Spanish Revival architecture.

Board Member Secoy-Jensen questioned if subterranean parking was studied - the applicant stated that ramps would reduce the number of parking spaces.

Chair Fauber asked about the drop in grade - approximately 9 feet.

Board Member Cassady asked questions regarding:

- Roof-top swimming pool;
- Parking issues;
- Supports mid-block crossing and pedestrian connections through the site.

Board Member Song made the following comments:

- Need to address shade for pedestrians on Indian Canyon;
- Entry on Palm Canyon - how will the entry be identified? Need to adequately demarcate the entry drive for both pedestrians and drivers;
- Paver treatment to distinguish pedestrian vs. car entrance;
- Questions about height of building at Palm Canyon and Indian Canyon and how massing is addressed;
- Parallel parking in the internal project driveway may add to parking count;

Chair Fauber requested clarification on the following items:

- Will roof deck have canvas structure or gazebos?
- Sound and odor control for the trash area;
- Shading - has not been fully addressed;
- Location of the mechanical equipment.
- If installed, will solar panels be flat?

Board Member Purnel made the following comments:

- Massing feels comfortable based on photo illustrations;
- Outdoor living/open space - difficulty in designing outdoor spaces on upper levels of building, and need to address open space deficit and enriching ground level spaces.

Board Member Secoy-Jensen made the following comments:

- While integration into historic district is difficult the project does a good job;
- Integrate signage with architecture;
- Supportive of initial schematics.

Vice-Chair Fredricks made the following comments:

- Trees and street furniture are needed on Indian Canyon to become more pedestrian friendly;
- Need to carefully design the intersection of pedestrians/vehicles at Palm Canyon

entrance.

M/S/C (Fauber/Cassady, 6-0-1 absent Hirschbein) Approve subject to the following conditions:

- That the color of the project be integrated with neighborhood.
- Return to the AAC for review of the Major Architectural and Final PDD Applications including landscaping pursuant to PSZC Section 94.04 (Architectural Review).
- Review by the City Engineer for the adequacy of the proposed quantity of off-street parking.
- Provide story poles or other means on site to demonstrate the proposed project height.
- Study the sight lines from the upper floor balconies and roof decks of the proposed structure onto the surrounding one and two story hotels and residences for concerns about privacy.
- Further develop the details of the vehicular entrance and integrate the building identity signage on Palm Canyon.
- Establish a hierarchy of street plantings from tall palm trees, to intermediate shade trees, to shrubs and groundcovers.

**~~PLAZA INVESTMENTS INC. REQUESTING A CHANGE TO APPROVED ROOFING MATERIAL FROM TWO PIECE CLAY TILE TO ONE PIECE TILE AT THE CARNELL BUILDING LOCATED AT 184-196 N. PALM CANYON DRIVE, ZONE CBD, SECTION 15 (CASE 3.3200 MAA). (GM)~~**

Assistant Planner Mlaker presented the project as outlined in the staff report.

Board Member Song asked if this project will go before the HSPB.

Chair Fauber asked if the 2nd story windows need to be opaque.

JEREMY STANLEY, applicant, Asaro Builders, provided further details.

No public comment was made.

Committee Member Song noted that the 2nd floor is for aesthetics only and questioned why the use of the "S" tile.

JEREMY STANLEY responded that one piece tile is safer and lasts longer.

Committee Member Secoy-Jensen commented that she is disappointed with the windows - they depart from "irregular" character of original.

Chair Fauber noted an issue with the windows.

~~M/S/C (Secoy-Jensen-Hirschbein, 7-0) Approve, as submitted.~~

8. ~~BUREAU OF INDIAN AFFAIRS FOR A CONDITIONAL USE PERMIT TO DEVELOP A 32-UNIT CONDOMINIUM COMPLEX AND TWO LIVE WORK UNITS LOCATED AT 262 SOUTH INDIAN CANYON DRIVE, ZONE LSC/C-1AA & C-2, SECTION 14 (CASE 5.1358 CUP). (ER)~~

~~M/S/C (Faubert/Hirschbein, 7-0) Table indefinitely.~~

9. 750 LOFTS, LLC. FOR A MAJOR ARCHITECTURAL APPLICATION TO DEVELOP A FOUR STORY MIXED USE HOTEL WITH RESTAURANT, SPA, RETAIL SPACES, PARKING AND OPEN SPACE LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1 / R-3 / PD104 / RESORT COMBINING ZONE / THE LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE 3.3795 MAJ / 5.1350 PDD-374 / GPA / CUP). (KL)

Associate Planner Lyon presented the proposed project and outlined the changes made to the landscape, articulation of the driveway and sidewalk.

Member Secoy-Jensen commented that previous conditions included a parking study and story-poles. She questioned if this has been done. Staff responded that the draft parking study was reviewed by staff and requires revisions prior to review by the City Engineer. Story poles or equal will be scheduled at the site at a later time.

JAMES CIOFFI, architect, provided an overview on the changes, addressed the lifts and parking study.

Member Hirschbein asked if the artwork shown in the illustrations is specific and if the location of "sky bridge" is on the plan.

JAMES CIOFFI noted the artwork was schematic and denoted the "skybridge" on the exhibits.

Member Purnel made several comments pertaining to the landscaping:

1. Likes the organization;
2. Minimal use of plant material;
3. Connection to Alcazar - and if paving materials have been decided.

Member Song questioned if the artwork on Indian Canyon will be part of the project.

WILLIAM KOPELK, landscape architect, explained the selections and locations of plant material within the proposed project.

Member Secoy-Jensen stated that overall this project is well done.

Vice-Chair Fredricks commented that the color change is more harmonious with the surroundings.

M/S/C (Cassady/Fauber, 7-0) Approve as presented.

Member Cassady left the Council Chamber at 5:30 pm for the remainder of the meeting.

**10. BEST SIGNS ON BEHALF OF ROGER STOKER FOR A SIGN PROGRAM FOR THE MULTI TENANT BUILDING LOCATED AT 1001-09 NORTH PALM CANYON DRIVE, ZONE C-1 / R-2 / RESORT COMBINING ZONE / THE LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE SP14-009). (KL)**

Associate Planner Lyon presented the proposed sign program.

Member Secoy-Jensen noted an error in the staff report on page 5.

JOHN CROSS, representing BEST SIGNS, commented that their goal is to keep it simple.

Member Hirschbein said he appreciates push-through letters; however, expressed concern about the size/height of monument sign, signage on windows in the back is overkill - would rather see wall signs similar to the front.

Member Secoy-Jensen questioned the existing sign material - (plywood - temporary sign); and agreed with the concern of the vinyl window letters. She noted a good point is that the letters are not illuminated (minimal impact).

Member Song noted the building is Spanish style and questioned the modern shape of the signage.

Member Secoy-Jensen said she likes the simple contemporary sign; and spoke in support of this concept.

Member Purnel said he supports Member Song's comments - likes the simple Spanish building and feels the vinyl signage is too much. The cabinet seems foreign to the architecture of the building.

M/S/C (Hirschbein/Fredricks, 6-0-1 absent/Cassady) Approve subject to conditions:

1. Sign box shall not have a border treatment;
2. Sign box to match color of existing stucco (face and sides);

Director Fagg summarized the staff report.

Al Smoot, representing the City (applicant), provided a status update, and invited the board members to attend the re-opening ceremony on February 19, 2015.

Board member La Voie requested that Mr. Smoot provide staff with the source of the replacement tiles for the library roof.

Chair Johns asked about the temporary chain link fencing around the mechanical equipment in the rear courtyard, and the purpose of the courtyard security plan.

Board member Williamson suggested that the preliminary landscape plan be vetted with the WMML subcommittee for input prior to final submittal to the HSPB for approval to make the process more efficient.

Vice Chair Ploss requested that future reports include the complete list of actions taken to date on the project by the board.

Board member Burkett noted an issue with COA 11.6.12/4, wherein historic images were to be used in determining the interior finishes and fixtures.

M/S/C (Ploss, Dixon) (7-0-0) To approve the report as presented.

**2.B. A REQUEST BY 750 LOFTS, LLC FOR HSPB APPROVAL OF A NEW MIXED USE HOTEL DEVELOPMENT LOCATED AT 750 NORTH PALM CANYON DRIVE (ZONE C-1/R-3/PD 104/RESORT COMBINING ZONE/THE LAS PALMAS BUSINESS HISTORIC DISTRICT) (HD-1, CASE 3.3795 MAJ/5.1350 PDD374/GPA/CUP).**

Director Fagg summarized the staff report

JIM CIOFFI, representing the applicant, summarized the changes to the project and reviewed the color and materials selections with the board.

WILLIAM KOPELK, the landscape architect for the project, reviewed the proposed landscape selections.

Chair Johns requested clarification on the materials proposed for the exterior of the structure.

Board member La Voie asked about the roof terrace, and suggested that no other roofed structures should be permitted other than the elevator/stair tower.

Board member Williamson noted that the project was successful in maintaining the retail storefronts along the sidewalk, and was a contemporary design as



encouraged by the Las Palmas Business Historic District guidelines. He asked for verification of the height of the scissor lift used in the on-site height demonstration comparable to the proposed height of the building.

Board member Dixon questioned if a condition could be placed upon the project to limit rooftop structures.

Vice Chair Ploss questioned if the rooftop facilities would be open to the public.

Board member Hays expressed concerns about obstructing views of the mountains, and asked where the photos were taken from that were used in the photo simulations.

Chair Johns opined that the location of the scissor lift should have been placed closer to the existing building so as to give a scale comparison. He expressed disappointment that the project was not going to be joined with the Alcazar Hotel, and raised questions about the proposed crosswalk on Indian Canyon Drive.

Board member Burkett asked the applicant if the loft units would be sold or if they would be incorporated into the hotel.

Vice Chair Ploss noted that the design of the building is lovely, but that the bulk and size is out of line with the historic district. She also stated that she felt the parking as proposed is inadequate.

Board member La Voie also expressed concern with the placement and use of the scissor lift and that it didn't fully describe the full size of the building. While he agreed that the pedestrian scale and commercial space was appropriate, the height and scale is out of character of the district and that the height should be lowered by roughly four feet.

Board member Hays expressed concern that the building is out of proportion with its context, will impact the views of buildings across the street, and that the height adjacent to Indian Canyon needs to be lowered. He indicated that he felt the architectural design and materials were appropriate.

Board Member Dixon stated that the building is too large for the site and that the integrity of the area is harmed by it.

Board member Williamson stated that the building is in scale with the proposed Rael project and with the nearby Desert Regional Medical Center, and that the character and mass is appropriate for the district.

