



CITY OF PALM SPRINGS
DEPARTMENT OF PLANNING SERVICES
MEMORANDUM

Date: December 9, 2015
To: Planning Commission
From: Department of Planning Services *J.N.*
Subject: ITEM 2C – PALM SPRINGS PROMENADE, LLC FOR THE PARK HOTEL LOCATED AT THE NORTHEAST CORNER OF BELARDO ROAD AND MAIN STREET (CASE 3.3908 MAJ).

On October 28, and November 12, 2015, the Planning Commission held public hearings on the proposed project. The staff reports and exhibits from these meetings remain applicable, except a revised draft resolution has been prepared for Planning Commission consideration. The exhibits from previous Planning Commission meetings are available at the Planning Services department and the City Clerk's office.

Attachment:

1. Draft Resolution w/ Conditions of Approval
2. Planning Commission Staff Report, dated November 12, 2015

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 3.3908 MAJ, A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A SIX STORY RESORT HOTEL ON A 0.8-ACRE SITE WITHIN THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AND LOCATED AT THE NORTHEAST CORNER OF BELARDO ROAD AND MAIN STREET, ZONE CBD.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. On December 2, 2009, the City Council made findings, adopted a Mitigation Monitoring and Reporting Program, adopted a Statement of Overriding Considerations, and certified the Museum Market Specific Plan Environmental Impact Report ("Specific Plan EIR") and adopted Ordinance 1764, thereby approving the Museum Market Plaza Specific Plan ("Specific Plan") which covers the land use, development standards and design guidelines for the Specific Plan area.

B. On October 28, 2015, November 12, 2015, and December 9, 2015, the Planning Commission considered amendments to the Specific Plan, including changing the document name to "Downtown Palm Springs Specific Plan", modifications of land uses within the different Blocks, adjustments to building heights and other various amendments and changes.

C. Palm Springs Promenade, LLC, ("Applicant") has filed an application with the City, pursuant to the Specific Plan and Section 94.04.00 of the Zoning Code, for a Major Architectural Application (Case No. 3.3908-MAJ) to allow the construction of a six-story, 112,862-square foot building with 142-room resort hotel and ground floor commercial-retail on Specific Plan Block B-1 located at the northeast corner of Belardo Road and Main Street (new).

D. The Major Architectural Application, Case No. 3.3908 MAJ, is contingent upon City Council approval of the proposed amendments to the Specific Plan and is therefore only valid if such amendments related to building height are approved by the City Council.

E. On October 12, 2015, the Architectural Advisory Committee voted 4-2 to recommend conditional approval of Case 3.3908 MAJ to the Planning Commission.

F. On October 28, 2015, November 12, 2015, and December 9, 2015, a public hearing to consider Case 3.3908 MAJ was held by the Planning Commission in accordance with applicable law.

G. The proposed project is considered a "project" pursuant to the terms of the

California Environmental Quality Act (“CEQA”) and EIR Addendum No. 2 has been prepared to analyze impacts related to the project. The analysis shows that the project is within the scope of the original Specific Plan EIR adopted and none of the circumstances triggering further environmental review have occurred since the adoption of the EIR and subsequent Addenda.

H. The Planning Commission has 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.

I. Pursuant to Section 94.04.00(D) of the Palm Springs Zoning Code, the Planning Commission finds:

The Planning Commission has examined the material submitted with the architectural approval application and has examined specific aspects of the design and determined the proposed development will (1) provide desirable environment for its occupants; (2) is compatible with the character of adjacent and surrounding developments, and (3) aesthetically it is of good composition, materials, textures and colors. Planning Commission's evaluation is based on consideration of the following:

- 1. 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;*

The project proposes a new six-story building with pedestrian circulation around all sides. Pedestrian pathways will be separated from vehicular streets with curbs and landscape treatment. Pavers, landscaping and sidewalk furniture will provide an enhanced experience on the site. Sidewalks and other walkways are provided to accommodate the change in topography across the site. Pedestrian access is provided to the underground parking via stairways and elevators.

- 2. 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;*

The proposed structure is an L-shaped configuration surrounding a second floor pool deck. The height is lower than the hotel to the south. The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials of a higher quality than the existing development in the vicinity. The selection of design elements differs from those of the adjacent blocks within the Museum Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

3. *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;*

The proposed building's overall height will be seventy (70) feet. Exterior elevations show projections at building edges. Mass is divided with exterior building articulation. A large void above the second floor pool deck reduces overall building bulk. Rooftop mechanical will be concealed from view.

4. *Building design, materials and colors to be sympathetic with desert surroundings;*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*

The building architecture is contemporary in style, with a color and material palette that introduces muted color tones, with limited use of accent colors via metal, concrete and glass. Covered walkways for outdoor seating, pedestrian circulation and solar control are integrated into the building design.

6. *Consistency of composition and treatment;*

The building design uses consistent forms and treatments across each elevation. The contemporary elements interact with each other in a consistent and rhythmic manner.

7. *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;*

A landscape plan has been submitted and includes a mix of common tree and plant materials used in drought tolerant environments, as well as some identified by Table III-5, *Landscape Palette*, of the Specific Plan.

8. *Signs and graphics, as understood in architectural design including materials and colors;*

A sign program has not been submitted to evaluate against this guideline.

THE PLANNING COMMISSION RESOLVES:

Based upon the foregoing, the Planning Commission hereby approves Case 3.3908 MAJ, for the construction of a six-story commercial building with 142-room resort hotel and ground floor commercial on Block B-1 of the Downtown Palm Springs Specific Plan,

located at the northeast corner of Belardo Road and Main Street, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 9th day of December, 2015.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

**Case 3.908 MAJ
Downtown Palm Springs / Block b-1**

December 9, 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.