Board member La Voie questioned if the height demonstration would be a justification to change the board's recommendation for approval at the October 2014 meeting.

M/S (Dixon/Ploss) To deny the application based upon the finding that the height and massing of the project is inconsistent with the historic district guidelines.

Board member La Voie commented on the motion that he didn't feel that the project should be denied, but that the project could be approved with conditions to reduce the height and massing.

Motion withdrawn by the maker.

M/S/C (La Voie/Dixon) (6-1, Johns opposed) To approve subject to the following conditions:

1. The height is inconsistent with historic district guidelines and needs to be reduced by roughly four feet (to roughly 34 feet total);
2. The elevation along Indian Canyon Drive should be reduced to two stories and twenty (20) feet closest to the street, and allowed to step back to higher elevations further within the site.
3. No additional rooftop structures should be permitted other than those illustrated in the submitted plans (no umbrellas, etc.)
4. The parking study should be reviewed by the City Engineer for adequacy of off-street parking such that the project not adversely impact the historic district.

### 3. NEW BUSINESS:

#### ~~3.A A REQUEST BY RACQUET CLUB GARDEN VILLAS ASSOCIATION, OWNER, PROPOSING LANDSCAPE MODIFICATIONS TO COMMON AREAS AROUND THE EXISTING POOL AND AT THE SOUTHERLY SITE ENTRY LOCATED AT 360 CABRILLO ROAD, ZONE: RGA-6 (HSPB 88 / HD-3).~~

~~Board member La Voie recused himself from the item as he is a resident of the property.~~

~~Staff member Newell summarized the staff report~~

~~CHRIS HERMANN, landscape architect for the project, described the proposed materials palette. He noted that they had completed a survey of the existing landscaping as part of their efforts, identifying the materials that appeared to be original to the property.~~

~~Vice Chair Ploss questioned if the landscaping was included as part of the Class 1 nomination, and noted that the park-like setting was one of the reasons for the property being given Class 1 status. She further stated that the use of stones is a contemporary aesthetic, and questioned if the landscape proposal honors the original intent. She also questioned if there were original photos of the property, and if the HOA had voted on the proposal.~~

- Urged the applicant to conduct ample outreach to the neighborhood.

M/S/C (Hays / Ploss, 6-0) to continue to a date certain of November 18, 2014.

**3.B. AN APPLICATION BY ALCAZAR LOFTS, LLC FOR HSPB APPROVAL OF A NEW MIXED USE DEVELOPMENT PROPOSING DEVELOPMENT OF A FOUR STORY MIXED USE HOTEL WITH RESTAURANT, SPA, RETAIL SPACES, PARKING AND OPEN SPACE LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1 / R-3 / PD104 / RESORT COMBINING ZONE / THE LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE 5.1350 PDD-374 / GPA / CUP).**

Staff member Lyon summarized the staff report.

James Cioffi, representing the owner further explained the project.

Board members:

- Made a request for height clarification.
- Expressed concerns on how the proposed project relates to the context of the neighborhood.
- Expressed concern that there be adequate parking.
- Felt the proposed project improves the neighborhood over the "blight" of the existing vacant building and parking lot on this site.
- Expressed concern that the building is limited in its success in conforming to the Las Palmas Business Historic District design guidelines.
- Felt the project is a beautiful concept given the difficult constraints of the site.
- Expressed the positive effect on the neighborhood with the proposed restaurant on Indian Canyon to invigorate that street frontage.
- Were encouraged by the concept of the art walk, the screening/wall along North Indian Canyon, mid-block pedestrian cross walk.

M/S/C Williamson/Burkett To approve with conditions of approval as noted in the staff report and for the project to come back to the Board for approval of the Major Architectural Application and Final PDD: (5-1, Ploss opposed).

**DISCUSSIONS:**

**4.A. 2015 NATIONAL PRESERVATION MONTH EVENT – SUNDAY, MAY 3.**  
(Subcommittee Ploss, Dixon, Burkett).

Board Member Burkett summarized the subcommittee's planning efforts in a hand out. Program emphasis on education. Outlined venues, courses.

November 4, 2014

City of Palm Springs  
Department of Planning Services  
3200 E Tahquitz Canyon Way  
Palm Springs, CA 92262

Re: Justification Letter, 750 Lofts Major Application

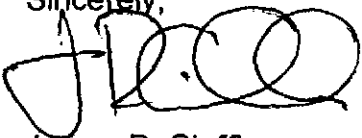
This proposal is for a proposed mixed use on approximately 1.13 acres in the uptown area of Palm Springs. A GPA to CBD/MU will enable the density standards that will make this project feasible.

The project consists of 46 new Hotel rooms, commercial space on Palm Canyon and a restaurant on Indian Canyon. The mixed use aspect of the project will add a 24 hour vitality to the 700 block, and will complement the existing hotel and gallery uses in this unique area.

The proposal will incorporate contemporary architectural statement with uptown with good pedestrian scale. It will acknowledge its historic properties neighbors with height setbacks and low overhangs. A pedestrian linkage through the property and a midblock crosswalk will provide a connection to the neighbors to the East. Outdoor dining, building orientation and an Art Walk will enhance the Indian Canyon walking experience. A landscaped traffic median will slow traffic and reduce traffic conflicts.

This proposed application will correct a current condition on this block, changing an inappropriate NCC designation to a mixed use designation that more accurately reflects the uses on the adjacent parcels in the 700 Block.

Sincerely,



James R. Cioffi  
James Cioffi Architect, Inc.  
Owner / Agent

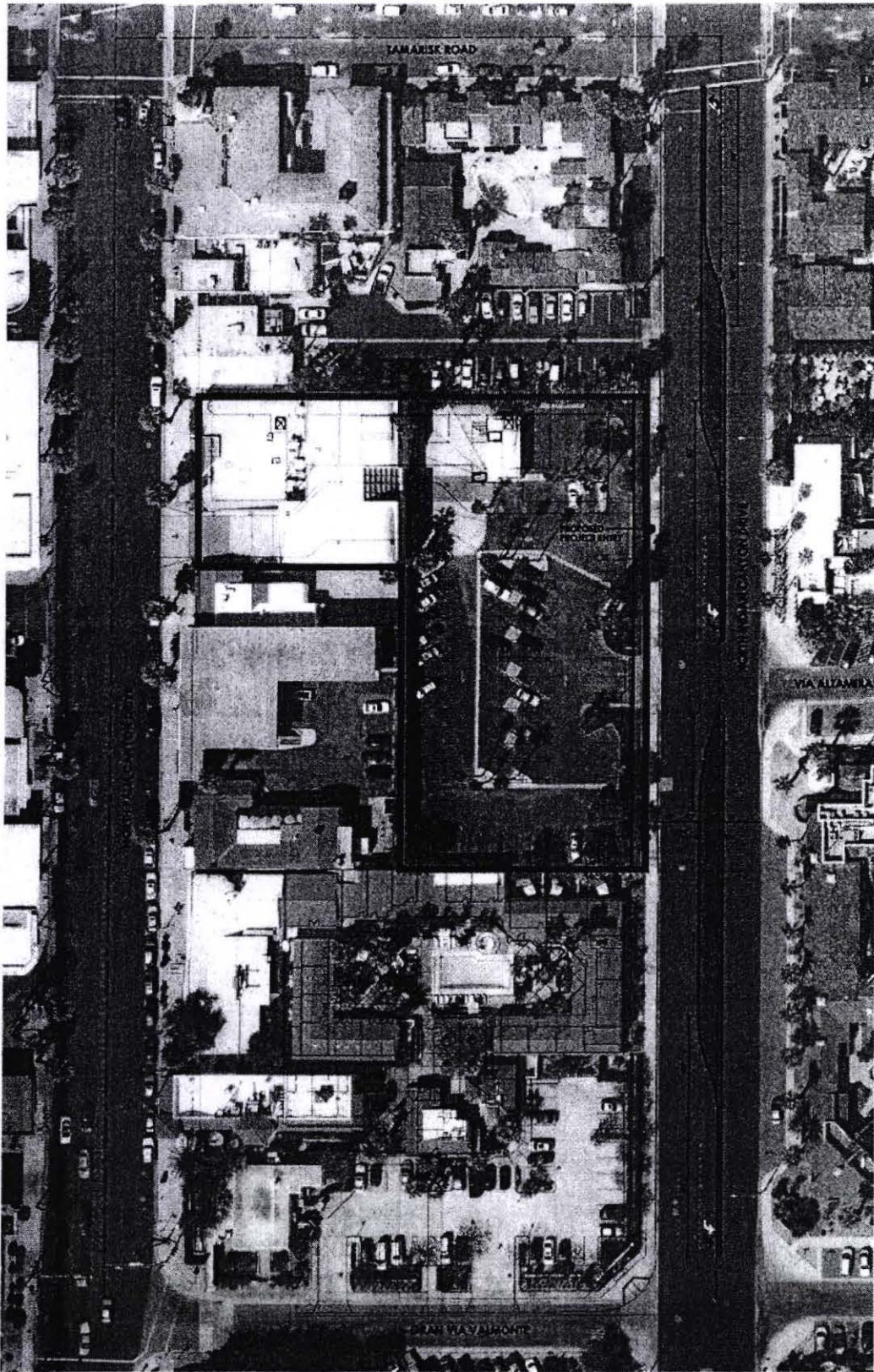
RECEIVED

NOV 10 2014

PLANNING SERVICES  
DEPARTMENT



PROPOSED 750 LOFTS PROJECT  
PARKING ANALYSIS (UPDATED 12/19/2014)  
City of Palm Springs, California



December 19, 2014

Ms. Carol Blum  
750 LOFTS, LLC  
39 Crosby Street  
PHS  
New York, NY 10013

**Subject: Proposed 750 Lofts Project – Parking Analysis (Updated 12/19/2014),  
City of Palm Springs**

Dear Ms. Blum:

RK ENGINEERING GROUP, INC. (RK) is pleased to provide this updated Parking Analysis for the proposed 750 Lofts Project. The proposed site is located immediately to the north and adjacent to the existing Alcazar Hotel, and is bound by North Palm Canyon Drive on the west and North Indian Canyon Drive on the east, in the City of Palm Springs, as shown in Exhibit A. The multi-use project will consist of construction of a 46-room hotel with 2,190 square feet of spa, a roof-top area with 47 seats, a 3,025 square foot quality restaurant with a maximum of 50 seats provided, and 2,595 square feet of retail use. The proposed project will also contain 62 off-street parking spaces, and will provide valet parking services. A site plan for the proposed development is included in Exhibit B.