PROJECT CONDITIONS

1. This approval is contingent on City Council approving amendments to the Museum Market Plaza Specific Plan (Case 5.1204 SP Amendment-1), including an increase in allowable height for a hotel on Block B-1. If said approval is not granted by the Council, this entitlement is null and void.
2. Excluded from this approval is the sidewalk design as it relates to landscape, hardscape, furniture, etc. These items shall be submitted for review as outlined in the conditions below.
3. The sidewalk design for the project as it relates to hardscape, landscape, lighting and furniture fixtures shall be consistent with the plans conditionally approved by the Planning Commission on November 12, 2015. Should substantial changes be proposed, the AAC and Planning Commission approval is required.
4. A Land Use Permit shall be obtained for outdoor dining, in accordance with Subsection III.C.1 of the Museum Market Plaza Specific Plan.
5. Review by the AAC of exterior elevations for all individual tenancies, if proposed differences are significant in the opinion of the Director of Planning Services.
6. Submission and review by AAC and Planning Commission of a sign program for Block B-1.

ADMINISTRATIVE CONDITIONS

- ADM 1. **Project Description.** This approval is for the project described per Case 3.3908 – MAJ, except as modified by the conditions below.
- ADM 2. **Reference Documents.** The site shall be developed and maintained in accordance with the approved plans, including site plan, architectural elevations and exterior materials and colors on file in the Planning Division, except as modified by the 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 3.3908-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 Major Architectural Application (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.
- 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 ½% for commercial projects or ¼% 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. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1 Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDMF) required. All projects within the City of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. 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 or designee 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 2. 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. (See condition No. 7 above.)
- PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 4. 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 5. 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 6. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 7. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

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

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

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

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. The public street improvements outlined in these conditions of approval are intended to convey to the applicant an accurate scope of required improvements, however, the City Engineer reserves the right to require reasonable additional improvements as may be determined in the course of the review and approval of street improvement plans required by these conditions.
- ENG 4. All proposed decorative pavement shall vary from location to location, but shall be the same type as approved by the City Engineer.

NEW MAIN STREET: BLOCK F (LOT 5)

- ENG 5. Dedicate full street right-of-way width of 41 feet as shown on the approved version of the site plan for Tentative Parcel Map No. 36446, together with a property line - corner cut-back at the southwest corner of the intersection of New Main Street and Belardo Road.
- ENG 6. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match proposed sidewalk) for those portions of sidewalk located outside of the public right-of-way.
- ENG 7. Main Street shall have one eastbound and one westbound lane, as well as parking on both sides of New Main Street (except at curb returns and curb pop-outs) to Belardo Road as shown on approved site plan.
- ENG 8. Zero curb face curb shall be constructed on the south side of New Main Street from the east property line of the project to proposed Belardo Road in conjunction with the Downtown Palm Springs project.
- ENG 9. Construct sidewalk ranging in width from 8 feet to 15 feet wide along both sides of New Main Street as shown on approved improvement plans, in accordance with City of Palm Springs Standard Drawing No. 210 and the Museum Market Plaza Specific Plan.
- ENG 10. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a

minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the New Main Street , in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 11. The intersection of New Main Street, with Belardo Road, shall be constructed with enhanced or decorative paving.

BELARDO ROAD

ENG 12. Dedicate full street right-of-way width of 41 feet as shown on the approved version of the site plan for Tentative Parcel Map No. 36446, together with a property line - corner cut-back at the southwest corner of the intersection of Main Street and Belardo Road as required by the City Engineer.

ENG 13. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match proposed sidewalk) for those portions of sidewalk located outside of the public right-of-way.

ENG 14. Belardo Road shall have one northbound and one southbound lane, as well as parking on both sides of Belardo Road (except at curb returns) along the Hotel project frontage.

ENG 15. Construct a 25 foot radius curb return at the southwest corner of the intersection of Belardo Road with Main Street in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

ENG 16. Construct a Type A curb ramp meeting current California State Accessibility standards at the southwest corners of the intersection of Belardo Road and Main Street, in accordance with City of Palm Springs Standard Drawing No. 212.

ENG 17. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the Belardo Road frontage, in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 18. The intersection of Belardo Road and Main Street, shall be constructed with enhanced or decorative paving (such as decorative pavers).

SANITARY SEWER

ENG 19. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

ENG 20. All on-site sewer systems (not located in public streets) shall be privately maintained.

ENG 21. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.

ENG 22. Construct an 8 inch V.C.P. sewer main across the proposed Belardo Road frontage, located 5 feet from centerline (or as required by the City Engineer), including a sewer lateral for future connection of the on-site sewer system to the public sewer, as required by the City Engineer. The new sewer line shall connect to the manhole located in Tahquitz Canyon Way at the intersection of the proposed Belardo Road.

ENG 23. Construct an 8 inch V.C.P. sewer main across the proposed New Main Street frontage and west to Museum Drive, located 5 feet from centerline (or as required by the City Engineer), including a sewer lateral for future connection of the on-site sewer system to the public sewer, as required by the City Engineer. The new sewer line shall connect to the proposed manhole located at the intersection of Belardo Road and New Main Street.

ENG 24. All sewer mains constructed by the developer and to become part of the City sewer system shall be digitally video recorded by the City prior to acceptance of the sewer system for maintenance by the City. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.