The multi-use nature of the proposed project provides an opportunity for shared parking within the overall project site. The City of Palm Springs Municipal Code permits a shared parking analysis for multi-use development. The location of the project site and its proximity to the downtown area create opportunities for users and visitors to access the project site by other modes of transportation such as walking, or use of public transportation such as trolley or taxi. Additionally, it is likely some hotel guests will utilize taxi or shuttles to and from the airport.

The City of Palm Springs Municipal Code parking requirements in conjunction with the Urban Land Institute (ULI) Shared Parking methodologies has been utilized to evaluate the adequacy of the parking for the overall project site. Both weekday and weekend parking demands have been evaluated, based on the hourly variations in parking demand.

Ms. Carol Blum  
750 LOFTS, LLC  
December 19, 2014  
Page 2

**Based on the City of Palm Springs Municipal Code parking requirements and the ULI shared parking methodology, the estimated shared peak parking demand is not expected to exceed the available parking supply of 62 off-street parking spaces.**

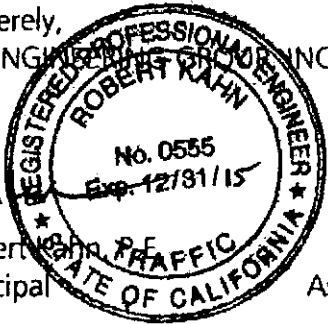
If you have any questions regarding this study, or need further review, please do not hesitate to call our office at (949) 474-0809.

Sincerely,

RK ENGINEERING & PLANNING, INC.

Robert Kahn

Robert Kahn, P.E.  
Principal



A handwritten signature in black ink, appearing to read "Alex Tabrizi".

Alex Tabrizi, P.E.  
Associate Principal Engineer

A handwritten signature in black ink, appearing to read "Tiffany Giordano".

Tiffany Giordano, E.I.T.  
Engineer I

Attachments



**PROPOSED 750 LOFTS PROJECT  
PARKING ANALYSIS  
(UPDATED 12/19/2014)  
City of Palm Springs, California**

**Prepared for:**

Ms. Carol Blum  
750 LOFTS, LLC  
39 Crosby Street  
PHS  
New York, NY 10013

**Prepared by:**

RK ENGINEERING GROUP, INC.  
4000 Westerly Place, Suite 280  
Newport Beach, CA 92660

**Robert Kahn, P.E.  
Alex Tabrizi, P.E.  
Tiffany Giordano, E.I.T.**



**December 19, 2014**

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## **1.0 Project Description**

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RK ENGINEERING GROUP, INC. (RK) is pleased to provide this parking analysis for the proposed 750 Lofts Project located in the City of Palm Springs. The project site is located to the north and adjacent of the existing Alcazar Hotel, and is bound by North Palm Canyon Drive on the west, and North Indian Canyon Drive on the east, as shown on Exhibit A. The proposed development will replace the existing buildings on-site. The site plan for the project is shown in Exhibit B.

The proposed 750 Lofts Project will include construction of a 46-room hotel with 2,190 square feet of spa, a roof-top area with 47 seats, a 3,025 square foot quality restaurant with a maximum of 50 seats to be provided, and 2,595 square feet of retail uses. This project site is planned to include a total of 62 off-street parking spaces to accommodate the forecast parking demand associated with the proposed project. It should be noted, the proposed project is planned to include a valet service which will further increase the parking capacity on the project site. The project will have two (2) project driveways; one (1) existing full access driveway on North Palm Canyon Drive, and one (1) right-in/right-out only driveway on North Indian Canyon Drive.

The proposed project site is currently zoned as a Planned Development (PD) district by the current City of Palm Springs Zoning Map.

This analysis determines the parking requirements for the proposed project land uses based on the City of Palm Springs Municipal Code. The analysis also evaluates the shared parking demand for the proposed multi-use site utilizing the Urban Land Institute (ULI) shared parking concepts and methodology and applicable rates of hourly parking demand and utilization for each use.

The project is planned to provide 62 off-street parking spaces. Therefore, based on the City Municipal Code and assuming a total of 50% parking demand adjustment associated with noncaptive and modal reduction, the site is forecast to have a parking deficiency of six (6) parking spaces. However, since the proposed project is planned to include a valet service, it is expected the six (6) deficient parking spaces can be accommodated by the increased parking capacity from the valet services.

It should be noted that the proposed project, assuming shared parking conditions, is forecasted to provide a sufficient number of parking spaces without the valet service. **Based upon the shared parking analysis without any additional parking capacity associated with the valet service, an adequate number of parking spaces is forecasted to be provided to accommodate the proposed land uses during any time of weekday or weekend.**

## **2.0 Parking Analysis**

---

### **2.1 City of Palm Springs Parking Requirements**

As shown in Table 1, without assuming any shared parking opportunity between the uses, the total combination of the proposed uses (hotel, roof-top area, retail, and restaurant) for the proposed project would require a total of 68 off-street parking spaces based on the City of Palm Springs Municipal Code. It should be noted the location of the project site and its proximity to the downtown area create opportunities for users and visitors to access the project site by other modes of transportation such as walking, or use of public transportation such as trolley or taxi. ULI recommends a 30% noncaptive reduction and a 60% mode adjustment for restaurants that are near resort hotels (Appendix B).

This analysis assumes a total of fifty (50) percent adjustment in parking demand associated with the retail, restaurant, and roof-top area land uses to account for noncaptive and modal reductions. This estimate is conservative based on the ULI recommendations and the downtown area features.

It is very likely some hotel guests will utilize taxi or shuttles to and from the airport. However, this analysis is considered conservative since it does not account for any modal or captive adjustments associated with the hotel use.

The applicable City of Palm Springs Municipal Code Parking Requirements are included in Appendix A.

The project is planned to provide 62 off-street parking spaces. Therefore, based on the City Municipal Code and assuming a total of 50% parking demand adjustment associated with noncaptive and modal reduction, the site is forecast to have a parking deficiency of six (6) parking spaces. However, since the proposed project is

planned to include a valet service, it is expected the six (6) deficient parking spaces can be accommodated by the increased parking capacity from the valet services.

Additionally, the multi-use nature of the proposed project provides an opportunity for shared parking within the overall project site. Shared parking is the use of a parking space to serve two or more individual land uses without conflict or encroachment. The ability to share parking between two or more uses is the result of two conditions:

- Variations in the accumulation of vehicles by hour of day; and
- Relationships among the land uses that result in visiting multiple land uses on the same auto trip.

The key goal of shared parking analysis is to find the balance between providing adequate parking to support a development from a commercial viewpoint while minimizing the negative aspects of excessive land area or resources devoted to parking. Multi-use developments that share parking result in greater density, better pedestrian connectivity, and, in turn, reduced reliance on driving, typically because multiple destinations can be accessed by walking.

## **2.2 Shared Parking Parameters**

RK has used procedures developed by the Urban Land Institute (ULI) from their 2005 publication, *Shared Parking, Second Edition*. This document contains the latest procedures and data with respect to parking demand and shared parking. This shared analysis utilizes the parking demand rates from the City of Palm Springs Parking Requirements for each of the proposed project's land uses.

The ULI shared parking analysis evaluates the types of land uses, parking rates, monthly variations of parking demand by land use, differences between weekday

and weekend parking demand, the hourly distribution of peak parking demand for each type of land use, and captive versus non-captive parking demand within the project site. This analysis is based on a selection of ULI procedures to evaluate peak parking demand that will occur at the proposed 750 Lofts Project.

The ULI parameters were used in conjunction with the City of Palm Springs parking rates to analyze shared parking demand at the project site. The analysis is based on the following inputs and calculations for each land use:

1. **ULI peak parking demand by land use for visitors and employees.**  
The ULI Shared Parking model proportions the parking rates between visitors and employees for weekday and weekend conditions, each with their own parking demand characteristics. While the ULI parking rates were modified to reflect the City of Palm Springs' Municipal Code, the split between employees and visitors identified in the ULI analysis was used.
2. **ULI hourly variations of parking demand.** Throughout the day, a different percentage of employees and visitors are expected.
3. **ULI weekday versus weekend adjustment factor.** Weekdays and weekends attract a different percentage of visitors and employees based on the land use.
4. **Captive trip reductions.** As with most multi use developments, the proposed project is expected to have a small percentage of captive trips between users within the development, which further reduces the parking demand. The parking demand is reduced due the fact that multiple land uses are visited while parking only once.



5. **Modal adjustment reductions.** It is expected that some visitors may use different modes of transportation, and it is typical to take a modal adjustment for this type of development. The modal adjustment takes into account modes such as walking, biking, and other non-auto modes of transportation to and from the site for employees.

As previously noted the location of the project site and its proximity to the downtown area create opportunities for users and visitors to access the project site by other modes of transportation such as walking, or use of public transportation such as trolley or taxi. ULI recommends a 30% noncaptive reduction and a 60% mode adjustment for restaurants that are near resort hotels (Appendix B).

This analysis assumes a total of fifty (50) percent adjustment in parking demand associated with the retail, restaurant, and roof-top area land uses to account for noncaptive and modal reductions. This estimate is conservative based on the ULI recommendations and the downtown area features.

It is very likely some hotel guests will utilize taxi or shuttles to and from the airport. However, this analysis is considered conservative since it does not account for any modal or captive adjustments associated with the hotel use.

The analysis also does not account for the following ULI procedure which could potentially further reduce parking demand associated with the proposed project:

1. **ULI monthly adjustment factors.** Throughout the year, differing land uses peak during different months. For example, retail land uses are typically expected to peak during the end of the year in late December. The parking demand is reduced during the months that the land use is not expected to peak. For this project, it is assumed that the land uses will be peaking throughout the year to be conservative.

### 2.3 Shared Parking Results

Table 2 and 3 provide the hourly shared parking demand for the weekday and weekend, respectively, based on the number of required parking spaces determined by the City of Palm Springs Municipal Code and the ULI-based hourly parking demand. The tables also calculate the split of demand between visitor and employees based on the ULI methodology and the City of Palm Springs Municipal Code parking rates. Table 4 provides a summary detailing the percent of parking spaces expected to be occupied throughout a typical weekday and weekend assuming shared parking conditions.

- During a typical weekday, the expected peak will occur at 6:00 PM, 8:00 PM, and 9:00 PM with 56 parking spaces occupied, or 90.3% of the total supplied parking.
- During a typical weekend, the expected peak will occur at 8:00 PM and 9:00 PM with 59 parking spaces occupied, or 95.2% of the total supplied parking.

Exhibit C shows the peak shared parking demand for weekday conditions, whereas, Exhibit D shows peak shared parking demand for weekend conditions for the project site. As shown on these exhibits, peak parking demand can be accommodated during all times of the weekday and weekend.

It should be noted that the project will provide valet services. When valet services are utilized, vehicles can be double-stacked, allowing additional parking spaces. A valet parking plan should be developed for the project site and approved by the City and the Fire Department. It should be noted that the proposed project, assuming shared parking conditions, is forecasted to provide a sufficient number of parking spaces without the valet service.

The proposed 750 Lofts Project would provide a total of 62 off-street parking spaces. **Based upon the shared parking analysis without any additional parking capacity associated with the valet service, an adequate number of parking spaces is forecasted to be provided to accommodate the proposed land uses during any time of weekday or weekend.**

### **3.0 Conclusions**

---

The following conclusions have been reached with respect to the proposed 750 Lofts Project:

1. The project would consist of hotel, roof-top area, retail, and restaurant uses, which are compatible from a shared parking standpoint. Peak parking demand will not occur simultaneously from all of the various uses.
2. Based on the City of Palm Springs Municipal Code and the proposed land uses, the project would require 68 parking spaces without assuming a shared parking condition.
3. Utilizing the shared parking concept as applicable to the proposed project, the shared peak parking demand for the project has been estimated to be 56 parking spaces during peak weekday conditions and 59 parking spaces during peak weekend conditions.
4. The proposed project is planned to provide 62 off-street parking spaces, as well as a valet service. The valet service will allow double-stacking of vehicles, increasing the parking supply.
5. Based on the City of Palm Springs Municipal Code and the ULI shared parking methodology, the forecast shared parking demand for the proposed project can be accommodated by the 62 off-street parking spaces planned to be provided by the proposed project.
6. The project should monitor its peak parking demand as needed to refine parking management operations at the site.



**KUNZMAN ASSOCIATES, INC.**

**750 LOFTS PROJECT**

**PARKING STUDY**

**February 12, 2015**



# KUNZMAN ASSOCIATES, INC.

OVER 35 YEARS OF EXCELLENT SERVICE

February 12, 2015

Ms. Nicole Sauviat Criste, Principal  
TERRA NOVA PLANNING & RESEARCH, INC.  
42635 Melanie Place, Suite 101  
Palm Desert, CA 92211

Dear Ms. Criste:

## INTRODUCTION

The firm of Kunzman Associates, Inc. is pleased to submit this parking study for the 750 Lofts Project in the City of Palm Springs. Kunzman Associates, Inc. has been asked to conduct an analysis of the parking for the 750 Lofts Project in order to ascertain if adequate parking spaces are currently provided at the project site under the City's parking regulations. This parking study supplements the 750 Lofts Project Parking Analysis prepared by RK Engineering Group, Inc. (December 19, 2014).

This report summarizes our methodology, analysis, and findings. Although this is a technical report, every effort has been made to write the report clearly and concisely. To assist the reader with those terms unique to transportation engineering, a glossary of terms is provided within Appendix A.

## PROJECT DESCRIPTION

The project site is located immediately north and adjacent to the existing Alcazar Hotel, and is bounded by North Palm Canyon Drive on the west and North Indian Canyon Drive on the east in the City of Palm Springs. The mixed-use project will consist of a 46 room hotel with 2,190 square feet of spa, a roof-top bar area with 47 seats, a 3,025 square foot quality restaurant with a maximum of 50 seats provided, and 2,595 square feet of retail use. The project site plan will provide a total of 62 off-street parking spaces, and will provide valet parking services.

## PARKING CODE

The City of Palm Springs parking code requirements are included in Appendix B. Based upon the City parking code requirements, 93 parking spaces are required per Table 1. This demand (31 parking space deficiency) is required if all land uses simultaneously generated their maximum parking code demands.

## CAPTIVE/NON-CAPTIVE ADJUSTMENTS

The Urban Land Institute, Shared Parking (2005) provides a discussion of captive/non-captive adjustments. Both formal studies and general experience have proven that some reduction of customer parking needs occurs in a mixed-use project due to patronage of multiple land uses. This interplay of

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Ms. Nicole Sauviat Criste, Principal  
TERRA NOVA PLANNING & RESEARCH, INC.  
February 12, 2015

land uses in a mixed-use environment often produces a reduction in the overall parking demand. This is commonly seen in an environment where some percentage of patrons at one business (such as a restaurant) may be guests of another business (such as a hotel). Under this assumption, the guests have already parked at the hotel (their primary reason for being on-site) and are already present in the immediate vicinity and visiting the restaurant/bar as a secondary visit. Although the interplay of land uses can reduce the overall demand, it should be noted that there are limits imposed by the proximity of land uses to each other and to parking facilities. Human behavior often restricts shared parking opportunities by limiting the distance users are willing to walk from a parking facility to their final destinations. The restaurant and bar that are on-site and well within the appropriate walking distance for visitors to the hotel. The restaurant and bar may have much greater patronage from the hotel than it would otherwise due to its captive market effects than a freestanding everyone-must-drive restaurant/bar. Kunzman Associates, Inc. utilized industry knowledge and expertise, developed through work on previous similar projects and internal research, to adjust the non-captive factor to an appropriate level for the project. No two projects are alike, and therefore engineering judgment was used to allocate a 50% parking demand adjustment for the on-site restaurant/bar.

Captive ratios are an estimate of the percentage of parked vehicles at a land use in a mixed-use development or district that are already counted as being parked at another of the land uses. Captive parking comes into play when you have hotel workers and hotel guests. All of these users occupy a parking space all day but they will utilize the spa, restaurant, and bar facilities without occupying an additional parking space.

Captive adjustments should not be confused with the mode of walking, as those who walk from other uses within the project (hotel) would be considered captive while those who walked from uses outside the project would be considered to affect the mode adjustment. The walkers are those who do not drive and park on-site. The proposed restaurant/bar are within a five-minute walking distance of four other hotels: Alcazar Palms Springs to the south, Colony Palms Hotel to the southeast, Los Arboles Hotel to the north, and Movie Colony Hotel to the east. It is anticipated that these patrons sometimes will walk to this hotels restaurant/bar as opposed to patronizing only their own hotels restaurant, just for a variety of dining experiences.

#### **SHARED PARKING**

Because the peak parking demands for the various land uses are non-coincidental, there is substantial opportunity for shared parking to occur.

Kunzman Associates, Inc. has used the procedures developed by the Urban Land Institute, Shared Parking (2005). The Urban Land Institute shared parking analysis evaluates the types of uses, parking rates, monthly variations of parking demand by land use, differences between weekday and weekend parking demand for customer/visitor and employees, and the hourly distribution of peak parking demand for each type of land use. The Urban Land Institute procedures were utilized in this study to evaluate peak parking demand that would occur for the project at any point in time when monthly, day of week, and hourly factors are utilized.

Ms. Nicole Sauviat Criste, Principal  
TERRA NOVA PLANNING & RESEARCH, INC.  
February 12, 2015

A computer program was used to analyze the shared parking for the proposed development. The program is consistent with the procedures provided by the Urban Land Institute. The following inputs were included within the shared parking computer program for each land use:

- Peak parking demand by land use per parking code.
- Weekend vs. weekday adjustment factors.
- Customer/visitor/guest and employee/resident factors.
- Monthly adjustment factors to account for variations in parking demand over the year. It should be noted that a late December month is defined as the period between Christmas and New Year's Day, reflecting high attendance at active entertainment venues, lower demand at office and other employment-centered destinations, and moderate demand for retail.
- Hourly distribution of parking demand based upon the Urban Land Institute data.

The idea of a shared parking analysis is that if the various land uses have peak parking demands at different points in time, or on different days of the week, then the number of spaces required is not the sum of the parking requirements for each land use, but rather less. If the peak demands for the various land uses are non-coincidental, then there is an opportunity for sharing of parking. To determine the degree to which shared parking can occur, the cumulative hourly parking demand of the land uses is calculated at all points in time throughout the day for both weekdays and weekends. With the parking demand known by hour and day, then the maximum peak parking demand during a seven day week can be determined. The maximum expected parking demand during the seven day week is then used as a basis for determining the number of parking spaces needed.

To determine the degree to which sharing of parking can occur, each month of the year was evaluated and the peak parking demand for both weekdays and weekends was determined utilizing data provide by the Urban Land Institute.

To conduct a shared parking analysis, it is necessary to disaggregate the parking code into weekday and weekend as well as customer/visitor/guest and employee/resident parking space demands. Based on the City of Palm Springs Parking Code and the Urban Land Institute recommended parking ratios for weekdays and weekends, the disaggregated parking spaces required are shown in Table 1. A total of 69 parking spaces are required for weekdays and 72 parking spaces are required for weekends. These calculations are based upon a 50% parking demand adjustment of the restaurant/bar land uses associated with non-captive and modal reduction. Due to the mixed-use nature of the proposed project, it is expected that 50% of the visitors to the restaurant/bar will be either internally captured from the hotel and therefore will not be needing an additional parking space or will be using other modes of transportation such as walking or biking. The spa will be restricted to hotel guests only; therefore, no additional parking spaces are required for the spa use.



Ms. Nicole Sauviat Criste, Principal  
TERRA NOVA PLANNING & RESEARCH, INC.  
February 12, 2015

As will be shown below, when monthly, day of week, and hourly parking factors are utilized, less than 72 parking spaces will be needed for the project site.

Table 2 shows the expected hourly peak parking demand of the land uses for both weekdays and weekends. Table 3 shows the cumulative parking demand peaks for all land uses combined.

Based on the calculations in this report, a March/July/August maximum parking demand of 55 parking spaces will occur on weekdays at 9:00 PM - 10:00 PM, and an August maximum parking demand of 61 parking spaces will occur on weekends from 9:00 PM - 10:00 PM. The detailed computer calculations for each month are included in Appendix C.

Sufficient on-site parking will be provided based on the maximum likely parking demand of 61 parking spaces and the proposed 62 parking spaces provided. It should be noted that the valet service will allow double-stacking of vehicles, increasing the parking supply.