ENG 25. Any sewer connection fees shall be paid at the Building Department counter at time of building permit issuance.

ENG 26. Upon completion of the construction of public sewer lines, an as-built drawing in digital format shall be provided to the City as required by the City Engineer, if the sewer was not constructed in accordance with the original approved sewer plans.

GRADING

ENG 27. 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 or Tentative Parcel Map No. 36446; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report; and a copy of the project-specific Final Water Quality Management Plan

ENG 28. 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 29. 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 or be decorative in nature; 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 30. 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 31. 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 32. 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 33. Projects causing soil disturbance of one acre or more, must comply with the General Permit for Stormwater Discharges Associated with Construction Activity, and shall prepare and implement a stormwater pollution prevention plan (SWPPP) for all Blocks of the Downtown Palm Springs project. 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 project applicant shall cause the approved final project-specific Water Quality Management Plan to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 34. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.

- ENG 35. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 36. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 37. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 38. 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 39. 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 40. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading Plan.
- ENG 41. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.
- ENG 42. 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).

DRAINAGE

- ENG 43. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a single hydrology study to determine the volume of increased stormwater

runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.

- ENG 44. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to proposed Main Street, and proposed Belardo Road. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains. Much of the drainage shall go into the existing public storm drain line in Tahquitz Canyon Way.
- ENG 45. Construct all necessary on-site storm drain improvements, including but not limited to catch basins and storm drain lines, for drainage of site into the on-site underground detention system(s) and other specifications for construction of required on-site storm drainage improvements, as described in a final Hydrology Study for the Downtown Palm Springs project (Tentative Parcel Map No. 36446), reviewed and approved by the City Engineer.
- ENG 46. All on-site storm drain systems shall be privately maintained.
- ENG 47. The underground stormwater detention system(s) shall be sized to have sufficient capacity equal to the volume of increased stormwater runoff due to development of the site, as identified in a final hydrology study approved by the City Engineer. A decrease to the required detention volume may be allowed for percolation of the stormwater runoff into the underlying gravel and soil, not to exceed 2 inches per hour. Maintenance of the underground stormwater detention systems are the sole responsibility of the development owner(s); maintenance and/or replacement of the system(s), will be at the sole expense of the development owner(s). The Final Project-Specific Water Quality Management Plan *Covenant and Agreement* shall reserve the right of the City to inspect and ensure that the underground detention system(s) are operable, and in the event of its failure, shall provide the City the right to advise the owner(s) of the development and require its repair or replacement within 30 days notice, to the satisfaction of the City Engineer.
- ENG 48. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building

permit unless developer can provide evidence that fee or a partial fee was paid by the Desert Fashion Plaza in previous years.

GENERAL

- ENG 49. 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 50. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.
- ENG 51. All proposed utility lines shall be installed underground.
- ENG 52. 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. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD

ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 53. 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 54. 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.
- ENG 55. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 56. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.
- ENG 57. If there are any lights from Lighting District No. 1, existing on Tahquitz Canyon Way along the Tentative Parcel Map (TPM) 36446 frontage, those lights shall be removed in conjunction with this project.

MAP

- ENG 58. In accordance with Government Code Section 66411.1 (b), the Tentative Parcel Map is a subdivision of five or more lots (parcels), and is subject to construction of all required public improvements. Prior to approval of a Parcel Map, all required public improvements shall be completed to the satisfaction of the City Engineer, or shall be secured by the Project Financing Agreement signed by Palm Springs Promenade, LLC and the City of Palm Springs on September 7, 2011 (in accordance with Government Code Section 66462) as amended. Parcel Map 36446 must be recorded prior to issuance of any grading or construction permits.

TRAFFIC

- ENG 59. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

- ENG 60. 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 61. Submit traffic striping and signage plans for Main Street and Belardo Road prepared by a California registered civil engineer, for review and approval by the City Engineer. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 62. Install street name signs at all corners of all intersections that are a part of the Downtown Palm Springs project, in accordance with City of Palm Springs Standard Drawing Nos. 620 through 625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
- ENG 63. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 64. 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.

- FID 1 These conditions are subject to final plan check and review. Initial fire department conditions have been determined from the preliminary plans stamped received September 10, 2015. Additional requirements will be required at that time based on receipt of actual plans.
- FID 2 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 3 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 4 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 5 Buildings and Facilities (CFC 503.1.1): Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

FID 6 Surface (CFC 503.2.3): Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

FID 7 Aerial Fire Access Roads (CFC Appendix D105.1): Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

- **Aerial Fire Access Road Width (CFC Appendix D105.2):** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.
- **Aerial Access Proximity to Building (CFC Appendix D105.3):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

FID 8 Fire Lane Marking (CFC 503.3): Approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

FID 9 Security Gates (CFC 503.6): The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

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

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

- FID 10 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 11 Premises Identification (CFC 505.1):** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

- FID 12 Required Water Supply (CFC 507.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

- FID 13 Water Agency Construction Specifications:** All public water mains, fire hydrants and double check detector assemblies must be installed in accordance with DWA specifications and standards. Private fire hydrants shall be painted OSHA safety red. Public fire hydrants shall be painted

equipment yellow.

- FID 14 **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 15 **Fire Hydrant Flow (CFC 507.3):** Fire flow requirements for buildings or portions of buildings and facilities are shall be determined by Appendix B.
- FID 16 **Fire Hydrant Systems (CFC 507.5):** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C.
- FID 17 **Operational Fire Hydrant(s) (CFC 507.1, 507.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 18 **Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.
- FID 19 **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.

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:

F. D. C. SERVES
123 N. P. C.
ALL BLDGS. IN COMPLEX

- FID 20 **Water Systems and Hydrants (CFC 507.1, 507.2, 507.4, 901.5 & 1412.1):**

Underground private fire service mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (903 CFC) Installation, testing, and inspection will meet the requirements of NFPA 24, 2013 Edition. Prior to final approval of the installation, contractor shall submit a completed Contractors Material & Test Certificate for Underground Piping to the Fire Department. (NFPA 24: 10.10, 2013 Edition).

- FID 21 **Identification (CFC 509.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.
- FID 22 **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 23 **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 24 **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 25 **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 26 **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 27 **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 28 **Fire Alarm System:** Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2013 Edition.
- FID 29 **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 30 **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:
1. In sleeping areas.
 2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
 3. 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 31 **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 32 **Audible Water Flow Alarms (CFC 903.4.2 & Appendix K: 4.3):** An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB

back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be outdoor rated. A second horn/strobe shall be installed in the interior of the building in a normally occupied location. In multiple suite buildings, additional interior horn/strobes shall be installed in all suites with 50 or more occupant load. Power shall be provided from a fire alarm control unit. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

FID 33 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.

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 34 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 feet 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 35 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 36 Fire Dampers (CMC 606.2): Shall be provided where air ducts penetrate fire-rated walls or ceilings.

FID 37 "Exit Analysis Plan" required (CFC 104.7.2): All assembly areas shall require an approved exit analysis plan prepared, stamped and signed by a state licensed architect in $\frac{1}{4}'' = 1'$ scale. The floor plan shall address the following for a Group A-2 occupancy:

- Provide *net* occupant load calculations for interior and any proposed outdoor patios. The occupant load determination shall be made by the Fire Marshal
- Seating/table diagram with compliant aisle widths
- Minimum required egress width to accommodate occupant load
- Exit access travel distance
- Egress paths to public way
- Means of egress illumination locations
- Illuminated EXIT sign locations
- Compliant exit doors/gates and door/gate hardware (panic hardware)
- Elevation changes in the exit discharge
- Locations of fire extinguishers (minimum rating 2A-10BC).

FID 38 Posting of Occupant Load (CFC 1004.3): Every room or space that is assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

- FID 39 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 40 Emergency Responder Radio Coverage in Buildings (CFC 510.1):** All buildings shall have *approved* radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- Radio Signal Strength (CFC 510.2): The building shall be considered to have acceptable emergency responder radio coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements of Sections 510.2.1 and 510.2.2.
 - Minimum Signal Strength into the Building (CFC 510.2.1): A minimum signal strength of -95 dBm shall be receivable within the building.
 - Minimum Signal Strength Out of the Building (CFC 510.2.2): A minimum signal strength of -100 dBm shall be received by the agency's radio system when transmitted from within the building.
- FID 41 Stationary Storage Battery Systems Scope (CFC 608.1):** Stationary storage battery systems having an electrolyte capacity of more than 50 gallons for flooded lead-acid, nickel cadmium (Ni-Cd) and valve-regulated lead-acid (VRLA), or 1,000 pounds for lithium-ion and lithium metal polymer, used for facility standby power, emergency power or uninterrupted power supplies shall comply with this section and Table 608.1.
- FID 42 Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement HMIS)**
The HMMP and HMIS shall be submitted to and approved by Riverside County Health Department.

Palm Springs Fire Department shall receive an approved copy of the above plan and statement.

The HMMP shall comply with Health and Safety Code, Chapter 6.95, Sections 25500 through 25545, and Title 19, Division 2, Chapter 4. (CFC 5001.5.1)

The HMIS shall comply with Health and Safety Code, Chapter 6.95, Sections 25500 through 25545, and Title 19, Division 2, Chapter 4. (CFC 5001.5.2)

Palm Springs Fire Department Permits. Permits shall be required as set forth in Chapter 1, Sections 105.6 and 105.7. (CFC 5001.5)

END OF CONDITIONS



Planning Commission Staff Report

DATE: *Nov. 12,*
~~October 28,~~ 2015

SUBJECT: PALM SPRINGS PROMENADE, LLC FOR A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A 6-STORY, 112,862-SQ. FT. RESORT HOTEL CONSISTING OF 142-ROOMS, MEETING SPACE, RESTAURANTS, SPA AND FITNESS CENTER ON BLOCK "B-1" OF THE DOWNTOWN PALM SPRINGS PROJECT LOCATED AT THE NORTHEAST CORNER OF BELARDO ROAD AND MAIN STREET, ZONE CBD (CASE 3.3908 MAJ).

FROM: Department of Planning Services

SUMMARY

The Planning Commission will review a Major Architectural application for the development of block "B-1" of the downtown redevelopment project located at the northeast corner of the newly built Belardo Road extension and the newly constructed Main Street. The applicant proposes a six-story resort hotel of 112,862-square feet in size with 142-rooms and accessory commercial space.

This application is contingent upon a specific plan amendment, which will be reviewed concurrently with this application by the Planning Commission and City Council.

RECOMMENDATION:

1. Evaluate and consider recommendations provided by the Architectural Advisory Committee, and
2. Recommend City Council approve the project, subject to conditions.