## CONCLUSIONS

1. The project site is located immediately north and adjacent to the existing Alcazar Hotel, and is bounded by North Palm Canyon Drive on the west and North Indian Canyon Drive on the east in the City of Palm Springs. The mixed-use project will consist of a 46 room hotel with 2,190 square feet of spa, a roof-top bar area with 47 seats, a 3,025 square foot quality restaurant with a maximum of 50 seats provided, and 2,595 square feet of retail use. The project site plan will provide a total of 62 off-street parking spaces, and will provide valet parking services.
2. Based upon the City parking code requirements, 93 parking spaces are required per Table 1. This demand (31 parking space deficiency) is required if all land uses simultaneously generated their maximum parking code demands.
3. Because the peak parking demands for the various land uses are non-coincidental, there is substantial opportunity for shared parking to occur.
4. Based on the City of Palm Springs Parking Code and the Urban Land Institute recommended parking ratios for weekdays and weekends, the disaggregated parking spaces required are shown in Table 1. A total of 69 parking spaces are required for weekdays and 72 parking spaces are required for weekends. These calculations are based upon a 50% parking demand adjustment of the restaurant/bar land uses associated with non-captive and modal reduction. Due to the mixed-use nature of the proposed project, it is expected that 50% of the visitors to the restaurant/bar will be either internally captured from the hotel and therefore will not be needing an additional parking space or will be using other modes of transportation such as walking or biking. The spa will be restricted to hotel guests only; therefore, no additional parking spaces are required for the spa use.

Ms. Nicole Sauviat Criste, Principal  
TERRA NOVA PLANNING & RESEARCH, INC.  
February 12, 2015

5. Once shared parking factors are utilized, a March/July/August maximum parking demand of 55 parking spaces will occur on weekdays at 9:00 PM - 10:00 PM, and an August maximum parking demand of 61 parking spaces will occur on weekends from 9:00 PM - 10:00 PM.
6. Sufficient on-site parking is provided based on the parking study.

It has been a pleasure to serve your needs on the 750 Lofts Project. Should you have any questions or if we can be of further assistance, please do not hesitate to call at (714) 973-8383.

Sincerely,

KUNZMAN ASSOCIATES, INC.

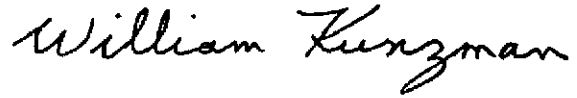


Carl Ballard, LEED GA  
Principal

#6008



KUNZMAN ASSOCIATES, INC.



William Kunzman, P.E.  
Principal

**CITY OF PALM SPRINGS  
PUBLIC HEARING NOTIFICATION**



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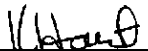
Date: March 18, 2015  
Subject: 750 Lofts, LLC – Case. 5.1350

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**AFFIDAVIT OF PUBLICATION**

I, Kathie Hart, MMC, 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 March 7, 2015.


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

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

**AFFIDAVIT OF POSTING**

I, Kathie Hart, MMC, 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 on March 4, 2015.

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

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

**AFFIDAVIT OF MAILING**

I, Kathie Hart, MMC, 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 March 4, 2015, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.  
(91 notices)

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

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

NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

CASE 5.1350 PDD 374 / GPA / CUP, 3.3795 MAJ  
AN APPLICATION BY 750 LOFTS, LLC FOR A MIXED-USE DEVELOPMENT  
ON A 1.13-ACRE PARCEL LOCATED AT 750 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 March 18, 2015. 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 the hearing is to consider a proposal to demolish existing buildings and parking areas for construction of a four-story mixed use 46-unit hotel with ancillary space for retail, a restaurant, a spa, a rooftop pool and bar, and off-street parking. The application includes (1) a planned development district in lieu of a change of zone to establish permitted uses and development standards, (2) a general plan amendment (GPA) to increase the maximum floor area ratio (FAR) from 0.35 to 1.0, (3) a major architectural application (MAJ) to review the proposed architecture and site design, and (4) a Conditional Use Permit (CUP) for spa uses and bar (cocktail lounge) uses, hotel uses with more than 10% of the rooms with cooking facilities, to engage the high-rise ordinance and to seek deviations from the development standards therein, located at 750 North Palm Canyon Drive. (Case 5.1350 PDD 374 / GPA / CUP, & Case 3.3795 MAJ); Zone C-1 / R-3 / PDD 104 / Resort Combining Zone / Las Palmas Business Historic District (APN # 505-303-018)

**ENVIRONMENTAL DETERMINATION:** An initial study was conducted and a Mitigated Negative Declaration (MND) is proposed for this project under the guidelines of the California Environmental Quality Act (CEQA). Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the City Council hearing.

**REVIEW OF PROJECT 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. and 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.

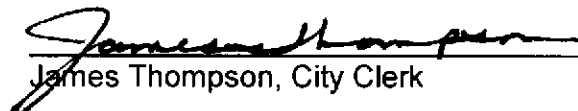
**COMMENT ON THIS APPLICATION:** Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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]).

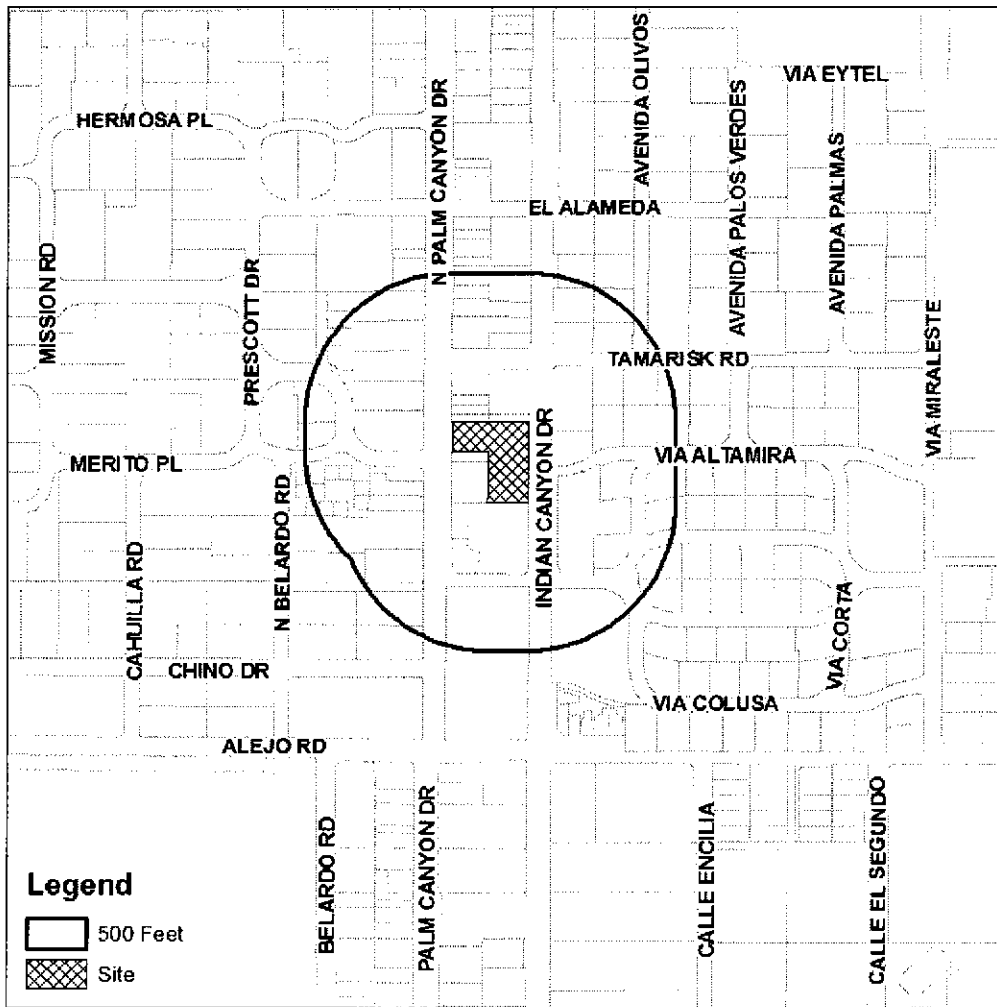
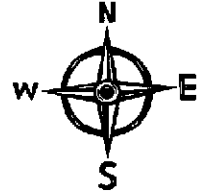
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Ken Lyon, RA, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

  
James Thompson, City Clerk



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**Kathie Hart**

---

From: Joanne Bruggemans  
Sent: Thursday, March 05, 2015 6:19 PM  
To: Old Las Palmas; The Movie Colony; Midtown; Midtown; El Mirador  
Cc: Ken Lyon; Kathie Hart  
Subject: Case 5.1350 PDD 374 - 750 Lofts  
Attachments: 5.1350 PDD 374 - 750 Lofts.pdf

To All,

Please find the attached Public Hearing Notice of the City Council for March 18, 2015 of the proposed project within a ½ mile of your neighborhood organization.

Thank you and have a wonderful weekend.

*Joanne*

Joanne Bruggemans  
City of Palm Springs  
Planning Services Department  
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262  
Phone: (760) 323-8245 Fax: (760) 322-8360  
Email: [joanne.bruggemans@palmspringsca.gov](mailto:joanne.bruggemans@palmspringsca.gov)

## Cindy Berardi

---

**From:** Gordon Zlot <gz@kzst.com>  
**Sent:** Thursday, March 12, 2015 12:20 PM  
**To:** Cindy Berardi  
**Cc:** Sara Frith; Claire Best  
**Subject:** RE: Palm Springs 750 Lotfs LLC Public Hearing complaint

As a long time resident of the Movie Colony I feel the same way. Why are you making separate rules for this application.

-----Original Message-----

**From:** "Claire Best" <claire@clairebest.net>  
**Sent:** Thursday, March 12, 2015 10:51am  
**To:** cindy.berardi@palmssprings-ca.gov  
**Cc:** "Sara Frith" <sarafrith@gmail.com>, "Gordon Zlot" <gz@kzst.com>  
**Subject:** Palm Springs 750 Lotfs LLC Public Hearing complaint

Dear Sirs,

Prior to the upcoming hearing on March 18th regarding the application for the development at 750 N. Palm Canyon, I am writing in response to the hearing on 25th February, 2015 regarding 750 Lofts LLC Building Application. I would ask the City and the Mayor to review the City's procedures regarding planning applications and what is legally allowed in the planning application process and what is illegal.

Planning rules are put in place by the City Planning Commission for a reason: to prevent abuse of the city planning codes and to protect the public's interests.

I pose the following question to the City Planning Commission and the Mayor of Palm Springs: what are the reasons that the planning codes were clearly and blatantly overlooked in the case of the application to build a 4 story building with a rooftop garden, pool and bar (approximately 50-60ft total) which would be well over the 34 ft height restrictions for the area and which were imposed under the original application?; Why is the City allowing a structure to be built which in addition to the height violation, would not provide adequate self-parking, set back or open space. The "cut and paste" attitude of the City Planning Commission to pull from different parts of different codes to allow a structure to pass which is a violation of the codes the City itself created puts into question the effectiveness and validity of the City Planning Commission and raises questions about what the motives really are.