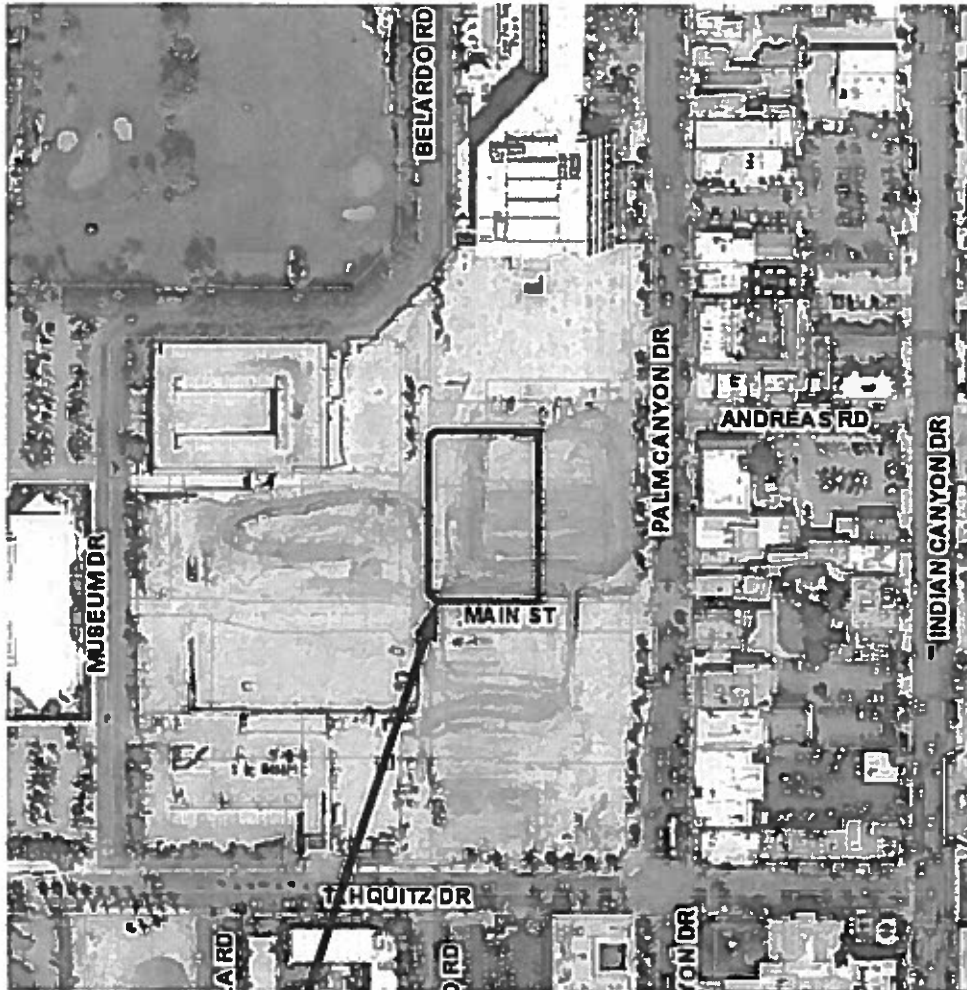
ISSUES:

- Landscape limited to second floor pool deck and roof deck. The street landscape and hardscape will be reviewed separately for a unified theme throughout the Specific Plan.
- Architectural Advisory Committee recommended approval of project by a vote of 4-2.
- Height dependent on certain amendments to Specific Plan.

BACKGROUND:

Initially adopted in 2009, the Museum Market Plaza Specific Plan provides policy guidance and zoning requirements for a 13.6-acre site formerly known as the Desert Fashion Plaza and area generally located northwest of Tahquitz Canyon Way and Palm Canyon Drive. The Specific Plan seeks to facilitate high-quality development while recognizing the importance of open space for public gatherings.

An amendment to the Specific Plan will be processed concurrently with the proposed project to ensure consistency with the previous project conformity reviews and finance agreements (including subsequent amendments) approved by City Council. Additionally, changes to certain development standards will be reviewed by Planning Commission and City Council.



APPROXIMATE SITE LOCATION

Planning Areas		
Specific Plan	Yes	<i>Museum Market Specific Plan</i>
Design Plan	Yes	<i>Museum Market Specific Plan</i>
Airport Overlay	None	
Indian Land	None	

Related Relevant City Actions to Downtown Palm Springs Redevelopment Project	
	A comprehensive summary of prior actions for the entire downtown redevelopment project is attached to this report.
Sept. 21, 2015	<p>The Architectural Advisory Committee (AAC) continued the proposed hotel on Block "B-1" with direction to the applicant as follows:</p> <ul style="list-style-type: none"> • Provide better context (preferably a model) of the project and its surroundings (adjoining blocks). • Enhance ground floor pedestrian activity and active uses on Market Street. • Step building back or reduce height on Market Street.
Oct. 12, 2015	<p>The AAC voted 4-2 to recommend the Planning Commission approve the project, subject to the following:</p> <ol style="list-style-type: none"> 1. The future proposed building on parcel adjacent to parking structure is no more than half of the height of the Park hotel; and site to the north of subject hotel be no more than 50 feet. 2. AC Marriott remained undeveloped until 2021.

PROJECT DESCRIPTION:

The proposed mixed-use building will be the third resort hotel within the Museum Market Plaza Specific Plan. The 0.8-acre project site is identified as Block "B-1" of the Museum Market Plaza Specific Plan, which is directly east of the proposed downtown park and north of the Kimpton hotel. The hotel site is bounded by Andreas Road to the north, Belardo Road to the west, Main Street to the south and the proposed two-story commercial building approved on Block "B" to the east.

The 112,862-square foot, six-story resort hotel will consist of 142 rooms and accessory commercial uses. The ground floor contains the lobby, restaurant and lounge space, meeting rooms, a ballroom and ancillary hotel operation space. The second floor will have 26-hotel rooms, spa, fitness center and outdoor pool deck with bar area. The third through fifth floors each have 33 hotel rooms. The sixth floor includes 17 hotel rooms, view decks, meeting space and a cocktail lounge.

Hotel check-in will occur on the south side of the building where a drop-off area will be constructed adjacent to Main Street. Off-street parking will be provided within the subterranean parking garage.

ANALYSIS:

General Plan

Land Use Designation and Floor Area Ratio	Request	Compliance
<p style="text-align: center;">CBD (Central Business District)</p> <p>The CBD serves as the main activity center and cultural core of the community and, as such, theatres, museums, retail, and other entertainment venues are encouraged here. Uses such as grocery stores, hardware stores, and convenience or pharmacy stores that provide services to the Downtown's residential population are also encouraged. The Central Business District is subdivided into zones or areas that provide for diversity in development standards and land use intensities. The Downtown Central Core (roughly bounded by Amado Road, Tahquitz Canyon Way, Museum Drive, and Indian Canyon Drive) and the Gateway areas (at roughly the north and south ends of the CBD) may be developed with a maximum FAR of 3.5. If projects in these areas provide substantial public spaces or plazas, an FAR of up to 4.0 may be developed upon approval of a Planned Development District or Specific Plan.</p>	<p>Hotel with accessory commercial ~3.1 FAR</p>	<p style="text-align: center;">Yes</p>

Specific Plan

Permitted Uses.

Permitted and conditionally permitted uses by the Specific Plan are found in Table III-1 of the Museum Market Specific Plan. Hotel and restaurant uses are permitted by right within the Plan.

In addition, there are "ground floor use limitations" (Section III.E.1) which require that street frontages be reserved for retail and tourist-oriented goods and services. In order to encourage pedestrian traffic along the "Market Street" paseo (east side of the hotel), staff believes additional ground floor commercial activity would be desirable and consistent with the intent and desired mix of uses in the Specific Plan.

Development Standards

Setbacks. The setbacks required by the Specific Plan for these applications may be summarized as follows: For Palm Canyon, 15 feet; for all other streets, 12 feet; and for interior property lines, zero setback. The following table summarizes setbacks and the proposed project conformance:

	Specific Plan Requirement	Proposal	Conforms
Minimum Setbacks: - Street Setback, Andreas - Street Setback, Belardo - Street Setback, Main - Interior Setback (Feet)	12 feet 12 feet 12 feet 0	12 feet 12 feet 15 feet 18 feet	Yes

Building height. The maximum allowed building height for the Specific Plan is generally 60 feet, except hotels may be approved in excess of 60 feet when approved by Planned Development. The proposed amendment to the specific plan would allow a hotel to be 75 feet maximum on Block B-1 if approved under Architectural Review (No PD required). The proposed hotel building will have varying roof heights ranging from 60 to 70 feet with rooftop appurtenances above.

Height Stepbacks and Massing. Stepbacks are intended to provide additional distance from the street for taller building elements to improve long-distance views and reduce any 'canyon effect' for pedestrians. The Specific Plan defines stepbacks as, "...the horizontal distance a building face must be set back from the property line at each given height." The following chart shows the actual and required stepbacks for the proposed project:

	Specific Plan Requirement	Proposal	Conforms
Minimum Building Height Stepbacks - Andreas Rd - 0-30 Feet in Height - Over 30 Feet in Height - Belardo Rd - 0-30 Feet in Height - Over 30 Feet in Height - Main St - 0-30 Feet in Height - Over 30 Feet in Height	0 10 feet 0 15 feet 0 10 feet	12 feet 12 feet 15 feet 15 feet 15 feet 15 feet	Yes

One of the other proposed amendments to the Specific Plan involves modifying the above stepback requirements. This is proposed to reflect the adjustments to property lines as a result of the subdivision maps approved for the downtown project. In addition and as an alternative to stepback compliance, staff is proposing an alternative to reduce permissible floor area in the upper levels of buildings. The intent is to allow variation in upper floor building design and, at the same time, ensure mass and scale reduces as buildings' rise. An analysis of the project against the new standards is provided below:

	Amended Specific Plan Requirement	Proposal	Conforms
Stepbacks - Andreas Rd - 0-30 Feet in Height - Over 30 Feet in Height - Belardo Rd - 0-30 Feet in Height - Over 30 Feet in Height - Main St - 0-30 Feet in Height - Over 30 Feet in Height	12 feet 22 feet 12 feet 27 feet 12 feet 22 feet	12 feet 12 feet 15 feet 15 feet 15 feet 15 feet	No, applicant elects to comply with Building Open Area per Floor (below)
Building Open Area per Floor - Block B-1 - 1-3 floors - 4 and above	Max. 90% Floor Area to Min. 10% Open Area Max. 60% Floor Area to Min. 40% Open Area	Floor 1 st : 72%:28% 2 nd : 51%:49% 3 rd : 53%:47% 4 th : 53%:47% 5 th : 53%:47% 6 th : 43%:57%	Yes

Maximum Allowed Square Footage and Building Mass, and Minimum Open Space. The Specific Plan establishes limits for development intensity using standards for maximum square footage (floor area), maximum building mass (volume) and minimum public / common open space area.