Why can the City Planning claim that this is a one off exception? Why are developers allowed to violate the City Planning Codes in a Historic area without setting a precedent for future developers? It sends the wrong message to anyone who has or is thinking of investing in Palm Springs – if you buy a house or a business in an area which has height restrictions, you trust that your investment will be protected by the City's planning code. Why is the City allowed to suddenly and, at will, undermine it's own codes to benefit one developer at the expense of the investments of others who have gone before and who have abided by the rules? The City Planning codes are provided for the public's benefit, not the public's detriment. The proposed structure effects many surrounding businesses and residents both in terms of obstructing views of the San Jacinto Mountains (remember that the Movie Colony and Las Palmas neighborhoods have had overhead electrical cables removed so that the palm trees are the only (and natural) foreground to their view of the mountains) and in creating parking and traffic congestion. The Colony Palms Hotel has yet to satisfy it's obligation to the City to provide enough parking for its hotel so more cars for another hotel within a block or so are not going to ease their problem. There are several other hotels in the area as well who have all had to conform to the requirements of the City Planning Commission for their properties. Why doesn't this developer have to do the same?

Somehow, conveniently, all codes have been thrown out with the proposal of this architect's "Legacy" 4+ story building. Build a legacy but don't ruin your City and it's main reasons for attracting tourists in doing so. It will be the legacy that ruined Palm Springs if you are not vigilant about the new precedents it sets for future developers.

If people want a high rise building then put it where it belongs but not in the middle of the historic district.

Let's not forget that Palm Springs suffered a downturn in the 70s-90s after it become too much of a party town and bad developing in the 70s and 80s ruined it's original and unique city plan. The recent revival the town has experienced is due to

## Cindy Berardi

---

**From:** Claire Best <claire@clairebest.net>  
**Sent:** Thursday, March 12, 2015 10:52 AM  
**To:** Cindy Berardi  
**Cc:** Sara Frith; Gordon Zlot  
**Subject:** Palm Springs 750 Lotfs LLC Public Hearing complaint

RECEIVED  
CITY OF PALM SPRINGS

2015 MAR 12 AM 11:00

JAMES THOMPSON  
CITY CLERK

Dear Sirs,

Prior to the upcoming hearing on March 18th regarding the application for the development at 750 N. Palm Canyon, I am writing in response to the hearing on 25th February, 2015 regarding 750 Lofts LLC Building Application. I would ask the City and the Mayor to review the City's procedures regarding planning applications and what is legally allowed in the planning application process and what is illegal.

Planning rules are put in place by the City Planning Commission for a reason: to prevent abuse of the city planning codes and to protect the public's interests.

I pose the following question to the City Planning Commission and the Mayor of Palm Springs: what are the reasons that the planning codes were clearly and blatantly overlooked in the case of the application to build a 4 story building with a rooftop garden, pool and bar (approximately 50-60ft total) which would be well over the 34 ft height restrictions for the area and which were imposed under the original application?; Why is the City allowing a structure to be built which in addition to the height violation, would not provide adequate self-parking, set back or open space. The "cut and paste" attitude of the City Planning Commission to pull from different parts of different codes to allow a structure to pass which is a violation of the codes the City itself created puts into question the effectiveness and validity of the City Planning Commission and raises questions about what the motives really are.

Why can the City Planning claim that this is a one off exception? Why are developers allowed to violate the City Planning Codes in a Historic area without setting a precedent for future developers? It sends the wrong message to anyone who has or is thinking of investing in Palm Springs – if you buy a house or a business in an area which has height restrictions, you trust that your investment will be protected by the City's planning code. Why is the City allowed to suddenly and, at will, undermine it's own codes to benefit one developer at the expense of the investments of others who have gone before and who have abided by the rules? The City Planning codes are provided for the public's benefit, not the public's detriment.

The proposed structure effects many surrounding businesses and residents both in terms of obstructing views of the San Jacinto Mountains (remember that the Movie Colony and Las Palmas neighborhoods have had overhead electrical cables removed so that the palm trees are the only (and natural) foreground to their view of the mountains) and in creating parking and traffic congestion. The Colony Palms Hotel has yet to satisfy it's obligation to the City to provide enough parking for its hotel so more cars for another hotel within a block or so are not going to ease their problem. There are several other hotels in the area as well who have all had to conform to the requirements of the City Planning Commission for their properties. Why doesn't this developer have to do the same?

Somehow, conveniently, all codes have been thrown out with the proposal of this architect's "Legacy" 4+ story building. Build a legacy but don't ruin your City and it's main reasons for attracting tourists in doing so. It will be the legacy that ruined Palm Springs if you are not vigilant about the new precedents it sets for future developers.

if people want a high rise building then put it where it belongs but not in the middle of the historic district.

Let's not forget that Palm Springs suffered a downturn in the 70s-90s after it become too much of a party town and bad developing in the 70s and 80s ruined it's original and unique city plan. The recent revival the town has experienced is due to efforts to restore the town's original 50's atmosphere, restoring and preserving the architectural integrity that exists and which makes Palm Springs a unique destination worldwide. It has been featured in many magazines and news articles – every



one of them extolling the virtues of its open space, low key and small town vibe. If you allow one structure to defy the planning codes then you open a floodgate for others to follow. And if you do this, the low key and low impact nature of Palm Springs, one of the main draws for tourists, will be gone and you will lose the clientele that has started to come here since the revival. If people want density of hotels, business and shops, they go to a city such as Las Vegas, Los Angeles, San Diego. They come to Palm Springs because it has a relaxed and boutique vibe with stunning views to the mountains. Turn the uptown design district into the strip in Vegas or Los Angeles and you will lose everything that is special about the town and it will be "just another American town with no architectural integrity".

There are currently a couple of hotels downtown (but not in the historic district) which interfere with the presiding atmosphere of the rest of the town. Those hotels stand out as ugly giants and the beautiful Spanish architecture of the buildings across from them is lost in their shadow. The result in the downtown area is a non-cohesive mish-mash. The frequency with which businesses change ownership or close down in that part of downtown is indicative that the mish-mash resulting from the lack of a cohesive building plan does not serve the public's benefit.

By contrast, in the last 2 years, the uptown design district has seen a marked upturn in its appearance. It has thriving boutiques, restaurants and hotels. It has preserved its low-impact skyline and has an airy open air feel which contributes to the success. It markets itself as a "design district" and every business there thus far has thrived by playing into this conformity. The proposed development for a 60 ft high structure with no set backs and no surrounding open space will overshadow all the businesses and residents around.

The city needs to carry out an adequate and thorough environmental impact report on this structure: noise from the rooftop bar and pool, (what about the 11pm noise curfew?), the traffic impact (taking into consideration 4 or 5 hotels within a couple of blocks who do not have enough parking as it is), the density impact and the impact on the views to San Jacinto Mountains. Additionally, one marker post for one day in one corner of the proposed building area is not sufficient to notify the people who will be affected of the height impact. In fact it smacks of knowing that what you are doing is wrong and trying to sneak it through while nobody is looking. This should not be the modus operandi of the City Planning Commission nor any body who works for them. If the city doesn't uphold it's own rules then the future of the city is in the developers hands potentially at the expense of losing tourists and customers. These are dangerous precedents being set.

Sincerely,

Claire Best Hawley and Jordan Hawley  
1162 San Jacinto Way, PS 92262

RECEIVED  
MAR 12 2015  
PLANNING SERVICES  
DEPARTMENT

InsideOutside

JAMES CIOFFI ARCHITECT  
"DESIGN & BUILD"



SECTION

SCALE: 3/16" = 1'-0"  
PROJECT NO. 1408  
FILE: 1408

SHEET  
**L-1.0**





ROOF DECK LANDSCAPE PLAN



**PLANTING LEGEND**

PLANTING SYMBOL	PLANTING SIZE	PLANTING TYPE	COMMON NAME
(Symbol)	12"	SPERMATOPHYTES	MONARDELLA
(Symbol)	18"	ANGIOSPERMS	MONARDELLA
(Symbol)	24"	ANGIOSPERMS	MONARDELLA

RECEIVED  
1-18-18  
PLANNING SERVICES  
DEPARTMENT

InsideOutside  
JAMES CIOFFI ARCHITECT  
ARCHITECTS  
1000 N. LINCOLN AVE. SUITE 100  
PALM SPRINGS, CA 92262  
TEL: 760.325.1111  
WWW.CIOFFIARCHITECT.COM

NO.	REVISION

SCALE: 1/8" = 1'-0"  
PROJECT NO: 148  
SHEET  
**L-1.1**





A MIXED-USE PROJECT FOR:  
**750 LOFTS**  
PALM SPRINGS

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DEPARTMENT

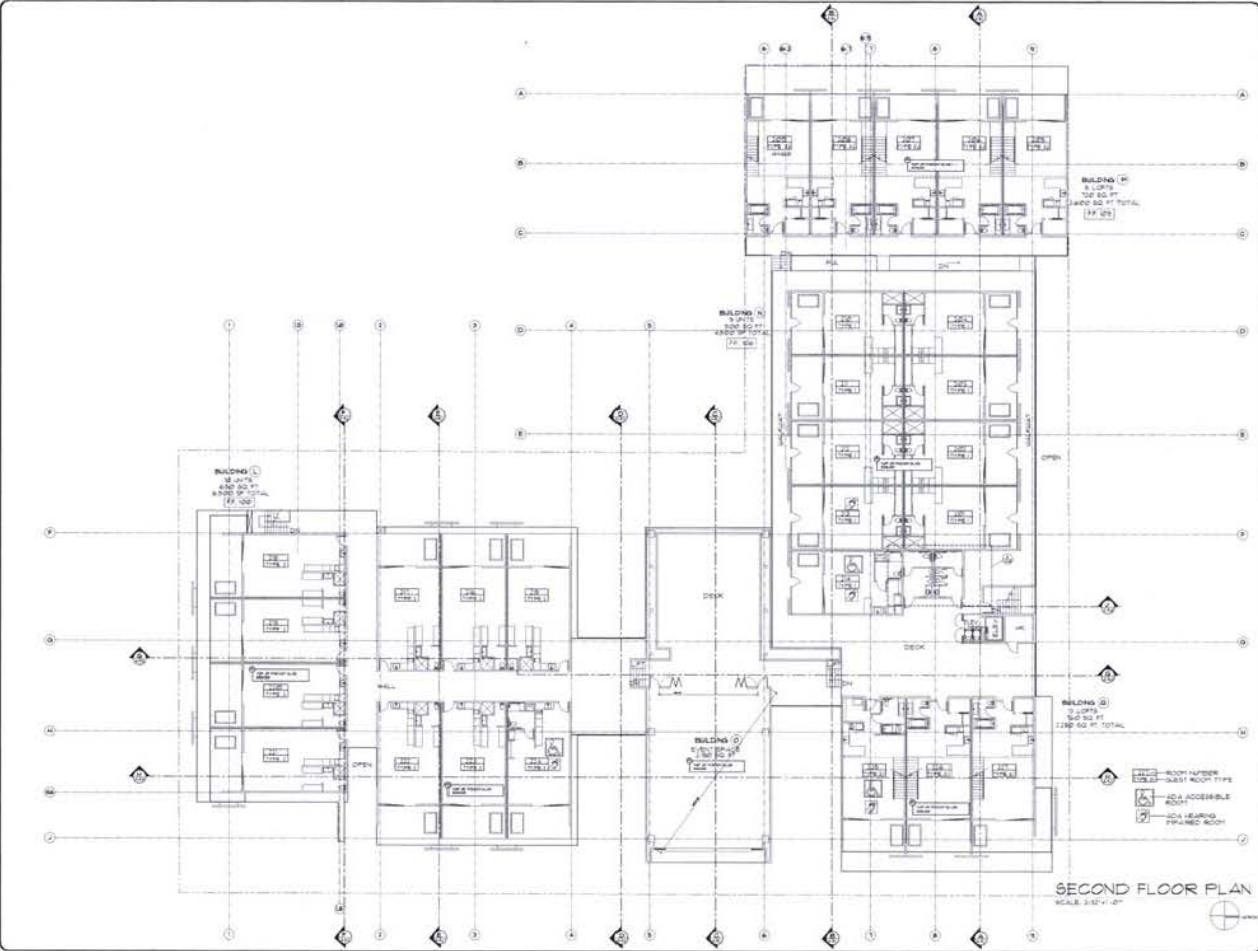
JAMES COOPER ARCHITECT  
ARCHITECTS



A	REVISION

SCALE: 3/32" = 1'-0"  
PROJECT NO: 1408  
FILE: 1408

SHEET  
**A-2.2**



A MIXED-USE PROJECT FOR:  
**750 LOFTS**  
PALM SPRINGS

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FEB 2 2015  
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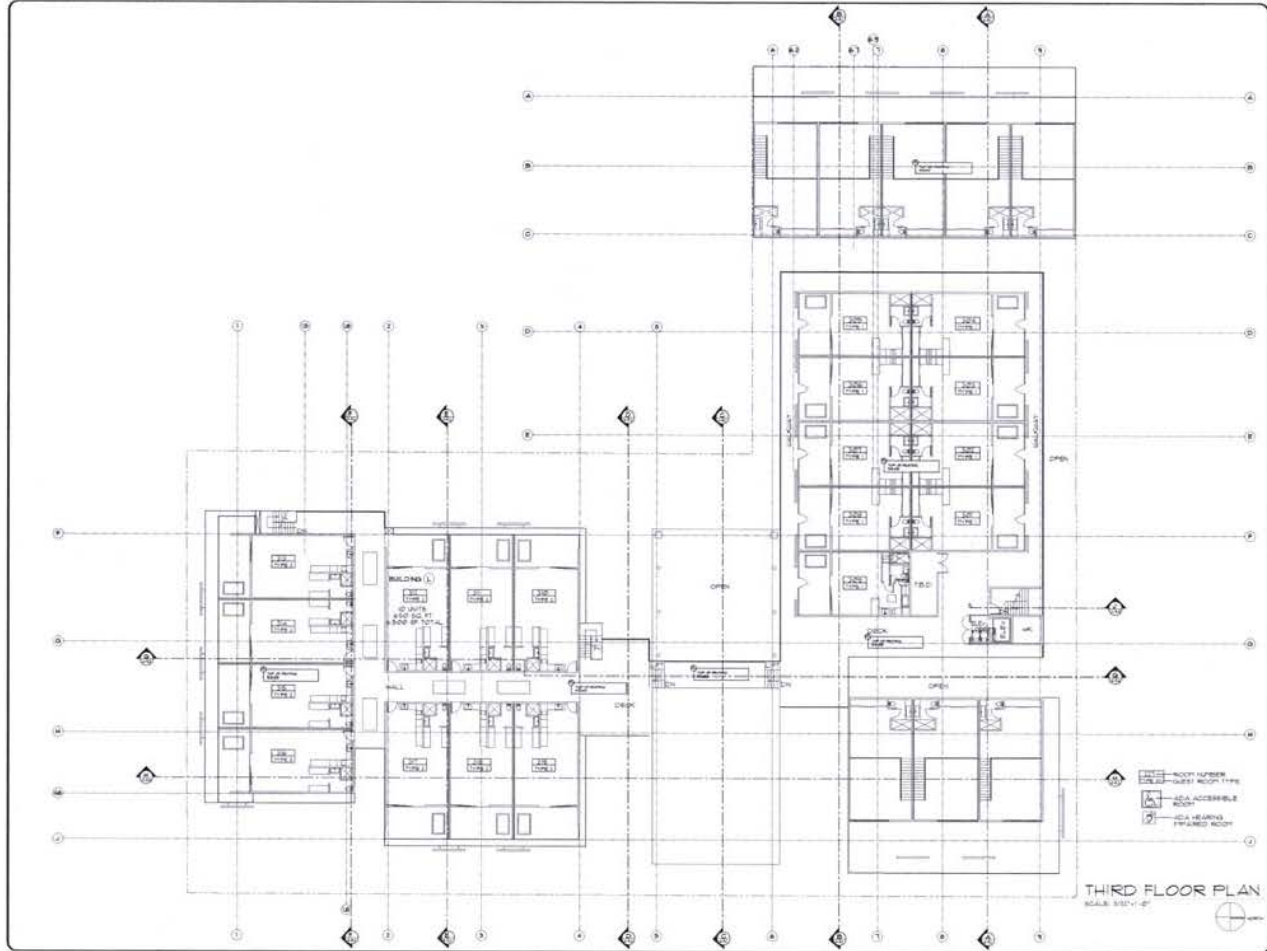
JAMES CIOFFI ARCHITECT  
INCORPORATED



NO.	REVISION

SCALE: 3/32" = 1'-0"  
PROJECT NO. 1408  
FILE 1408

SHEET  
**A-2.3**



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MAR 12 2015  
PLANNING SERVICES  
DEPARTMENT

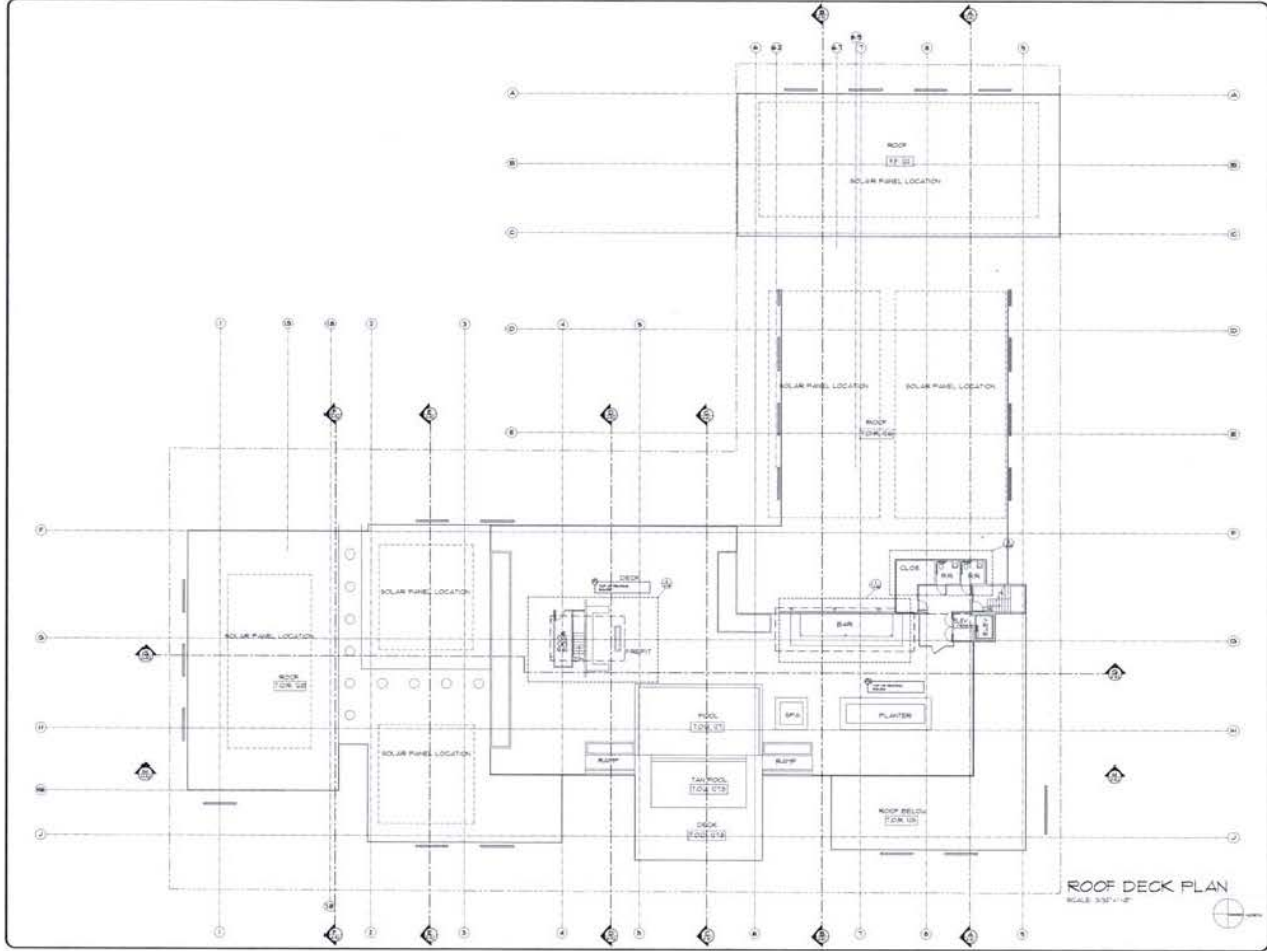
JAMES GIOFFI ARCHITECT  
P.L.L.C.



NO.	REVISION

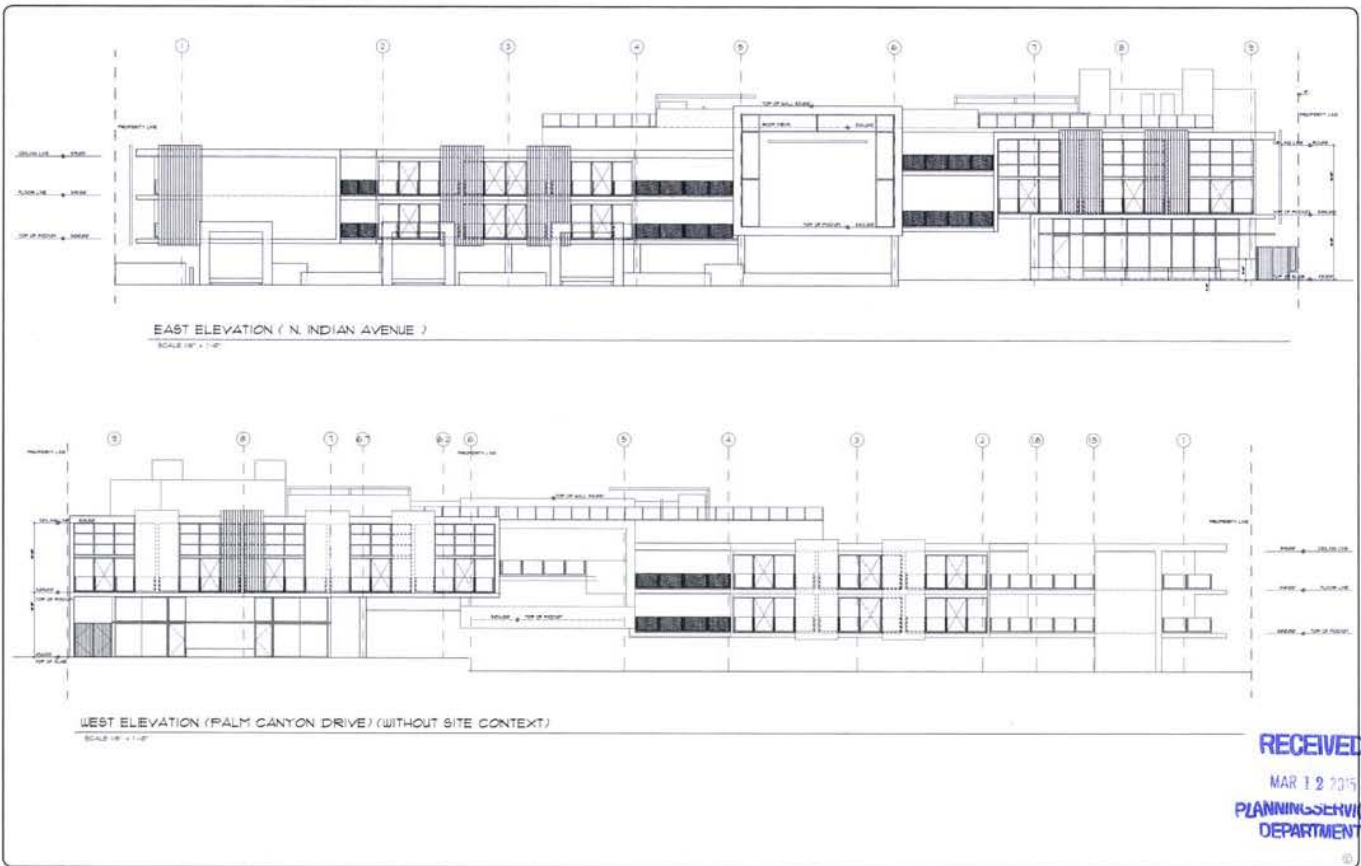
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PROJECT NO. 1400  
FILE: 1400

SHEET  
**A-2.4**



ROOF DECK PLAN  
SCALE: 3/32" = 1'-0"





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PLANNING SERVICES  
DEPARTMENT

**Cioffi**  
ARCHITECT

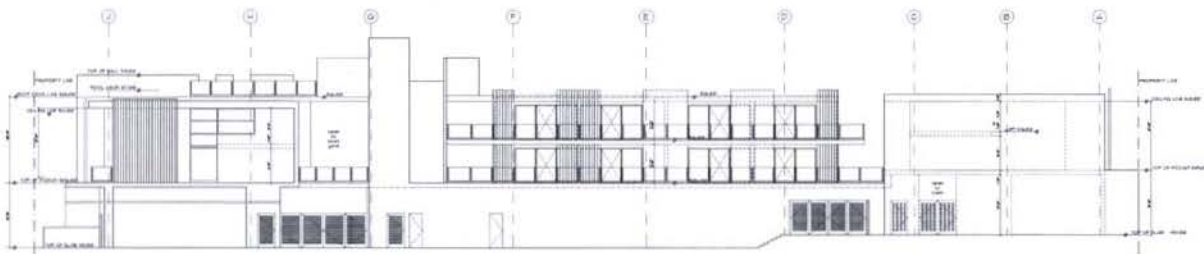
A MIXED-USE PROJECT FOR:  
**750 LOFTS**  
PALM SPRINGS

	REVISION

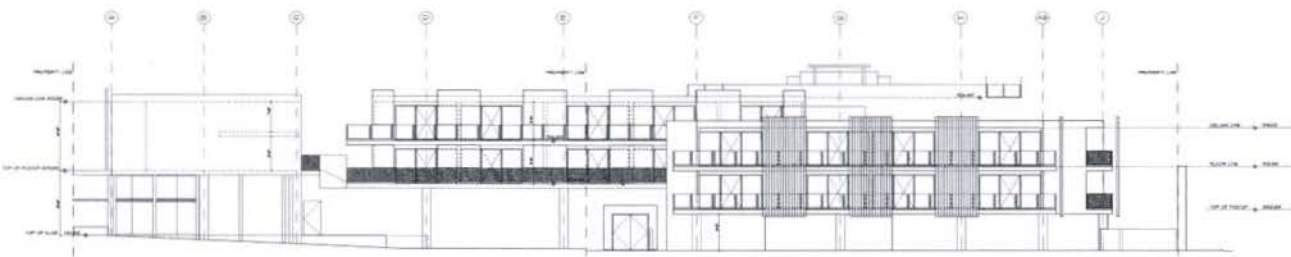


DATE:    
SCALE: 1/8"=1'-0"  
PROJECT NO: 2014  
FILE: 148-1027046

**A-6.1**



NORTH ELEVATION  
SCALE 1/8" = 1'-0"



WEST ELEVATION (PALM CANYON DRIVE) (WITHOUT SITE CONTEXT)  
SCALE 1/8" = 1'-0"

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MAR 12 2015  
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**Cioffi**  
ARCHITECT

A MIXED-USE PROJECT FOR  
**750 LOFTS**  
PALM SPRINGS

A	REVISION



DATE: \_\_\_\_\_  
SCALE: 1/8" = 1'-0"  
PROJECT NO: 2008  
FILE: 148-SECTION

**A-6.2**



SECTION 'A'



SECTION 'B'



SECTION 'C'



SECTION 'D'



SECTION 'E'



SECTION 'F'

**Cioffi**  
ARCHITECT

A MIXED-USE PROJECT FOR:  
**750 LOFTS**  
PALM SPRINGS

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MAR 12 2015  
PLANNING SERVICES  
DEPARTMENT

JAMES L. GIBSON, ARCHITECT  
REGISTERED ARCHITECT  
NO. 12345



NO.	REVISION

SCALE: 1/8" = 1'-0"  
PROJECT NO: 1408  
FILE: 1408

SHEET  
**A-3.1**



▲ SITE SECTION  
SCALE 1/4" = 1'-0"



▲ SITE SECTION  
SCALE 1/4" = 1'-0"

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MAY 9 2015  
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**Cioffi**  
ARCHITECT

A MIXED-USE PROJECT FOR  
**750 LOFTS**  
PALM SPRINGS

A	SECTION



DATE:  
SCALE: 1/16" = 1'-0"  
PROJECT NO: 1408  
FILE: 1408-ELEVATIONS

**A-3.1**



EAST ELEVATION ( N. INDIAN CANYON DRIVE )



WEST ELEVATION ( N. PALM CANYON DRIVE )



SOUTH ELEVATION



NORTH ELEVATION

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PLANNING SERVICES  
DEPARTMENT

**Cioffi**  
ARCHITECT

A MIXED-USE PROJECT FOR:  
**750 LOFTS**  
PALM SPRINGS

Δ	REVISION



DATE:  
SCALE: 1/16"=1'-0"  
PROJECT NO. 1406  
FILE: 1406-ELEVATIONS

**A-4.1**



NORTH INDIAN CANYON DRIVE - EAST VIEW



PROJECT LOCATION: NORTH INDIAN CANYON DRIVE STREET FRONT



NORTH INDIAN CANYON DRIVE - WEST VIEW

PROJECT LOCATION: NORTH PALM CANYON DRIVE STREET FRONT



NORTH PALM CANYON DRIVE - EAST VIEW



NORTH PALM CANYON DRIVE - WEST VIEW

**Cioffi**  
ARCHITECT

A MIXED-USE PROJECT FOR:  
**750 LOFTS**  
PALM SPRINGS

JAMES CIOFFI ARCHITECT  
17501 GARDEN AVENUE, SUITE 100  
TUSTIN, CALIFORNIA 92680



NO.	REVISION

SCALE: 1/8" = 1'-0"  
PROJECT NO. 1408  
FILE 1408  
SHEET

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PLANNING SERVICES  
DEPARTMENT



**Cioffi**  
ARCHITECT

A MIXED-USE PROJECT FOR:  
**750 LOFTS**  
PALM SPRINGS

JAMES CIOFFI ARCHITECT  
17700 AVENUE 10  
PALM SPRINGS, CA 92262  
TEL: 760.326.1111  
WWW.CIOFFIARCHITECT.COM



A	REVISION

SCALE: 1/8" = 1'-0"  
PROJECT NO: 1408  
FILE: 1408  
SHEET

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ARCHITECT

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**750 LOFTS**  
PALM SPRINGS

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MAR 12 2015

PLANNING SERVICES  
DEPARTMENT

JAMES CIOFFI ARCHITECT  
2700 W. PALM SPRINGS BLVD.  
PALM SPRINGS, CA 92262



A	REVISION

SCALE: 1/4" = 1'-0"  
PROJECT NO. 1408  
FILE: 1408  
SHEET