As noted above Block “B” was initially envisioned as the primary public open space for entire Specific Plan and thus had a building size limit of 3,000-square feet and 9,000-cubic feet with 90% open space. However, the proposed amendment to the Specific Plan will address the relocation of open space and other changes related to maximum square footage and building mass within the plan area.

The maximum square footage permitted under the amended specific plan is 155,000-square feet. The proposed hotel with the two-story building located on Block B will be less than this maximum at 129,862-square feet overall.

Building Articulation. Standards for the articulation of building facades are established in the Specific Plan to avoid excessive uniformity / monotony. An articulation may either protrude or recess at least two (2) feet from adjoining wall surfaces, and at intervals of no less than sixty (60) feet across an exterior elevation. Based on the proposed elevations, the project conforms to this requirement.

Parking, Loading and Trash Enclosures. The off-street parking will be accommodated via the existing parking structure and via underground structure below

the hotel. Based on prior approvals and the proposed project, the following analysis has been prepared:

Block and Floor Area (Sq. Ft.) / Rooms		Required (No. of Spaces)
A	51,484 ÷ 325	158
A-1	TBD	
B	31,800 ÷ 325	98
B-1	142 Hotel Rooms	142
C-1	155 Hotel Rooms	155
C	101,538 ÷ 325	312
F	135 Hotel Rooms	135
F	5,064 ÷ 325	16
Required Parking TOTAL		1016+

According to the applicant, there will be approximately 919 public parking spaces and 300 private spaces for the entire Specific Plan area. The public spaces are provided throughout the parking structure and subterranean garage. The private spaces are proposed under Blocks "B" and "F". Further, the project is deemed by the City Council to be sufficiently supplied with parking via these public parking facilities. Consequently, the parking demand is considered to be met.

Loading will occur at the north side of the hotel on Andreas Road in a dedicated loading area. Trash enclosures are located within the building on the north side of the project.

Design Guidelines

Architecture – Building Height, Scale and Massing. The Specific Plan recognizes that the site is intended for "...an intensive level of development...", but that the pedestrian experience requires buildings to be "...designed to the human scale with active, pedestrian friendly frontages." View corridors and public and private open spaces are to be provided throughout. An average maximum height of 60 feet is to be maintained, although hotels may exceed 60 feet. Most significantly, building elements must be varied to reduce the appearance of mass and avoid "cliff-face" frontages.

The proposed building incorporates a large void above the second floor pool deck which reduces the overall bulk and massing of the structure. Building articulation is provided on all four sides and avoids "cliff-face" frontages.

Landscaping. The Specific Plan describes landscape design themes and concepts for streetscape, transition and open space zones throughout the overall area of Specific Plan. The applicant has provided a conceptual landscape plan with both streetscape and private open space tree and plant materials. An analysis of the private open space (pool and roof deck areas) tree / plant materials shows the following:

Common Name / Botanical Name	Size	Conformance
- Sonoran Palo Verde / <i>Cercidium praecox</i>	36"-box	Similar species
- Australian Willow / <i>Geijera parviflora</i>	36"-box	No
- Mediterranean Fan Palm / <i>Cahmaerops humilis</i>	24"-box	Yes
- Bougainvillea x 'Oo-La-La' TM / <i>Oo-la-la Bougainvillea</i>	5-gallon	Yes

Staff believes the tree and plant materials are acceptable for the private open space. The street landscape/hardscape will be reviewed separately.

Architectural Review

On October 12, 2015, the AAC voted 4-2 to recommend the Planning Commission approve the project, subject to the following:

1. The future proposed building on parcel adjacent to parking structure is no more than half of the height of the Park hotel; and site to the north of subject hotel be no more than 50 feet.
2. AC Marriott remained undeveloped until 2021.

The conditions recommended by AAC will prove difficult to administer. Height limitations are defined by the Specific Plan, which would need to be amended to ensure compliance with the AAC's first recommendation. The AC Marriott entitlement is set to expire next year. The applicant would have to request a time extension and the Planning Commission would have to amend their approval resolution and modify the entitlement period.

Staff recommends the Planning Commission evaluate the above recommendations prior to acting on the proposed project.

Evaluation of Architecture: The Palm Springs Zoning Code Section 94.04.00(D) provides guidelines for the architectural review of development projects, with conformance evaluated based on the following guidelines:

1. *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;*

The project proposes a new six-story building with pedestrian circulation around all sides. Pedestrian pathways will be separated from vehicular streets with curbs and landscape treatment. Pavers, landscaping and sidewalk furniture will provide an enhanced experience on the site. Sidewalks and other walkways are provided to accommodate the change in topography across the site. Pedestrian access is provided to the underground parking via stairways and elevators.

2. *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;*

The proposed structure is an L-shaped configuration surrounding a second floor pool deck. The height is lower than the hotel to the south. The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials of a higher quality than the existing development in the vicinity. The selection of design elements differs from those of the adjacent blocks within the Museum Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

3. *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;*

The proposed building's overall height will be seventy (70) feet. Exterior elevations show projections at building edges. Mass is divided with exterior building articulation. A large void above the second floor pool deck reduces overall building bulk. Rooftop mechanical will be concealed from view.

4. *Building design, materials and colors to be sympathetic with desert surroundings;*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*

The building architecture is contemporary in style, with a color and material palette that introduces muted color tones, with limited use of accent colors via metal, concrete and glass. Covered walkways for outdoor seating, pedestrian circulation and solar control are integrated into the building design.

6. *Consistency of composition and treatment;*

The building design uses consistent forms and treatments across each elevation. The contemporary elements interact with each other in a consistent and rhythmic manner.

7. *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;*

A landscape plan has been submitted and includes a mix of common tree and plant materials used in drought tolerant environments, as well as some identified by Table III-5, *Landscape Palette*, of the Specific Plan.

8. *Signs and graphics, as understood in architectural design including materials and colors;*

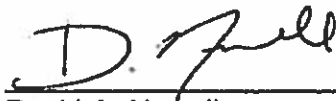
A sign program has not been submitted to evaluate against this guideline.

ENVIRONMENTAL DETERMINATION:

The proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA") and EIR Addendum No. 2 has been prepared to analyze impacts related to the project. The analysis shows that the project is within the scope of the original Specific Plan EIR adopted and none of the circumstances triggering further environmental review have occurred since the adoption of the EIR and subsequent Addenda.

CONCLUSION:

The proposed resort hotel is a quality-designed building that is consistent with the Specific Plan as amended. The Planning Commission should evaluate and consider the recommendations by the AAC, which would limit other block heights and lessen building mass downtown. Should the Commission agree with AAC recommendations, the attached resolution can be adopted and a favorable recommendation will be forwarded to the City Council for consideration.



David A. Newell
Associate Planner



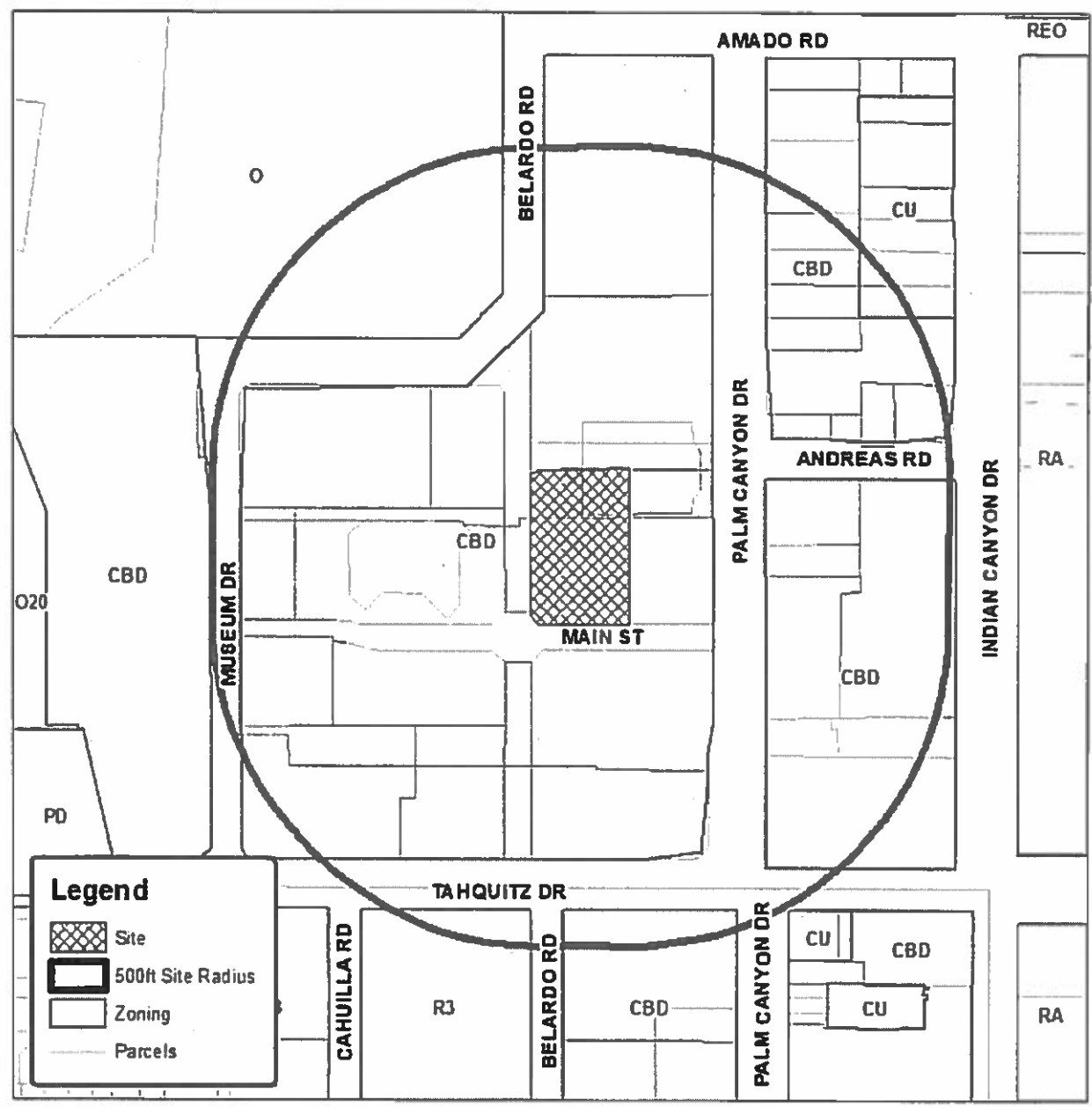
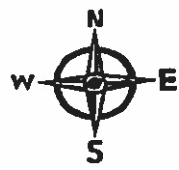
Finn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Timeline of Museum Market Plaza Specific Plan and Project Approvals
3. Draft Resolution
4. 09/21/2015 AAC Meeting Minutes (excerpt)
5. 10/12/2015 AAC Meeting Minutes (excerpt)
6. Public Correspondence
7. Plans



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS