



City Council Staff Report

DATE: March 2, 2016 PUBLIC HEARING

SUBJECT: CONSIDERATION OF AN AMENDMENT TO THE MUSEUM MARKET PLAZA SPECIFIC PLAN AND ADDENDUM NO. 2 TO THE FINAL ENVIRONMENTAL IMPACT REPORT (CASE NO. 5.1204 SP A-1).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

On February 3, 2016, the City Council held a public hearing to consider an Amendment to the Museum Market Plaza Specific Plan, ("Amendment"). The Amendment is desirable in part to reflect changes previously approved by the City Council on October 17, 2012, pursuant to a Conformity Review of a revised Downtown Revitalization Plan entitled "Downtown Palm Springs," completed in accordance with the regulations identified in the Specific Plan. Previous public hearings were held on December 16, 2015, and January 13, 2016; a City Council Study Session was also held on the matter on January 6, 2013.

At the January 13, 2016 meeting, the City Council directed the Council subcommittee to meet with Palm Springs Promenade, LLC, (the "Developer"), to review the changes requested in the Amendment. Based on the meeting with the Council subcommittee, the Developer offered additional changes to reduce the scope of development permitted under the Museum Market Plaza Specific Plan. These changes were presented and discussed at the City Council meeting on February 3, 2016. The specific plan document has been revised to reflect the direction given to staff at the February 3, 2016, City Council meeting.

RECOMMENDATION:

1. Review the final revisions to the Museum Market Plaza Specific Plan as directed to staff by the City Council at its February 3, 2016, meeting; and
2. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING ADDENDUM NO. 2 TO THE

PREVIOUSLY-CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR, AND AMENDING THE MUSEUM MARKET PLAZA SPECIFIC PLAN, REDESIGNATED AS THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN;” and

3. Waive the reading of the ordinance text in its entirety and introduce Ordinance No. _____, “AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE MUSEUM MARKET PLAZA SPECIFIC PLAN, AND REDESIGNATING IT AS THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN;” and

4. Direct the Council subcommittee to coordinate with staff and Palm Springs Promenade, LLC, to discuss the terms and conditions of a draft Development Agreement related to the timely construction of public and private improvements, and vesting of certain entitlements pursuant to the scope of final changes to the Museum Market Plaza Specific Plan.

BACKGROUND:

A complete background to the prior actions taken by the City Council associated with the Museum Market Plaza Specific Plan, (“Specific Plan”), and recent consideration of the proposed Amendment to the Specific Plan, are identified in the staff report from the January 13, 2016, City Council meeting and is included as **Attachment 3**.

At the February 2, 2016, City Council meeting, the City Council considered all of the previously proposed changes to the Specific Plan and the changes proposed by the Developer, and provided direction to staff. Accordingly, staff has revised the Amendment to the Specific Plan to address the comments received from Council, and the currently revised draft of the Specific Plan is included as **Attachment 4** and is dated March 2016.

The City Council requested that the Council subcommittee (Mills/Roberts) meet with the Developer and City staff to further discuss the Developer’s request for a development agreement. Initial meetings have been held to discuss the terms of the development agreement; once the draft development agreement is finalized, it will be forwarded to the Planning Commission review at a future public hearing for a recommendation to the City Council.

ANALYSIS:

Following is a general summary of the final proposed changes to the Specific Plan for Council’s consideration. Figure 1 on the following page (Exhibit II-3 from the Specific Plan) identifies the layout of the various Blocks within the Specific Plan and is provided for reference.

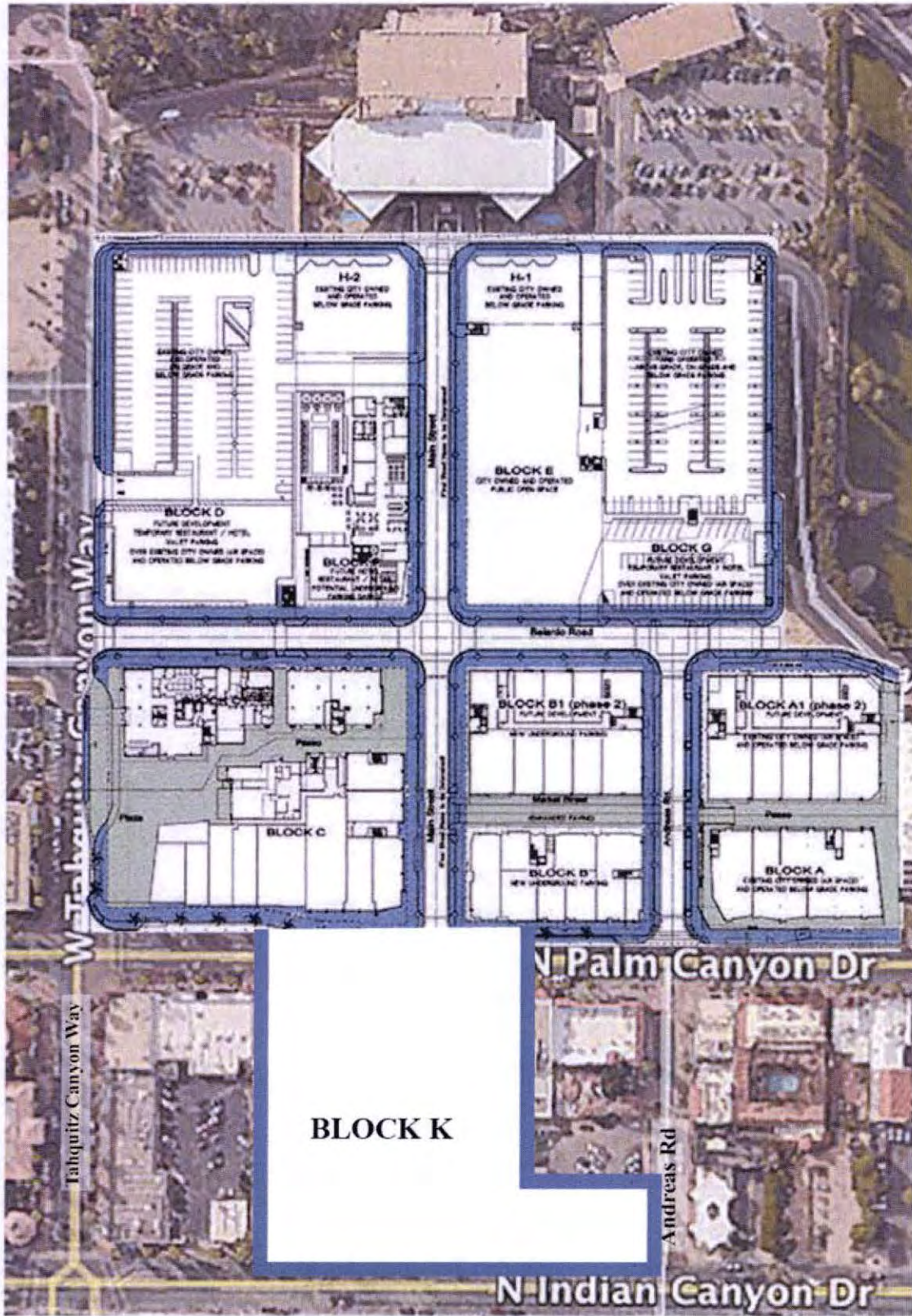


Figure 1

The following analysis summarizes the key changes to the development standards of the Specific Plan, based on the City Council discussion

Block A

No changes are proposed to the footprint or height of the 51,484 square foot building on Block A that is currently under construction; the building is permitted and vested. The Developer has removed a sign marquee from the east façade of the building so as to reduce the visual impact of the structure, and has requested to convert the third floor of the building from commercial space to residential units. These proposed changes are consistent with the Specific Plan and are also generally consistent with the approved entitlement.

Block A1

The Amendment to the Specific Plan proposes establishing this parcel as a permanent publicly-owned parking lot, with an allowance for one level of above ground parking to be potentially constructed by the City in the future.

Block B

No changes are proposed; the 31,800 square feet building with a maximum height of 38 feet located on this parcel is currently approved and entitled. The Developer has requested to convert the second floor of the building from commercial space to residential units, which is consistent with the uses permitted by the Specific Plan.

Block B1

The Amendment to the Specific Plan proposes establishing development standards on this parcel allowing for a maximum of 123,200± square feet of commercial/residential uses with a maximum height of 60 feet; or a Virgin Hotel brand with a maximum height of 69 feet.

Block C

As currently entitled under the adopted Specific Plan, a maximum of 121,500± square feet of commercial/hotel/residential uses is allowed on this parcel with a maximum height of 60 feet. Currently, a commercial/residential building of 102,039 square feet with a maximum height of 60 feet is approved and entitled. The Amendment to the Specific Plan proposes reducing the size of the approved building to 71,500± square feet of commercial/hotel/residential uses with a maximum height of 40 feet, and increasing building setbacks to 30 feet on Main Street and 32 feet on N. Palm Canyon Drive (adjacent to the “annex” building).

Block C1

No changes are proposed; the 123,462 square feet Kimpton hotel with a maximum height of 84 feet located on this parcel is currently permitted and vested.

Block D

The Amendment to the Specific Plan proposes establishing development standards on this parcel allowing for a maximum of 123,200± square feet of commercial uses on this parcel with a maximum height of 40 feet, with an encouragement for a grocery store use on the ground floor and other commercial uses permitted on the second floor.

Block F

Currently, a four-story 135-room hotel of 71,714 square feet with 5,064 square feet of commercial uses and a maximum height of 56 feet is currently approved and entitled on this parcel. The Amendment to the Specific Plan proposes establishing development standards on this parcel allowing for residential uses with a maximum height of 60 feet.

Block G

The Amendment to the Specific Plan proposes establishing development standards on this parcel allowing for a maximum of 115,000 square feet of commercial and/or residential uses with a maximum height of 60 feet.

Blocks K1/K2

As Amendment to the Specific Plan proposes establishing development standards on these parcels allowing for a maximum of 175,000 square feet of commercial/hotel uses requiring preservation of the T&CC through adaptive reuse in combination with development of a new hotel use on these parcels. Conceptually, the Developer proposes to rehabilitate the former “Zelda’s” building of the T&CC as a lobby for a new hotel use, with new hotel buildings with a maximum height of 60 feet constructed adjacent to the north and south sides of the restored T&CC buildings, and the T&CC courtyard area rehabilitated and retained. The review and approval of any development on these parcels will be subject to the Planned Development District (“PDD”) process. With the requirement for the restoration and reuse of the T&CC buildings, all references to the extension of Main Street through the block as a vehicular connection to Indian Canyon Drive have been eliminated, however, maintenance of a pedestrian connection will be considered as an element of a PDD submitted for approval.

Revised Height Standards

The following Table identifies the change in maximum height based on the direction of the City Council at the February 3, 2016, meeting, compared with the height limits under the 2009 plan:

Block	Existing (2009 Specific Plan)	Proposed (March 2016)	Change
A	60'	60'	No Change
A1	60'	20' (Parking)	-40'
B	16'	40'	+24' ¹
B-1	16'	60' (Commercial) 69' (Hotel)	+44' +53'
C	60'	40'	-20'
C1	60'	60'	No Change
D	60'	40' (Commercial)	-20'
E	60'	17'	-43'
F	60'	60' (Residential)	No Change
G	60'	60' (Residential)	No Change
H1	40'	17'	-23'
H2	40'	17'	-23'
K	60'	60'	No Change

Maximum Allowable Density / Uses

The following Table identifies the change in maximum allowable density based on the direction of the City Council at the February 3, 2016, meeting, compared with the maximum allowable density under the 2009 plan:

Block	Existing (2009 Specific Plan)	Proposed (March 2016)	Change
A	220,000 SF	55,000 SF	-165,000 SF
B	3,000 SF	150,000 SF	+147,000 SF
C	245,000 SF	195,000 SF	-50,000 SF
D & F	455,000 SF	200,000 SF	-255,000 SF
E, G & H	520,000 SF	7,500 SF (E) 115,000 SF (G)	-397,500 SF
K1/K2	332,000 SF	175,000 SF	-157,000 SF
Totals	1,775,000 SF	897,500 SF	-877,500 SF

¹ The Conformity Review approved by the City Council in 2012 allowed for an increased building height on Block B; the proposed Specific Plan Amendment captures this prior approval by the City Council.

As shown in the Table, the overall maximum allowable development density within the Specific Plan is proposed to reduce by 877,500 square feet (a reduction of 50%).

Setbacks

As part of the reductions in height and square footage for the building proposed for Block C, the Developer also proposed to increase the setbacks along Main Street and North Palm Canyon. Based on the direction of City Council, the Specific Plan document has been revised to require a setback on Block C of 30 feet from Main Street and 32 feet from North Palm Canyon. In addition, City Council has requested that a greater setback be required at the corner of the Building on Block C (at the intersection of Main Street and N. Palm Canyon Dr.) so as to provide additional area for pedestrians and increased visibility at the corner.

Green Building Requirements

Based on the direction of City Council, the Specific Plan document has been revised to require either of the following options for any building constructed within the project area:

- Adherence to the City's Green Building Program; or
- LEED certification.

Please note that the document does not specify the level of certification required under either the Green Building Program or LEED; Council may determine the certification level either through the development agreement or by specifying the requirement in the Specific Plan.

Development Agreement

Pursuant to the Project Financing Agreement ("PFA"), as amended, the City and Developer previously agreed: *At any time, upon request by Developer, City and Developer shall exert and use commercially reasonable best efforts to prepare, finalize, execute and implement a Development Agreement, as statutorily authorized by Section 65864, et seq. of the California Government Code...* Accordingly, the Developer has requested that the City Council authorize negotiation of a Development Agreement which may include the following elements:

- Vest in the Developer the right to develop the property in accordance with the revised Specific Plan for a period of time to be negotiated.
- Transfer of Block A1 to the City as a surface parking lot to be constructed by the Developer.
- Transfer of the Transient Occupancy Tax Rebate currently approved for the AC Marriott Hotel located on Block F to the proposed Virgin Hotel located on Block B1.
- Restoration and adaptive reuse of the original Town and Country Center buildings with construction of a potential new hotel use (subject to approval via PDD).

- Vesting of the parking rights previously approved pursuant to the PFA, including but not limited to, the City's prior determination as to adequacy of parking and the Project's right to use the public parking above and below grade owned by the City in addition to any private parking facilities which the Developer may choose, at his discretion, to build.

As previously noted, the City Council has directed the City Council subcommittee (Mills/Roberts) to coordinate with City staff and the Developer to discuss the terms of a development agreement. Once a draft development agreement is completed, it will be presented to the Planning Commission for its consideration at a public hearing for a recommendation to the City Council, and subsequently to City Council for approval.

ENVIRONMENTAL ANALYSIS:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the City has prepared a proposed Addendum (Addendum #2) to the Final Environmental Impact Report (FEIR) adopted for the Specific Plan that evaluates the potential environmental impacts of the changes to the Specific Plan identified in the Amendment, which includes various revisions and updates to the Museum Market Plaza Specific Plan, the development of Block E as the Downtown Palm Springs Park, and a Major Architectural Review for the development of a hotel use of up to 75 feet located on Block B-1 (Case No. 3.3908 MAJ).

After completion of Addendum #2, the City Council considered several changes to the proposed Specific Plan Amendment. These changes represent a reduction in the overall project's intensity, most notably a reduction in square footage for maximum build out from 1,359,500 square feet to 897,500 square feet. Additional changes include reductions in the total number of hotel rooms, from 620 to 450 rooms; reductions in building heights on some blocks; the preservation of the Town & Country Center, with the potential for development to the north and south of the Town & Country Center in Block K; the elimination of the extension of Main Street through Block K; and a number of editorial changes and modifications. All changes proposed by the Planning Commission and City Council represent a reduction in project build out, and will therefore result in a reduction in environmental impacts. Specifically, the revised project will result in reduced environmental impacts associated with aesthetics, air quality/greenhouse gas, cultural (historic) resources, water quality/resources, land use planning, public services, traffic and utilities impacts. Impacts associated with geology/soils, hazards/hazardous materials, hydrology, noise, population/housing, recreational resources and economics are expected to be equivalent to those previously analyzed in Addendum #2.

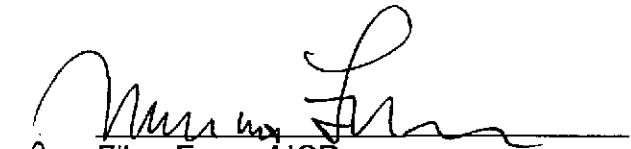
The City has reviewed the latest changes to the proposed Specific Plan Amendment with regard to potential impacts associated with traffic to confirm that the changes proposed in land use and elimination of the Main Street extension through Block K would not represent a potentially significant change in traffic impacts. These changes


have been reviewed, potential impacts analyzed, and it has been determined, as shown in the following Table, that the revisions in the proposed project would result in a reduction of 1,530 trips on a weekday; 1,390 trips on a Saturday; and that there would be no change in the trip generated by an event at the Downtown Palm Springs Park, since no change is contemplated for that facility. This represents a reduction of 6.7% on a weekday, and 5.3% on a Saturday, at build out of the proposed project. The City further analyzed the proposed mitigation measures for the project, and found that the reduction in trips would not significantly impact the proposed mitigation measures included in the traffic study and Addendum #2.

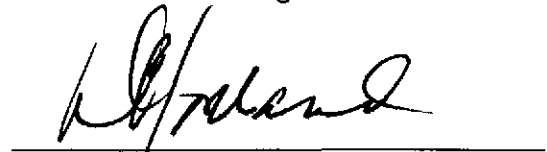
NOTIFICATION:

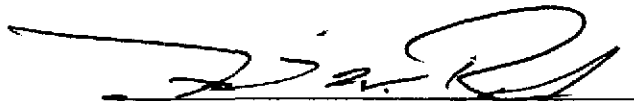
A public hearing notice was published in accordance with the requirements of State law and local ordinance. Public comment letters received in response to the notice have been included as an attachment to this report.

SUBMITTED:


Flinn Fagg, AICP
Director of Planning Services


Marcus L. Fuller, MPA, PE, PLS
Assistant City Manager/City Engineer


Douglas Holland
City Attorney


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

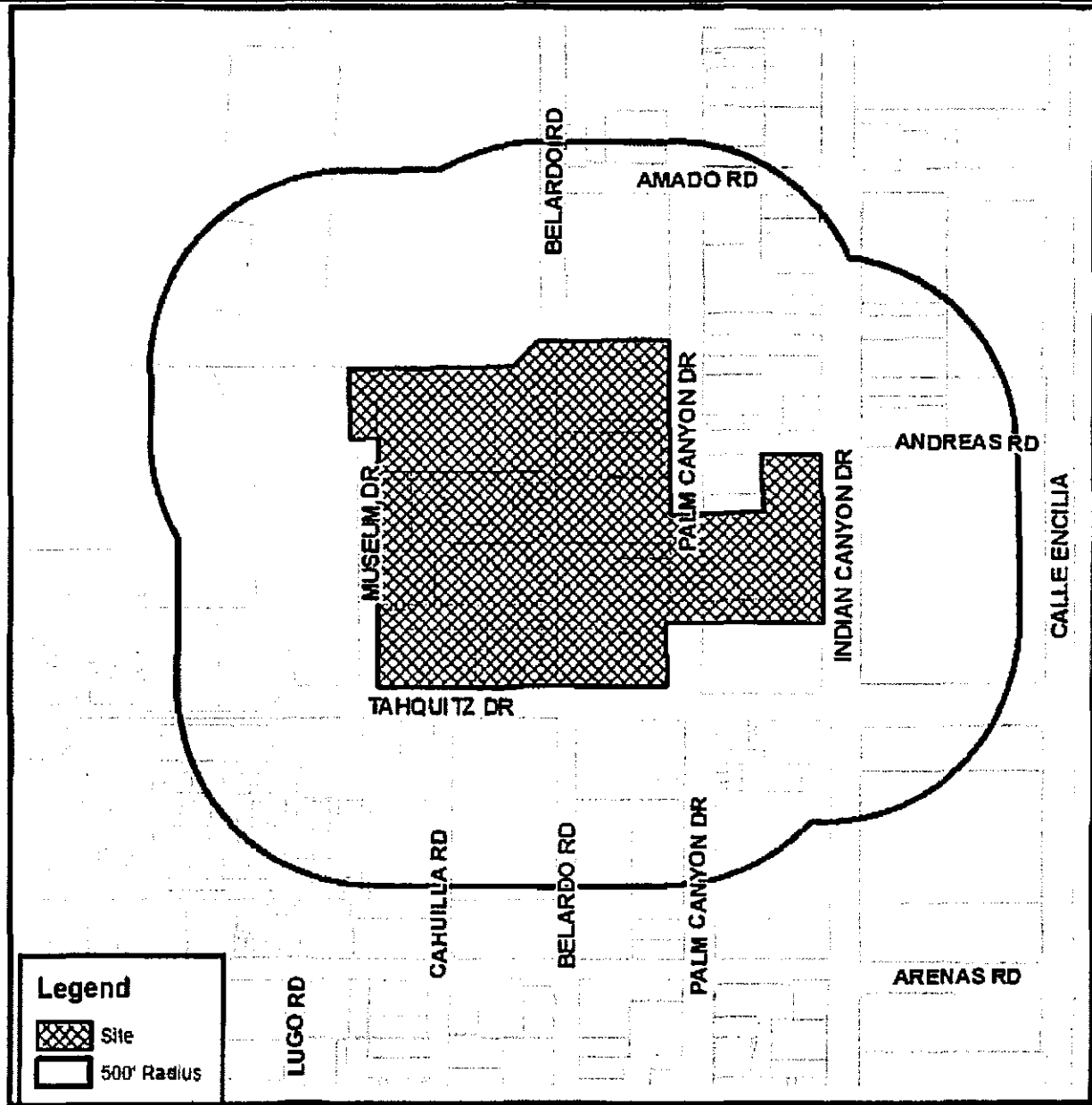
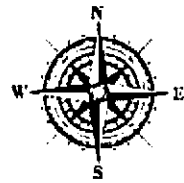
Attachments:

1. Vicinity Map
2. Resolution and Ordinance
3. January 13, 2016, City Council staff report
4. Proposed Museum Market Specific Plan Document ("Downtown Palm Springs Specific Plan" dated March 2016)
5. Letter from Endo Engineering, "Effect of Minor Modifications to the Downtown Palm Springs Project on Previously Identified Traffic Impacts and Mitigation" – February 18, 2016
6. Addendum No. 2 to Final Environmental Impact Report (FEIR)
7. Planning Commission Minutes
8. Public comment letters
9. Palm Springs Promenade, LLC, letters
10. Summary of City Council comments – January 6, 2016
11. Public Hearing notices

ATTACHMENT #1



Department of Planning Services Vicinity Map



Legend

-  Site
-  500' Radius

CITY OF PALM SPRINGS

ATTACHMENT #2

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING ADDENDUM NO. 2 TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR, AND APPROVING AN AMENDMENT TO, THE MUSEUM MARKET PLAZA SPECIFIC PLAN, REDESIGNATED AS THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:

- A. On April 30, 2008, Wessman Development, Inc. presented to the City a draft Specific Plan for the Museum Market Plaza development.
- B. On May 21, 2008, the City Council initiated a Specific Plan review process and directed staff to report on the conformance of the draft Museum Market Plaza Specific Plan with the Palm Springs General Plan, Downtown Design Guidelines and Palm Springs Zoning Code.
- C. On June 13, 2008, the City issued a Notice of Preparation (NOP) and Initial Study on the project indicating that a draft Environmental Impact Report (DEIR) would be prepared on the proposed Specific Plan. The NOP was circulated to agencies and interested parties and a 30-day period was provided for responses.
- D. On July 1, 2008, a public Scoping Meeting was held to receive comments on preparation of the draft Environmental Impact Report (DEIR).
- E. The DEIR was prepared and circulated for public review and comment between October 22, 2008 and December 17, 2008.
- F. The City received numerous written and oral comments on the DEIR, and prepared responses to describe the disposition of significant environmental issues raised by the comments, and made changes to the DEIR accordingly. The comments, responses to comments, changes to the DEIR and additional information were published in a Final EIR (FEIR) dated January 1, 2009.
- G. On December 2, 2009, the City Council certified the FEIR and adopted CEQA Findings and Statement of Facts, a Statement of Overriding Considerations, and a Mitigation Monitoring Program; and enacted by Ordinance No. 1764 and Resolution No. 22625 the Museum Market Plaza Specific Plan.
- H. On October 17, 2012, the City Council certified an Addendum to the Museum Market Plaza Specific Plan FEIR (Addendum #1), and approved a Conformity Review for implementation of a revised Downtown Revitalization Plan entitled "Downtown Palm Springs" as conforming to and being consistent with the approved Museum Market Plaza Specific Plan.

I. On September 2, 2015, the City Council directed staff to prepare an Amendment to the Museum Market Plaza Specific Plan, (the "Amendment"), and authorized funding to engage a consultant to prepare and complete environmental analysis on the potential impacts associated with the Amendment pursuant to the California Environmental Quality Act (CEQA) Guidelines.

J. The Amendment was evaluated to determine if proposed changes to the Museum Market Plaza Specific Plan might result in environmental impacts not adequately analyzed in the previously certified FEIR and Addendum #1 to the FEIR. An Addendum (hereafter "Addendum #2 to the FEIR") evaluated the potential impacts of the changes to the Specific Plan identified in the Amendment, including various revisions and updates to the Museum Market Plaza Specific Plan, the development of Block E as the Downtown Palm Springs Park, and a Major Architectural Review for the development of a hotel use of up to 75 feet located on Block B-1 (Case No. 3.3908 MAJ). The environmental analysis concluded the potential environmental impacts associated with the revised Specific Plan identified in the Amendment is substantially consistent with the impacts previously analyzed in the previously certified FEIR and in Addendum #1 approved in 2012. No changes are proposed that would require major revisions to the previously certified FEIR, as the revised Specific Plan identified in the Amendment will ultimately reduce the overall intensity and density currently allowed within the Specific Plan. The potential environmental impacts associated with the revised Specific Plan identified in the Amendment will result in the same or reduced environmental impacts when compared to those analyzed in either the previously approved FEIR or addendum #1 approved in 2012. None of the components of the revised Specific Plan identified in the Amendment will result in a significant effect not previously identified in the previously certified FEIR or Addendum #1 approved in 2012. The Findings and Statement of Overriding Considerations adopted by the City Council in 2009 are consistent with the environmental analysis provided in Addendum #2. As a result of the evaluation of the Amendment, pursuant to the CEQA Guidelines, the City Council determined that Addendum #2 to the previously certified FEIR, as prepared under the provisions of CEQA, adequately addresses the potential environmental impacts associated with the Amendment.

K. On October 28, 2015, the Planning Commission conducted a noticed public hearing to consider the Amendment and Addendum #2 to the FEIR, considered the Amendment and Addendum #2 to the FEIR, and continued the public hearing to consider these items to their meeting of November 12, 2015.

L. On November 12, 2015, the Planning Commission reconvened the public hearing to consider the Amendment and Addendum #2 to the FEIR, and established a subcommittee to review the proposed amendments, and continued the public hearing to consider these items to its meeting of December 9, 2015.

M. The Planning Commission carefully reviewed and considered all of the evidence presented at its meeting of December 9, 2015, including but not limited to the staff report, the recommendations of the subcommittee, the Amendment and Addendum #2

to the FEIR, and all written and oral testimony presented, and recommended approval of the update to the City Council.

N. On January 6, 2016, the City Council conducted a duly noticed Study Session at the Palm Springs Convention Center as a special meeting of the City Council to review the Amendment and Addendum #2 to the FEIR, and to consider public testimony regarding the Amendment.

O. On January 13, 2016, the City Council conducted a duly noticed public hearing to review and consider approval of the Amendment and Addendum #2 to the FEIR, and continued the hearing to the February 3, 2016 City Council meeting.

P. On February 3, 2016 the City Council conducted a duly noticed continued public hearing to review and consider approval of the Amendment and Addendum #2 to the FEIR, received additional testimony, closed the hearing, and commenced its deliberations. The City Council provided staff direction as outlined in the minutes of its meeting, and continued the closed public hearing to a date uncertain and directed the City Clerk to re-notice the closed public hearing in the manner required under law.

Q. On March 2, 2016, the City Council reconvened the duly noticed public hearing on the consideration of the Amendment and Addendum #2 to the FEIR, and finds that the EIR Addendum prepared for the Specific Plan Amendment appropriately describes the impacts of the Specific Plan Amendment revised by the Planning Commission and City Council, and also finds that:

1. Changes in the project will not result in a new significant impact not previously analyzed in the EIR Addendum, nor result in any new mitigation measures beyond those proposed in the EIR Addendum, insofar as the EIR Addendum analyzed a more intense project, and impacts associated with the revisions in the Specific Plan Amendment will either be reduced or be equivalent to those analyzed in the EIR Addendum.
2. Changes in the project will not result in an increase in the severity of an environmental impact, and no change to the proposed mitigation measures is required, since reductions in project intensity will not result in significant changes in potential impacts, particularly those associated with transportation and traffic.
3. Changes in the project will not result in a feasible project alternative or mitigation measure not considered in the certified EIR or the EIR Addendum.
4. The EIR Addendum has been prepared in conformance with the requirements of the California Environmental Quality Act.
5. The City Council has considered the information contained in the certified EIR, EIR Addendum No. 1 and EIR Addendum No. 2 prior to approving the project.

6. The EIR Addendum reflects the City Council's independent judgment and analysis.

R. The City Council hereby finds that adoption of the Amendment would:

1. Update the Museum Market Plaza Specific Plan to reflect the previously approved Conformity Review for implementation of a revised Downtown Revitalization Plan entitled "Downtown Palm Springs" as conforming to and being consistent with the approved Museum Market Plaza Specific Plan, in accordance with Addendum #1 to the FEIR approved October 17, 2012.
2. Make administrative changes and updates to reflect current entitlements and development patterns within the Specific Plan area.
3. Reduce the overall developable square footage of the project and reduce the total number of units, resulting in reduced environmental impacts.

S. The City Council further finds the adoption of the Amendment is consistent with the goals and policies of the City of Palm Springs General Plan and the Guiding Principles of the Museum Market Plaza Specific Plan.

T. The City Council further determines that Addendum #2 to the FEIR is an adequate environmental assessment of the potential adverse environmental impacts of the Amendment in accordance with the CEQA Guidelines.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES:

SECTION 1. The Museum Market Plaza Specific Plan, on file in the Office of the City Clerk, is hereby amended with an updated Specific Plan entitled "The Downtown Palm Springs Specific Plan," which is hereby approved and adopted.

SECTION 2. In approving the Amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as the Downtown Palm Springs Specific Plan, the City Council has considered all evidence and testimony provided to it, and in accordance with the CEQA Guidelines has determined that an Addendum to the previously certified Final Environmental Impact Report for the Museum Market Plaza Specific Plan is an adequate environmental assessment of the potential adverse impacts of the Amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as the Downtown Palm Springs Specific Plan.

SECTION 3. The City Council certifies that Addendum #2 to the previously-certified Final Environmental Impact Report for the Museum Market Plaza Specific Plan has been completed in compliance with the CEQA Guidelines, that Addendum #2 was presented to the City Council as the decision-making body, and that the City Council reviewed and considered the information contained in Addendum #2 prior to approving the Amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as

the Downtown Palm Springs Specific Plan. Preparation of Addendum #2 has been performed and coordinated by the City's Director of Planning Services; the conclusions and recommendations in Addendum #2 represent the independent conclusions and recommendations of the City and the City Council; and Addendum #2 represents the independent judgment and analysis of the City and the City Council. By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of Addendum #2, as presented. The City Council further determines that the previously certified Final Environmental Impact Report for the Museum Market Plaza Specific Plan, the previously approved Addendum #1 to the Final Environmental Impact Report, and Addendum #2 to the Final Environmental Impact Report together are adequate to support approval of each component of the now designated "Downtown Palm Springs Specific Plan," and any minor modifications to the Downtown Palm Springs Specific Plan as may be reflected in the Amendment. The City Council also certifies that the previously certified Final Environmental Impact Report for the Museum Market Plaza Specific Plan, together with its previously approved Addendum #1 and Addendum #2 as presented, are adequate to support any future discretionary approvals needed to implement the now designated "Downtown Palm Springs Specific Plan."

SECTION 4. The City Council, after balancing the specific economic, legal, social, technological, and other benefits of the Amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as the Downtown Palm Springs Specific Plan, has determined that the unavoidable adverse environmental impacts identified in the previously-certified Final Environmental Impact Report for the Museum Market Plaza Specific Plan continue to be considered "acceptable" due to specific considerations which outweigh the unavoidable, adverse environmental impacts of the proposed project. The City Council therefore ratifies the "Statement of Overriding Considerations" as approved by the City Council in the approval of the Final Environmental Impact Report for the Museum Market Plaza Specific Plan adopted on December 2, 2009. Each of the separate benefits of the proposed project, as provided in the Statement of Overriding Considerations, is determined to be, unto itself and independent of the other project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in the Statement of Overriding Considerations.

SECTION 5. The City Council finds, ratifies, and adopts the Mitigation Monitoring Program, incorporated into the Final Environmental Impact Report for the Museum Market Plaza Specific Plan adopted on December 2, 2009. The City Council further finds that such Mitigation Monitoring Program meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potential environmental impacts. In the event of any inconsistencies between the Mitigation Measures as set forth in the Final Environmental Impact Report and the Mitigation Monitoring and Reporting Plan, the Mitigation Monitoring and Reporting Plan shall control.

SECTION 6. The following additional and specific mitigation measure shall be included as a mitigation measure for the project, included in the Mitigation Monitoring Program for the project, and implemented in addition to all other mitigation measures

previously identified in the Mitigation Monitoring Program, and the City Council finds such mitigation measure will further reduce potential circulation, site access and/or parking impacts associated with Amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as the Downtown Palm Springs Specific Plan:

The intersection approach lanes and traffic controls at the on-site and off-site key intersections shall be implemented to provide acceptable levels of service and consistent with the recommendations outlined in Figures 5-1 and 5-2 of the *Downtown Palm Springs Project and Downtown Palm Springs Park Traffic Impact Study Update (October 2015)*, and consistent with the mitigation strategies identified in Table 5-2.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2016.

ATTEST:

DAVID H. READY, CITY MANAGER

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 _____, 2016, 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, AMENDING THE MUSEUM MARKET PLAZA SPECIFIC PLAN, AND REDESIGNATING IT AS THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN.

City Attorney Summary

This Ordinance amends the Museum Market Plaza Specific Plan with an updated Specific Plan document entitled "The Downtown Palm Springs Specific Plan."

The City Council of the City of Palm Springs, California, ordains:

SECTION 1. Pursuant to the provisions of Chapter 3 (commencing at Section 65453) of Title 7 of the Government Code of the State of California and pursuant to the 2007 Palm Springs General Plan, adopted by City Council Resolution No. 22077, the Museum Market Plaza Specific Plan, on file in the Office of the City Clerk, is hereby amended with an updated Specific Plan entitled "The Downtown Palm Springs Specific Plan," which is hereby approved and adopted. In approving and adopting the amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as the Downtown Palm Springs Specific Plan, the Council finds and determines that the Downtown Palm Springs Specific Plan is generally consistent with the Palm Springs General Plan.

SECTION 2. In approving the Amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as the Downtown Palm Springs Specific Plan, the City Council has considered all evidence and testimony provided to it, and has determined that an Addendum to the previously-certified Final Environmental Impact Report (FEIR) for the Museum Market Plaza Specific Plan is an adequate environmental assessment of the potential adverse impacts of the Downtown Palm Springs Specific Plan, in accordance with the California Environmental Quality Act (CEQA) Guidelines.

SECTION 3. The Amendment to the Museum Market Plaza Specific Plan, to hereafter be identified as the Downtown Palm Springs Specific Plan, as adopted includes comprehensive rules and regulations that will govern future development that may occur within the boundaries of the Downtown Palm Springs Specific Plan, and such regulations may conflict with provisions of the Palm Springs Zoning Ordinance. In the event of any conflict between the rules and regulations of the Downtown Palm Springs Specific Plan and the Zoning Ordinance, the provisions of the Downtown Palm Springs Specific Plan shall control.

SECTION 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary

thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, 2016.

AYES:
NOES:
ABSTAIN:
ABSENT:

ROBERT MOON, Mayor

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, 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 the ____ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

ATTACHMENT #3



City Council Staff Report

DATE: January 13, 2016

PUBLIC HEARING

SUBJECT: CONSIDERATION OF AN AMENDMENT TO THE MUSEUM MARKET PLAZA SPECIFIC PLAN AND ADDENDUM NO. 2 TO THE FINAL ENVIRONMENTAL IMPACT REPORT (CASE NO. 5.1204 SP A-1).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

This action is to request consideration and approval of an Amendment to the Museum Market Plaza Specific Plan, (hereafter the "Amendment"). The Amendment is necessary in part to reflect changes previously approved by the City Council on October 17, 2012, pursuant to a Conformity Review of a revised Downtown Revitalization Plan entitled "Downtown Palm Springs," completed in accordance with the regulations identified in the Specific Plan. The main elements of the Amendment include:

- Changing the name of the Specific Plan document from the "Museum Market Plaza Specific Plan" to the "Downtown Palm Springs Specific Plan;"
- Changes to the permitted uses for Blocks B, B-1 and E reflecting the relocation of the formerly designated public plaza on Block B to a City-owned public park on Block E;
- Accommodating increased building height for Block B to 40 feet for commercial uses as a result of its change in designation from a public plaza to a developable parcel;
- Accommodating increased building height for Block B-1 to 60 feet for commercial and residential uses, or 75 feet for hotel uses, as a result of its change in designation from a public plaza to a developable parcel;
- Reduction in the building height on Block E from 60 feet to 17 feet as a result of its change in designation from a developable parcel to a City-owned public park;
- Reduction in the building height on Blocks H-1 and H-2 from 60 feet to 17 feet as a result of its change in designation from a developable parcel to City-owned parcels;
- Accommodating a 23% reduction in the overall developable square footage within the Specific Plan Area (from 1,775,000 to 1,359,500 square feet), and a corresponding decrease in the number of allowable residential units and hotel units;
- Revisions to the building mass and setback requirements; and
- Other administrative and miscellaneous changes to the text to more accurately reflect the anticipated development pattern within the Specific Plan Area.

The Museum Market Plaza Specific Plan was approved subject to a Final Environmental Impact Report (FEIR), adopted and certified concurrently with approval of the Specific Plan, pursuant to the California Environmental Quality Act (CEQA) Guidelines. Approval of the Amendment required further evaluation of the potential environmental impacts that might result from the changes to the Specific Plan identified in the Amendment. In accordance with the CEQA Guidelines, staff has determined that an Addendum to the FEIR would adequately address the potential environmental impacts associated with the Amendment because the changes to the Specific Plan proposed by the Amendment include an overall **decrease** of maximum development uses and density allowed within the Specific Plan Area.

RECOMMENDATION:

1. Open the public hearing and receive testimony;
2. Provide direction to staff as appropriate; and
3. Continue the public hearing to February 3, 2016, and direct the City Clerk to post notice of continuance.

BACKGROUND:

<i>Related Relevant Actions by Planning Commission or City Council</i>	
12/02/09	The City Council adopted the Museum Market Plaza Specific Plan and associated Environmental Impact Report and related documents.
09/07/11	The City Council approved a Project Financing Agreement (PFA) between the City of Palm Springs and Palm Springs Promenade, LLC for the redevelopment of the Desert Fashion Plaza site. The agreement included a site plan and project description depicting the proposed improvements, as well as detailing parking requirements for the development.
04/18/12	The City Council approved Amendment #1 to the Project Financing Agreement (PFA).
10/17/12	The City Council approved an addendum to the Final Environmental Impact Report (Addendum #1) and an associated Conformity Review. In addition, the City Council approved Amendment #2 to the PFA, reflecting the improvements proposed as part of the Conformity Review.
12/19/12	The City Council approved Amendment #3 to the Project Financing Agreement (PFA).
09/17/14	The City Council approved Amendment #4 to the Project Financing Agreement (PFA).

Related Relevant Actions by Planning Commission or City Council	
09/02/15	The City Council authorized the initiation of an Amendment of the Museum Market Plaza Specific Plan and initiation of environmental assessment (CEQA) services associated with the Amendment.
12/09/15	The Planning Commission voted 4-1 to recommend approval to City Council of the proposed update of the Museum Market Plaza Specific Plan document.
01/06/16	The City Council conducted a Study Session to discuss the proposed update to the Museum Market Plaza Specific Plan document.

On November 18, 2009, the City Council adopted Resolution No. 22625, certifying the FEIR (State Clearing House No. 2008061084) for the Museum Market Plaza Specific Plan (Case No. 5.1204), including amendments to the 2007 General Plan and Palm Springs Zoning Code, making certain findings relating to the environmental effects identified in the FEIR, and adopting a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. The City Council subsequently reaffirmed and re-adopted Resolution No. 22625 on December 2, 2009.

Also, on December 2, 2009, the City Council adopted Ordinance No. 1764, adopting the Museum Market Plaza Specific Plan, Case No. 5.1204, (the "Specific Plan"). The original land use and development pattern of the Specific Plan area, consisted of Blocks A through H, K1 and K2, and new public streets comprising a total of 18.5 acres within downtown Palm Springs, as shown in Figure 1 on the next page. The Specific Plan envisioned public uses in the Main Plaza on Block B, including a potential 6,500 square feet restaurant space.

On September 7, 2011, the City Council adopted Resolution No. 23018, authorizing the City and Palm Springs Promenade, LLC, (the "Developer") to enter into a Project Financing Agreement ("PFA" – Agreement No. 6144) applicable to the financing, development, redevelopment, creation and refurbishment of public and private improvements within the Specific Plan area. The PFA included, among other things, a Site Plan and Project Description depicting the proposed improvements, including new public streets described as Museum Street, Andreas Road, and the Belardo Road extension.

Figure 1



After the City's approval of the Specific Plan, as the City and the Developer proceeded to coordinate on development of the Specific Plan, plans for the project area evolved and certain modifications to the layout of the individual blocks and land uses within the Specific Plan were proposed, including relocation of the Main Plaza to Museum Drive immediately adjacent to the Palm Springs Art Museum. On October 17, 2012, the City Council adopted Resolution No. 23238, approving an Addendum to the FEIR for the Specific Plan ("Addendum #1"), and identifying the implementation of a revised Downtown Revitalization Plan ("Downtown Palm Springs") as conforming to the Museum Market Plaza Specific Plan. Included as part of the Downtown Revitalization Plan was development of an outdoor public event space identified in Block E, as shown in Figures 2 and 3 on the next pages.

Figure 2

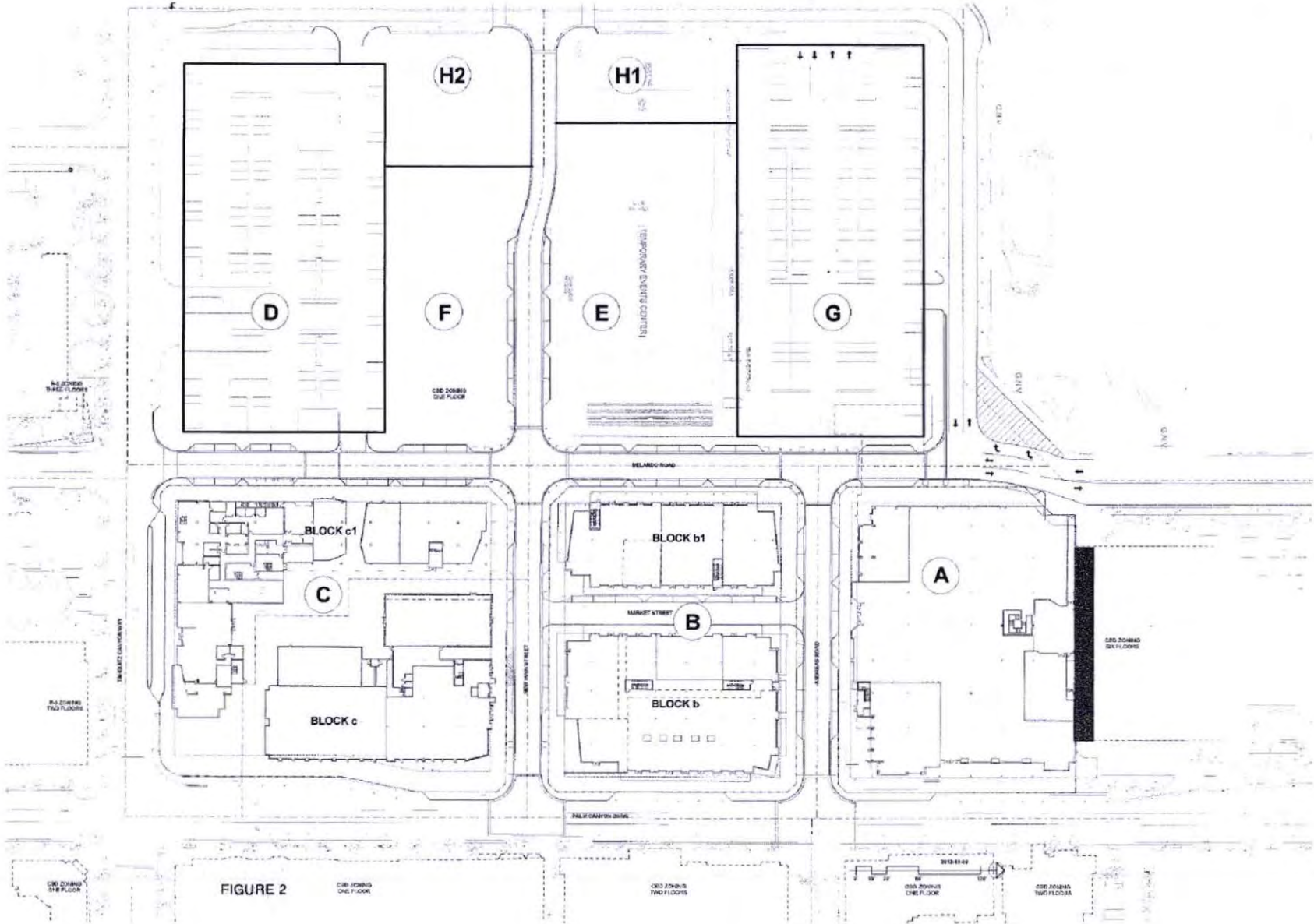
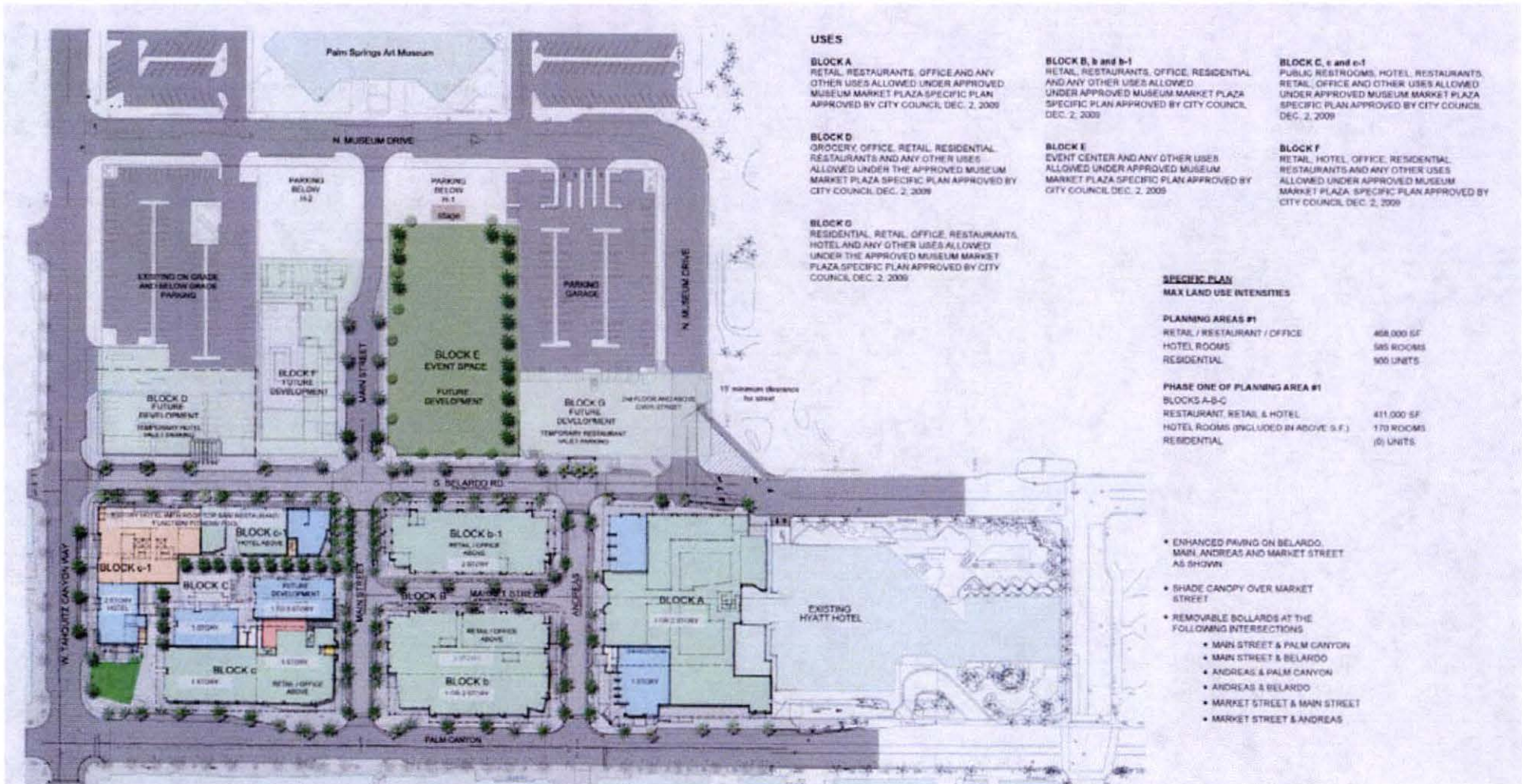


Figure 3



The original Specific Plan proposed a gym/spa, various retail purposes (a potential movie theater) and multifamily residential uses on what was previously designated as Block G in Figure 1, and, as shown in Figures 2 and 3, the "Main Plaza" was relocated to Block E (50,530 square feet or 1.16 acres) for use as an outdoor entertainment venue "Event Center" (now a City-owned public park space). Under terms of the Downtown Palm Springs Revitalization Plan, the Developer proposed that the Event Center be provided for use by both the City and Developer for 10 years, after which the Developer was fully entitled to develop Block E as retail commercial, professional office, multi-family residential or other uses as authorized by the Specific Plan.

At that time, the City Council also approved a Second Amendment to the PFA, incorporating modifications to the project area to include construction of a Kimpton brand hotel of approximately 170 rooms, representing a "first class" hotel located at the southwest corner of Belardo Road and Tahquitz Canyon Way within Block C1.

On September 17, 2014, the City Council approved the acquisition of the Event Center identified on Block E from the Developer as permanent public open space, to be owned and operated by the City as an active and vibrant area now identified as the "Downtown Palm Springs Park" for staging community and public events such as concerts, movies, farmers markets, public gatherings, or community events.

On June 17, 2015, the City Council considered a conceptual plan for the Downtown Palm Springs Park. The conceptual plan for the Downtown Palm Springs Park has been refined and revised pursuant to direction received by an Ad-Hoc Committee appointed by the City Council, and will be presented to the City Council for its consideration at a later date. The larger public space to be used as an attraction for community events requires evaluation of potential environmental impacts not originally considered under the previously adopted and certified FEIR or Addendum #1.

Recently, the Developer has requested that the City consider development opportunities on Block B1, and has submitted a separate application (Case No. 3.3908 MAJ) for development of a 6-story, first-class, new hotel use with 142 hotel rooms and 112,862 total square feet, with a maximum height of up to 75 feet (plus additional for mechanical equipment screening). The proposed additional hotel rooms are within the currently allowed maximum hotel rooms permitted in the Specific Plan, and not an increase to the maximum permitted in the Specific Plan. However, Table III-2 of the Specific Plan currently restricts hotel use on the originally designated "Main Plaza" public open space identified on Block B, and limits building height to 16 feet. These development standards are intended to regulate the public open space element of the Specific Plan which has now been relocated to Block E, and appropriate changes to the Specific Plan are recommended to facilitate the re-designation of various Blocks as identified in the "Downtown Palm Springs" Revitalization Plan, and to facilitate the potential hotel development on the currently designated Block B, and the Downtown Palm Springs Park on the currently designated Block E.

ANALYSIS:

Uses

As part of the Conformity Review and Addendum #1 to the FEIR approved in 2012, the overall layout and designation of Blocks within the Specific Plan was refined and the public plaza was relocated from its proposed location on Block B to Block E. The Amendment reaffirms changes that will allow the full range of commercial uses currently permitted in the Specific Plan on Blocks B and B-1, and that the uses on Blocks E, H-1 and H-2 (all City-owned parcels) will be restricted to those that are consistent with public use. In addition to the change of uses resulting from the previously approved Conformity Review, the Planning Commission has proposed minor revisions to the list of permitted uses.

A recommended change to the Specific Plan is the process for approving “allowable uses” (as identified in Table III-1) that are not identified in the Specific Plan. The currently adopted Specific Plan delegates authority to the Planning Director (pursuant to Section 94.01.02 of the Palm Springs Zoning Code [PSZC]) to determine if an unlisted use is permitted, or requires Conditional Use approval, or is prohibited. Staff recommends that this process be changed to require a determination of use by the Planning Commission rather than the Planning Director.

Height

With the change of the public park location from Block B to Block E, maximum permitted height limits (as identified in Table III-2) require adjustment to reflect the change in land use. The height limit on Block E (currently allowed up to 60 feet given its prior designation as a developable parcel) is recommended at 17 feet to accommodate any structures proposed on the City-owned public park space. The height limit on Block B (currently allowed up to 16 feet given its prior designation as a public plaza) is recommended at 40 feet, consistent with the commercial development on Block B previously approved by City Council pursuant to the Conformity Review in 2012.

A maximum height of 60 feet is recommended for residential and commercial uses located on Block B-1 (located adjacent to Belardo Road and immediately west of Block B located adjacent to Palm Canyon Drive). However, an allowance of up to 75 feet for hotel uses on Block B-1 without the need of any further action by City Council (i.e. a Planned Development District) is recommended given that the Developer has submitted an application for development of a hotel use on Block B-1 concurrently with the City's consideration of the Amendment.

Table III-2 has also been revised to identify a maximum permitted height of 17 feet for Blocks H-1 and H-2 which were not previously identified in the Specific Plan. Blocks H-1 and H-2 are currently owned by the City located adjacent to Museum Drive, and are anticipated for future use by the Palm Springs Art Museum as public spaces in

conjunction with the Downtown Palm Springs Park identified on Block E. An exception to the maximum height for Block H-2 is recommended to accommodate the possible future installation of Albert Frey's Aluminaire House at that site. The changes recommended to Table III-2 of the Specific Plan are identified below:

Block	Existing	Proposed	Purpose
A, A-1	60'	60'	No change.
B	16'	40'	Existing height limit based on use for public park; 40' height limit consistent with commercial uses permitted.
B-1	16'	60'/75'	75' height limit for hotel use; 60' height limit for all other uses.
C, C-1	60'	60'	No change.
D	60'	40'/60'	Reduction in height to 40' proposed by the Planning Commission for commercial uses; greater height allowed for buildings with residential uses on the upper stories.
E	60'	17'	Reduced height limit based on use for public park.
F	60'	60'	No change.
G	60'	40'/60'	Reduction in height to 40' proposed by the Planning Commission for commercial uses; greater height allowed for buildings with residential uses on the upper stories.
H-1	60'	17'	Height limit defined for City-owned parcel.
H-2	60'	17'	Height limit defined for City-owned parcel with an exception for relocation of the Albert Frey Aluminaire House.
K	60'	60'	No change.

The Developer has requested that the height on Block B-1 be increased to 75 feet for hotel uses only. Currently, the Specific Plan allows hotels to be taller than 60 feet upon approval by City Council via a Planned Development District application, but does not specify a maximum permitted height. The Amendment establishes a maximum permitted building height for a hotel use on Block B-1 subject to approval via a Major Architectural Application as opposed to a Planned Development District.

In its consideration of the Amendment, the Planning Commission has recommended that the height limit for Blocks D and G be reduced from 60 feet to 40 feet for commercial uses to preserve view corridors. However, the Planning Commission recommended allowing greater height on Blocks D and G for buildings with residential uses on second and higher floors of the building as an incentive to attracting development of more residential uses within the Specific Plan.

Building Separation

During the public hearings held by the Planning Commission in its consideration of the Amendment, concerns relative to view corridors have been discussed. To address this concern, the Planning Commission has recommended that in addition to the stepback requirements, a minimum distance requirement from building face to building face be imposed for all streets within the Specific Plan as a means to preserve view corridors through the site. The proposed minimum distances between buildings would vary from a minimum distance of 66 feet between buildings on Andreas Road, up to 70 feet between buildings on Belardo Road.

Maximum Allowable Density / Uses

As the Developer has refined the development opportunities within the Specific Plan, the overall maximum land use entitlements may not be necessary. The Amendment includes a reduction to the maximum number of residential units permitted in the Specific Plan, by reducing the maximum units from 955 to 650. Additionally, the Amendment includes a reduction to the maximum number of hotel units permitted in the Specific Plan, by reducing the maximum units from 620 to 450. A corresponding overall reduction of maximum allowable square footage of buildings (density) from 1,775,000 to 1,359,500 square feet is proposed in accordance with the table below:

Block	Existing	Proposed
A	220,000 SF	175,000 SF
B	3,000 SF	155,000 SF
C	245,000 SF	245,000 SF
D & F	455,000 SF	225,000 SF
E	520,000 SF ¹	7,500 SF
G	N/A	225,000 SF
H	N/A	N/A
K-1	181,000 SF	176,000 SF
K-2	151,000 SF	151,000 SF
Total:	1,775,000 SF	1,359,500 SF

¹Note: Blocks E, G and H were originally combined into one block and allowed up to 520,000 square feet in developable square footage.

Hotel Development Phasing

One of the items of particular interest and concern to the Planning Commission is related to development of hotel uses within the Specific Plan. Currently, the Developer has obtained entitlements for two hotel uses (the Kimpton Hotel located on Block C and the AC Marriott Hotel on Block F). Currently, the Developer has submitted an application for development of a third hotel (the "Park Hotel") on Block B-1, representing the third hotel proposed in the Specific Plan. Although the Specific Plan currently has an allowance accommodating all of these hotel uses, there is concern that development of three new hotel uses in the Specific Plan may saturate the hotel market. In its action to recommend approval of the Amendment to the City Council, the Planning Commission has identified proposed phasing where a maximum of two hotels with up to 300 rooms are allowed until such time as the demand for additional hotel rooms can be demonstrated, at which time a third hotel with an additional 150 rooms may be approved.

On December 10, 2015, the Developer submitted a letter officially requesting the City's consideration of certain allowances related to the Specific Plan, whereby construction of the approved AC Marriott Hotel on Block F would be postponed from 2016 to 2021, unless the occupancy rate for the member hotels in the Hospitality Associates reaches 62% for two consecutive years. Given this commitment by the Developer, the City's approval of the Amendment allowing development of a third hotel on Block B-1 would implement a deferral of the Developer's commencement of the previously approved hotel use on Block F. The Developer has submitted a subsequent letter dated January 6, 2016, repeating a commitment stated in its earlier letter, along with other requests associated with the Specific Plan. A copy of the Developer's letters are included as an attachment to this report.

Open Space

As previously discussed, the Specific Plan originally identified Block B as the location for a public plaza, which was relocated to Block E through the Conformity Review and City Council's approval of the Downtown Palm Springs Revitalization Plan in 2012. As Block E is larger than the original area apportioned to Block B, the size of the public park space has increased from 0.82 acres to 1.36 acres. Blocks H-1 and H-2 now owned by the City for public uses adds 0.72 acres of open space within the Specific Plan, increasing the overall open space from 0.82 acres to 2.08 acres.

Parking

No changes are proposed to the parking requirements identified in the Specific Plan which also stipulates that parking for residential and hotel uses must be provided in the same block where the use is located. However, Section 4D of the PFA refers to Exhibit "G" – an Easement Agreement associated with rights/responsibilities between the

Developer and the City with use of the existing underground parking and construction of airspace above the City-owned underground parking garages. Section 3 “Satisfaction of Parking Requirements” of the executed Easement Agreement states: “*City acknowledges and agrees that the availability of parking within the Existing Parking Structure is and shall be deemed sufficient to satisfy all parking requirements for private improvements and uses contemplated by the Revitalization Plan, and that no additional parking requirements or parking fees shall be imposed in connection therewith.*” Therefore, the City Council’s approval of the PFA and associated Easement Agreement approved in 2011 called for the existing parking structures to be retained and utilized to satisfy the parking requirements within the Specific Plan. Consequently, it is proposed that the language in the Specific Plan be modified so that all uses benefit from the structured parking, consistent with the PFA and Easement Agreement previously approved by the City Council.

At the request of the Planning Commission, staff provided an analysis of the parking requirements for the Specific Plan based upon the approvals that have been granted to date. The analysis shows that a total of 1,219 parking spaces are anticipated to be available within the Specific Plan, including new underground parking garages located under Block B (currently under construction) and Block F (anticipated for future construction). With the currently approved entitlements a total of 874 spaces are required pursuant to the Specific Plan. A copy of the parking analysis memo is included as an attachment to this report.

Blocks K-1/K-2 (Town & Country Center)

While no substantive changes are proposed for Blocks K-1 and K-2, it is recommended that the restrictions imposed by the City Council on any development on Blocks K-1 and K-2 be included in the Specific Plan. At the time the Specific Plan was adopted in 2009, the City Council added a mitigation measure regarding development of the Town & Country Center parcel, which stated:

No permit for the demolition or substantial alteration of any portion of the Town and Country Center will be issued until (a) all discretionary entitlements consistent with the Specific Plan have been approved for the renovation or redevelopment of the existing Desert Fashion Plaza; (b) building permits in furtherance of such renovation or redevelopment have been issued; and (c) substantial work consistent with such building permits has commenced on the existing Desert Fashion Plaza.

The Amendment incorporates this mitigation measure into Section V-C “Phasing” of the Specific Plan. However, the Planning Commission was concerned with the lack of any definitive site plan for Blocks K-1 and K-2, and has recommended any development proposed on Blocks K-1 and K-2 require City Council approval of a Planned Development District, as well as an independent study evaluating the feasibility of preserving all or portions of the existing Town & Country Center buildings.

HSPB Action Regarding Town & Country Center

At its meeting of October 13, 2015, the Historic Site Preservation Board (HSPB) voted 6-0-1 (Dixon absent) to request that the City Council amend the Specific Plan as necessary to allow reconsideration of Class 1 historic designation for the Town & Country Center (T&CC). The HSPB's request occurred after an action recently taken by the California State Historic Preservation Office (SHPO) approving the T&CC as eligible for listing on the Federal Register. SHPO's action does not represent a new environmental issue requiring further evaluation by the FEIR. In its approval and certification of the FEIR, the City Council adopted the following Overriding Consideration relative to Cultural Resources:

The Specific Plan proposes the demolition of the Town and Country Center. In 2004, the building was determined eligible for listing in the National Register of Historic Places and the California Register of Historical Resources, with a local level of significance.

The Town and Country Center meets the CEQA criteria "c" for listing, and can be considered a significant resource. The Center meets the definition of a historic resource as put forward in CEQA. Demolition of the Center would therefore be a significant impact. The EIR includes mitigation measures to preserve a record of the buildings according to federal standards, and to include displays within the proposed project which would commemorate the Center. However, as the Center has been determined a historically significant structure under CEQA, its demolition will result in an unavoidable significant impact which cannot be fully mitigated.

The following mitigation measures are included in the EIR, and will reduce the impacts to historic resources to the extent possible.

- 1. On-site commemorative signs or displays recognizing the historic value of the two previously occurring historic sites to the west of Palm Canyon Drive shall be incorporated into the proposed project.*
- 2. A comprehensive documentation program shall be completed for the Town and Country Center prior to any building altering activities on the property. The documentation shall be consistent with Historic American Building Survey (HABS) procedures, and shall include detailed architectural description, photographic records, scaled mapping and completion of a historic record of the property. The resulting records shall be curated at the City of Palm Springs and the Eastern Information Center.*

Commemorative signage and displays shall be incorporated into the proposed project.

Thus, the FEIR analyzed the T&CC as if it had both local and federal historic significance designations. However, the City Council may as part of a separation action provide direction to staff to proceed with local historic designation for the T&CC.

General Updates

In addition to the updates previously discussed, there are a number of general updates proposed to the Specific Plan to reflect current conditions and previous actions taken by City Council relative to Specific Plan. The revisions and updates include the following:

- The net acreage for each block within the development has been updated based on approved mapping actions (Table I-1);
- CEQA Compliance section updated to include a description of Addendum #1 approved in 2012;
- General updates to the description and location of the Downtown Palm Springs Park;
- The new streets within the Specific Plan have been changed from private streets to public streets, in accordance with a previous City Council action;
- References to the Desert Fashion Plaza building have been revised or removed, as the structure has been demolished and is no longer part of the development;
- Phasing of the development has been updated to reflect the entitlement actions that have been approved to date;
- The process for mapping actions within the development has been updated to correctly reference State requirements; and
- References to the Redevelopment Agency have been removed based on State actions relative to redevelopment.

FINDINGS – SPECIFIC PLAN AMENDMENT:

PSZC Chapter 94 does not list specific findings for approval of amendments to specific plan documents. California Government Code Title 7, "Planning and Land Use," stipulates that no specific plan shall be adopted or amended unless the proposed plan or amendment is consistent with the general plan.

The changes to the Specific Plan identified in the Amendment are consistent with Goal LU10 of the Land Use Element of the General Plan, "Maintain a vibrant, pedestrian-friendly Downtown that serves as the economic, civic, historic, cultural, and recreational center of the City." Specifically, the Amendment is consistent with the following policies:

- Policy LU 10.1: Support the development of a centrally located "village square" to serve as the key visual, social and aesthetic component of the Downtown revitalization effort.
- Policy LU 10.2: Encourage development of housing and mixed-use land uses Downtown to increase activity in this area.
- Policy LU 10.3: Encourage development that promotes a flow between indoor and outdoor activities such as outdoor cafes, arcades, paseos, and courtyards.

- Policy LU 10.4: Accommodate a broad range of uses Downtown to meet the needs of both residents and visitors and to stimulate both daytime and evening activity.
- Policy LU 10.5: Facilitate and promote special events and community celebrations in the Downtown area to stimulate its role as a community focal point.
- Policy LU 10.10: Encourage higher density housing at the perimeter of the downtown retail area.

In addition, the changes to the Specific Plan identified in the Amendment will assist in implementing the following goals of the Community Design Element of the General Plan:

- Goal CD 12: Create active, vibrant, and attractive gathering places.
- Goal CD 19: Create mixed-use and multi-use areas that are visually attractive, pedestrian friendly, easily accessible, and contain a blend of commercial, office and residential uses.
- Goal CD 27: Preserve and enhance the architectural quality of Palm Springs.
- Goal CD 30: Support and sustain a vibrant and active Downtown.
- Goal CD 31: Reinforce visual continuity between Section 14 and areas directly adjacent.

ENVIRONMENTAL ANALYSIS:

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) was prepared and circulated for this project. The DEIR was released for review on October 22, 2008. Notices of the reports were sent to all applicable agencies and published in accordance with CEQA. Comments were received by the City and responses to comments were provided in the Final Environmental Impact Report (FEIR). The FEIR determined that the project would result in post-mitigation significant effects on aesthetics/visual resources, regional air quality, and cultural resources. However, the City Council concluded that the benefits of the Specific Plan implementation would outweigh the potential adverse effects. Findings and a Statement of Overriding Considerations were adopted as part of the EIR certification and Specific Plan approval.

In 2012, the City prepared an Addendum (Addendum #1) to the FEIR for the Specific Plan. Addendum #1 was prepared to evaluate the revised Downtown Revitalization Plan (“Downtown Palm Springs”), as well as the approval of a parcel map to realign property boundaries, the dedication of public streets and abandonment of certain rights-of-way, and acceptance of public easements. Addendum #1 evaluated the potential visual and aesthetic impacts that could result from the proposed changes and found that the overall effects would be no more significant than those associated with the implementation of the adopted Specific Plan. No other environmental impacts were expected to result that were not analyzed and mitigated in the previously certified FEIR, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting

Program. Addendum #1 was adopted by City Council on October 17, 2012.

The proposed Addendum (Addendum #2) evaluates the potential environmental impacts of the changes to the Specific Plan identified in the Amendment, which includes various revisions and updates to the Museum Market Plaza Specific Plan, the development of Block E as the Downtown Palm Springs Park, and a Major Architectural Review for the development of a hotel use of up to 75 feet located on Block B-1 (Case No. 3.3908 MAJ). The environmental analysis concludes that the potential environmental impacts associated with the revised Specific Plan identified in the Amendment is substantially consistent with the impacts previously analyzed in the certified FEIR and in Addendum #1 approved in 2012. No changes are proposed that would require major revisions to the previously certified FEIR, as the revised Specific Plan identified in the Amendment will ultimately reduce the overall intensity and density currently allowed within the Specific Plan. The potential environmental impacts associated with the revised Specific Plan identified in the Amendment will result in the same or reduced environmental impacts when compared to those analyzed in either the previously certified FEIR or Addendum #1 approved in 2012. None of the components of the revised Specific Plan identified in the Amendment will result in a significant effect not previously identified in the certified FEIR or Addendum #1 approved in 2012. The Findings and Statement of Overriding Considerations adopted by the City in 2009 are consistent with the environmental analysis provided in Addendum #2.

CONCLUSION:

The proposed changes to the Specific Plan identified in the Amendment assist in implementing the Specific Plan by providing updated development standards and information consistent with prior City Council approvals, and Addendum #1 to the FEIR. The Amendment reduces the overall developable square footage and number of units permitted, which reduces the potential environmental impacts associated with the Specific Plan, and results in an increase in public open space within the Specific Plan. The Amendment is also consistent with the goals and policies of the City of Palm Springs General Plan.


NOTIFICATION:


A public hearing notice was published in accordance with the requirements of State law and local ordinance. Public comment letters received in response to the notice have been included as an attachment to this report.


STUDY SESSION COMMENTS:


On January 6, 2016, the City Council held a Study Session to review the Amendment, and provided general comments regarding the various updates and changes recommended to the Specific Plan. A summary of the comments made by the City Council at the Study Session has been prepared and is included as an attachment to this report for use in providing formal direction to staff as part of the public hearing held in consideration of approval of the Amendment.

SUBMITTED:


for Flinn Fagg, AICP
Director of Planning Services


Marcus L. Fuller, MPA, PE, PLS
Assistant City Manager/City Engineer


Douglas Holland
City Attorney


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

Attachments:

- ~~1. Vicinity Map~~
- ~~2. Proposed Museum Market Plaza Specific Plan Document ("Downtown Palm Springs Specific Plan")~~
- ~~3. Addendum No. 2 to Final Environmental Impact Report (FEIR)~~
- ~~4. Memo to Planning Commission dated 26 October 2015~~
- ~~5. Planning Commission Minutes~~
- ~~6. Public comment letters~~
- ~~7. Palm Springs Promenade, LLC, letters~~
- ~~8. Summary of City Council comments – January 6, 2016~~

ATTACHMENT #4



City of Palm Springs

Downtown Palm Springs Specific Plan

March 2016

Note to reviewers: Text shown in red represents changes recommended by the Planning Commission. Text shown in blue represents changes requested by the City Council.

TABLE OF CONTENTS

- I. INTRODUCTION I-1
 - A. Authority and Scope I-3
 - B. Project Location I-5
 - C. Project Description I-6
 - D. CEQA Compliance I-9
- II. LAND USE II-1
 - A. Current Land Use and Zoning Designations II-1
 - B. Land Use Concept II-2
 - C. Specific Plan Land Uses II-8
 - D. Design Principles II-11
 - E. Special Provisions II-12
 - 1. Design statements II-12
- III. DEVELOPMENT STANDARDS AND GUIDELINES III-1
 - A. Purpose III-1
 - B. Land Use Districts III-2
 - C. Uses III-5
 - 1. Allowable Uses III-5
 - 2. Similar Uses III-12
 - 3. Prohibited Uses III-12
 - D. Development Standards III-14
 - E. Land Use Regulations III-17
 - 1. Ground Floor Use Limitations III-17
 - 2. Maximum Building Square Footage III-18
 - 3. Projections Above Maximum Building Height III-21
 - 4. Projections Over Street Sidewalks III-21
 - 5. Outdoor Uses on the Sidewalk III-22
 - 6. Building Articulation III-22
 - 7. Walls and Fences III-22
 - 8. Parking and Loading Requirements III-23
 - 9. Trash Enclosures III-26
 - 10. Signage III-26
 - F. Design Guidelines III-28
 - 1. Architecture III-28
 - 2. Connectivity, Streetscapes, Open Spaces III-39
 - 3. Landscaping III-46
 - 4. Street Furniture, Lighting and Art III-55
 - G. Green Building and Energy Efficiency III-58
- IV. INFRASTRUCTURE IV-1
 - A. Introduction IV-1
 - B. Roadways IV-4
 - 1. Palm Canyon Drive IV-6
 - 2. Indian Canyon Drive IV-7
 - 3. Tahquitz Canyon Way IV-7
 - 4. Belardo Road IV-8

5. Andreas Road.....	IV-8
6. Museum Drive	IV-8
8. Private Drives/Internal Access.....	IV-9
C. Public Facilities and Utilities.....	IV-11
1. Domestic Water	IV-13
2. Sanitary Sewer	IV-14
3. Storm Drains	IV-17
4. Natural Gas	IV-17
5. Electric Service	IV-17
6. Telephone Service.....	IV-18
7. Cable Television	IV-18
V. ADMINISTRATION AND IMPLEMENTATION.....	V-1
A. Application Review Process.....	V-1
1. Application Requirements and Process	V-1
2. Conformity Review Procedure.....	V-3
B. Specific Plan Amendments.....	V-4
C. Phasing.....	V-4
D. Financing	V-10

List of Tables

Table I-1 Specific Plan Blocks	I-8
Table III-1 Allowable Uses.....	III-6
Table III-2 Development Standards.....	III-14
Table III-3 Maximum Allowable Square Footage.....	III-20
Table III-4 Parking Requirements	III-25
Table III-5 Landscape Palette	III-51
Table IV-1 Minimum Parkway Widths	IV-6

List of Exhibits

Exhibit I-1 Regional Map	I-10
Exhibit I-2 Vicinity Map.....	I-11
Exhibit II-1 General Plan Land Use (Plan) (from the 2007 General Plan).....	II-6
Exhibit II-2 Existing Zoning Designations	II-7
Exhibit II-3 Current Site Plan	II-10
Exhibit III-1 Blocks	III-4
Exhibit III-2 Cross Sections with stepbacks.....	III-33
Exhibit III-3 Architectural Treatments	III-37
Exhibit III-4 Open Spaces.....	III-42
Exhibit III-5 Conceptual Master Landscape Plan.....	III-45
Exhibit III-6 Street Furniture	III-56

Exhibit IV-1 Street Cross sections.....IV-10
Exhibit IV-2 Domestic Water.....IV-15
Exhibit IV-3 Sanitary Sewer.....IV-16
Exhibit IV-4 Storm DrainIV-19
Exhibit IV-5 Natural GasIV-20
Exhibit IV-6 Electric.....IV-21
Exhibit IV-7 TelephoneIV-22
Exhibit IV-8 Cable TV.....IV-23

1
2
3
4
5
6 **I. INTRODUCTION**
7

8 The Museum Market Plaza Specific Plan Specific Plan (SP) and the corresponding
9 Environmental Impact Report (EIR) were originally adopted in November of 2009. Following
10 its initial approval, the Desert Fashion Plaza was demolished, and parking structures on the site
11 improved. A number of implementing applications were made for various improvements on the
12 site, including buildings on individual Blocks and project infrastructure. Proposed changes in the
13 layout of Specific Plan uses were approved by the City Council through an Addendum to the
14 SP/EIR in October 2012. A primary purpose of the Addendum was to exchange the land uses
15 proposed in Block B (originally proposed public plaza) and Block E (originally proposed for
16 mixed use). The result of the exchange was the expansion of the proposed public park space
17 from 0.82 acres in Block B to 1.36 acres in Block E and a corresponding net reduction in the
18 total square feet of development.
19

20 The City has since approved plans for the development of blocks A, B, C-1, C-2, and D;
21 construction is under way on the development of blocks A and C. The first elements of the
22 commercial facilities in Block A are anticipated to open in early 2016, and Block C in late 2016.
23

24 The City is currently (2016) proposing changes to the Specific Plan. The result will be a revised
25 SP that contains all the current regulatory requirements, and addresses the following changes:
26

- 27
 - Change the name of the project to Downtown Palm Springs¹.

¹ Amended in 2012 as part of the Council's approval of the Conformity Review.

- Change the project site plan to reflect changes in the development patterns, development areas (referred to as Blocks in the document) and internal roadway alignments consistent with the changes made in the 2012 Project and EIR Addendum.
- Refine the Block lot sizes to reflect the Parcel Map for the proposed project.
- Change the land use for Block B to allow for residential, commercial and hotel uses for a Block previously considered for Open Space/Plaza land uses consistent with the changes made in the 2012 Project and EIR Addendum.
- Change the land use for Block E to allow for Open Space/Plaza land uses for a Block previously considered for residential, commercial and hotel land uses consistent with the changes made in the 2012 Project and EIR Addendum.
- Modify certain development standards, including: permitted uses; the building height allowed on Block B from 16 feet to 40 feet for commercial uses; change the building height for Block B-1 to 60 feet for commercial and residential uses, and 69 75 feet for hotel uses; the building height allowed on Block E from 60 feet to 17 feet; reduce the overall permitted square footage within the project from 1,775,000 to 897,500; and make minor modifications to parking standards consistent with the changes made in the 2012 Project and EIR Addendum.
- Eliminate the calculations of building mass included in Table III-3.
- Make other administrative and miscellaneous changes to the text to reflect the updated development pattern of the project as it is being developed currently, and consistent with the changes made in the 2012 Project and EIR Addendum.

In December of 2015, the Planning Commission recommended the following additional changes to the Specific Plan, which have been incorporated herein.

- Limit the number of hotels to two (not to exceed 300 rooms total) until such time as the demand for additional rooms can be demonstrated. At that time, hotel rooms could total 450 rooms.
- Limit the height of buildings in Blocks D and G to 40 feet for commercial development, and 60 feet for residential development on the upper floors.
- Require a Planned Development District (PDD) for any development in Block K.

- 58 • Establish minimum building separations across streets and parkway widths on all project
- 59 public streets.
- 60 • Added additional Guiding Principles.
- 61 • Made other editorial changes throughout the document.
- 62

63 Following extensive review by the City Council, the Specific Plan Amendment was adopted,
64 incorporating some Planning Commission recommendations and modifying others. This
65 document reflects the action and final decisions of the City Council on ??, 2016.

67

68 **A. Authority and Scope**

69

70 A Specific Plan is a document allowed under California law which provides cities and counties
71 with a planning tool for master planning project sites. A Specific Plan, when approved, becomes
72 the zoning ordinance for the project it covers. Specific Plans must be consistent with the General
73 Plan of the jurisdiction in which they occur.

74

75 Specific Plans can be implemented by local jurisdictions in accordance with the provisions of
76 California Government Code Section 65450. The City of Palm Springs is implementing this
77 Specific Plan for the Museum Market Plaza Downtown Palm Springs, located at the center of the
78 City's downtown core. The Museum Market Plaza Downtown Palm Springs Specific Plan area is
79 irregular in shape, but is generally bounded by Andreas Road on the north, Tahquitz Canyon
80 Way on the south, Museum Drive on the west, and Indian Canyon Drive on the east.

81

82 The Palm Springs General Plan supports the development of Specific Plans throughout the
83 community where appropriate:

84

85 *"LUI.3 Develop specific plans for areas that need additional design or land use guidance."*

86 For the Museum Market Plaza Downtown Palm Springs area, the General Plan identifies special
87 conditions which will require the preparation of a Specific Plan:

88
89 *“The Downtown Central Core (roughly bounded by Amado Road, Tahquitz*
90 *Canyon Way, Museum Drive, and Indian Canyon Drive)...may be developed with*
91 *a maximum FAR² of 3.5. If projects in these areas provide substantial public*
92 *spaces or plazas, an FAR of up to 4.0 may be developed upon approval of a*
93 *Planned Development District or Specific Plan. The Downtown Central Core may*
94 *also accommodate up to 70 dwelling units per acre for residential or hotel uses if*
95 *a Planned Development District or Specific Plan is prepared and approved.”*

96
97 This Specific Plan has been prepared to address both design considerations and land use
98 guidance for the ~~Museum Market Plan~~Downtown Palm Springs project, and to establish densities
99 and development standards to allow for the unified, unique and high quality development which
100 must occur within its boundaries.

101
102 This Specific Plan also implements the vision of Downtown Palm Springs described in both the
103 General Plan and the Downtown Design Guidelines. The General Plan specifically identifies the
104 Downtown area as critical to the City’s future:

105
106 *“It is envisioned that Downtown will become a high-intensity, mixed-use area*
107 *characterized by residential, office, commercial, and entertainment uses. To*
108 *stimulate vitality, the Downtown will contain activity areas with differing*
109 *intensities, which are further defined by the scale and design of buildings in each*
110 *area. The creation of a central public plaza that will serve as the primary*
111 *gathering place for visitors and residents of Palm Springs is a key concept*
112 *planned to reinvigorate the Downtown core.”*

113

² The definition of floor area ratio in the Palm Springs General Plan states: FAR is the ratio of the total net floor area of a building to the total lot area and describes the intensity of the use on a site. FAR calculations do not include areas within parking structures or outdoor open storage areas. Floor Area Ratio Example (FAR = 0.50): On a one-acre parcel (43,560 sq. ft.), a maximum FAR of 0.50 equates to a total building area of 21,780 sq. ft., in either a 1-, 2-, or 3-story configuration (43,560 sq. ft. multiplied by 0.50 equals 21,780 sq. ft.).

114 | This vision is to be implemented through the Downtown Design Guidelines, which provide clear
115 | direction for the changes which the City desires in the Downtown. The Guidelines identify the
116 | Specific Plan area as “High Intensity Mixed Use (Residential/Commercial Downtown Central
117 | Core,” and Mixed Use Downtown Outer Core.” The core area is described as:

118 |
119 | *“...a high intensity mixed use center with taller buildings surrounded by a vibrant mixed*
120 | *use area...”*

121 |
122 | This Specific Plan, along with approved projects for the north and south Gateways, form the
123 | backbone of the revitalization of the Downtown of Palm Springs. The ~~Museum–Market~~
124 | ~~Plaza~~~~Downtown Palm Springs project~~ will also be the connection point to the Resort/Convention
125 | Center District to the east, and ~~will may re-establish the pedestrian and/or vehicular~~ connections
126 | from the Palm Springs Art Museum to ~~Indian Canyon Drive and~~ the hotels and Convention
127 | Center to the east ~~are encouraged, by introducing a new east-west roadway whose focal point~~
128 | ~~will be the Museum.~~

129 |

130 | **B. Project Location**

131 |

132 | The ~~Museum Market Plaza~~~~Downtown Palm Springs project~~ is located in the center of the City’s
133 | Central Business District, at the northwest corner of Tahquitz Canyon Way and Palm Canyon
134 | Drive. The area is irregular in shape, and encompasses lands bounded by the Hyatt Suites Hotel
135 | and Belardo Road on the north, Tahquitz Canyon Way on the south, Museum Drive on the west,
136 | and North Palm Canyon Drive on the east, as well as lands directly east, between North Palm
137 | Canyon and Indian Canyon Drives (please see Exhibit I-2, Vicinity Map).

138 |

139 | Lands to the north include hotel and retail commercial development along North Palm Canyon,
140 | North Indian Canyon and ~~Baristo~~~~Belardo~~. Lands to the east include retail commercial
141 | development on North Palm Canyon and Indian Canyon, and the site of the former Spa Hotel
142 | beyond. Lands to the south include hotel and retail commercial development, the Wellwood
143 | Murray Library and single-family homes beyond. Lands to the west include the Palm Springs Art
144 | Museum and the O’Donnell Golf Course.

C. Project Description

The ~~Museum Market Plaza (MMP)~~Downtown Palm Springs project encompasses a total of ~~18.520.15~~ acres. The ~~Museum Market Plaza~~Downtown Palm Springs Specific Plan will provide retail and office commercial space, public plazas, professional office space and residential development in a cohesive, master ~~planner~~planned setting envisioned to bring life back to the center of Palm Springs. The Specific Plan is designed to allow flexibility of design within specific guiding principles, including:

1. The highest quality development which provides an exciting and safe living, working and shopping experience for all.
2. ~~The creation of a pedestrian and/or vehicular~~ Connections from the Palm Springs Art Museum, ~~through Palm Canyon and Indian Canyon Drives,~~ to the Resort/Convention Center District.
3. The development of retail commercial development which successfully mixes national and regional chain stores with local businesses, focused on the major roadways which bound the site, including North Palm Canyon, Indian Canyon, Tahquitz Canyon and Belardo.
4. A balance of commercial and residential development which assures the success of the area by increasing the number of homes in the downtown, thereby increasing the customer base of the commercial uses.
5. The development of residential units which relate synergistically to the commercial development around them, and encourage a pedestrian lifestyle with little use for the automobile.
6. The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.
7. View corridors to the mountains at Main Street and Andreas Road through the site shall be created, while views to the mountains from Tahquitz Canyon Way shall be preserved or enhanced to the greatest extent possible.

175 7.8. The Downtown Palm Springs project is pedestrian oriented and all buildings must be
176 sensitively designed to the human scale with active, pedestrian friendly frontages on
177 the ground floor.

178 9. ~~The MMP~~ Structures are to be massed to reduce their visual dominance and preserve
179 view corridors. The built form is to be effectively permeated with public and private
180 open spaces, thereby avoiding the creation of overwhelming and impenetrable mega-
181 blocks.

182
183 Projects will be evaluated on the basis of these criteria where applicable.
184

185 The Downtown Palm Springs Specific Plan allows for a broad range of development, with a
186 Mixed Use theme. Retail-oriented commercial is required to be developed on the ground floor on
187 Palm Canyon Drive, and is encouraged on all other public and private streets in the Specific
188 Plan, with some exceptions (please see Section III, Development Standards). A mix of
189 professional office and/or retail development is envisioned on the ground floor on all other
190 project roadways, and on the second and/or third floors of Blocks A, ~~C, D and F.~~ B, C, and D and
191 F. Multi-family residential uses are also encouraged on upper floors in Blocks A, B, C, D, F, G
192 and K. Additional uses that may be developed subject to the Specific Plan include hotels,
193 multiple family residential, theaters, tourist-related services, and public and semi-public uses.
194

195 Table I-1, below, details the net acreage of each Planning Area and Block within the Specific
196 Plan area, not including existing or proposed streets.
197

Table I-1

Specific Plan ~~Planning Area and~~ Blocks

Planning Area Blocks	Acres (net) ³
Block A	1.8259
Block B	0.8266
Block B1	0.84
Block C	1.9322
Block C1	1.19
Block D & F	3.4521
Block E,	3.93
Block G & H	1.36
Block H1	1.73
Block H2	0.31
Block K1	0.41
Block K2	0.89
Streets, sidewalks, special paving	5.0
	1.74
Total	18.520.15

198

199 Reasons for Amendments to the Specific Plan

200 ~~The Specific Plan was originally adopted in 2009. Following its initial approval, the Desert~~
 201 ~~Fashion Plaza was demolished, and parking structures on the site removed or improved. A~~
 202 ~~number of implementing applications were made for various improvements on the site, including~~
 203 ~~buildings on individual Blocks and project infrastructure. In 2012, the City conducted a~~
 204 ~~conformity review which amended building heights on some blocks, and redesignated the public~~
 205 ~~plaza from Block B to Block E. In 2015, the City undertook a comprehensive amendment of this~~
 206 ~~Specific Plan to assure consistency of development in the future.~~

207

³ The difference in acreage is due to changes in property lines resulting from the Parcel Map processed for the project, which in some cases extended the property line to the back of curb.

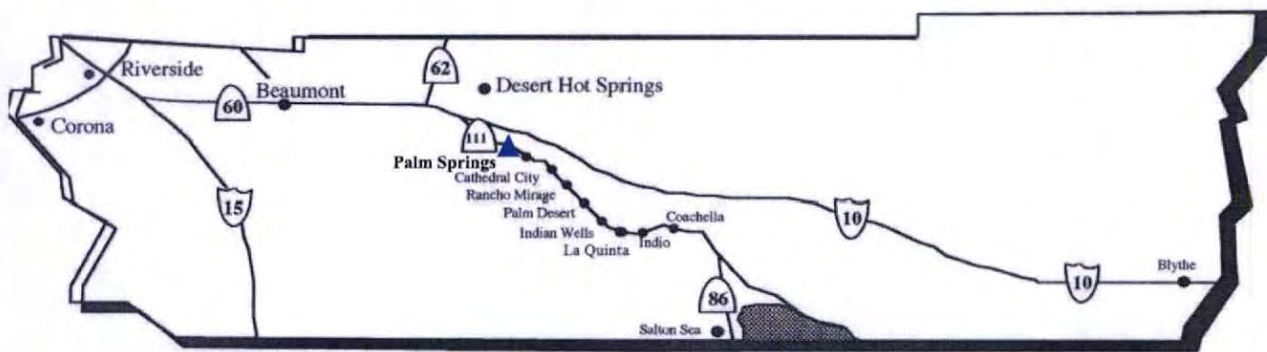
D. CEQA Compliance

208
209
210 In compliance with the California Environmental Quality Act (CEQA), the City identified the
211 preparation of this Specific Plan as a “project” under CEQA, and prepared an Initial Study. The
212 Initial Study was prepared for a draft Specific Plan that encompassed a larger area and a greater
213 intensity of development than is contained in the final Plan. The Initial Study found that the
214 draft Specific Plan had a potential to significantly impact the environment, and that an
215 Environmental Impact Report (EIR) must be prepared. The City circulated to all responsible and
216 trustee agencies a Notice of Preparation (NOP) of an EIR. All comments received in response to
217 the NOP were considered and incorporated into the EIR. The EIR was circulated to all
218 responsible and trustee agencies, and all other interested parties, for a period of 45 days. All
219 comments received in response to the EIR were considered in the Response to Comments
220 prepared for the Planning Commission and City Council. Revisions were made to the draft Plan
221 which resulted in a reduced project compared with that analyzed by the EIR. Implementation of
222 the final Specific Plan includes all mitigation measures described in the EIR; therefore the
223 Specific Plan is fully analyzed by the EIR. The City Council certified the EIR prior to adopting
224 this Specific Plan, on November 18, 2009. In 2012, in response to further detail prepared for the
225 proposed height of buildings within the Specific Plan area, the City prepared an Addendum to
226 the EIR. The EIR Addendum was adopted by the City Council on October 17, 2012. All
227 mitigation measures contained in the original certified Final EIR were preserved through that
228 Addendum. As a result of the need to amend the Specific Plan to reflect current conditions in
229 2015, the City prepared EIR Addendum #2 for the project. The final draft of the Specific Plan
230 reduced densities and intensities within the Specific Plan Area. These reductions will result in
231 reduced environmental impacts from those studied in the EIR Addendum. That Addendum,
232 along with the Specific Plan Amendment, were approved by the City Council on ??, 2016.
233

CALIFORNIA



No Scale



RIVERSIDE COUNTY

10.06.15



PROJECT SITE

Source: Google Earth, 2015



**Downtown Palm Springs Specific Plan
Vicinity Map
Palm Springs, California**

Exhibit

I-2

241

242

243

244

245

246

247 **II. LAND USE**

248

249 **Introduction**

250

251 This section of the Specific Plan describes the vision, the design concepts and the land use
252 designations within the Specific Plan Area.

253

254 The Specific Plan governs land use for an area totaling ~~18.520.15~~ acres⁴, located within the
255 Central Business District of Palm Springs. The City of Palm Springs General Plan recognizes
256 that the revitalization of the Central Business District is important to the City's future and
257 supports the development of the ~~Museum-Market-Plaza~~Downtown Palm Springs Specific Plan.

258 ——— It is the intention of the City to continue land use designations that facilitate commercial,
259 high density residential and hotel development to strengthen the economic base of the City and
260 provide long term growth and prosperity.

261

262 **A. Current Land Use and Zoning Designations**

263

264 In accordance with the Palm Springs General Plan, and as shown in Exhibit II-1 the Specific
265 Plan area defined as Blocks A through K are designated as Central Business District (CBD) in
266 the General Plan, with corresponding CBD zoning.

267

268 Surrounding the Specific Plan area, lands to the north have General Plan designations of CBD
269 and Open Space – Parks/Recreation; lands to the south are designated Small Hotel and CBD;

⁴ The difference in acreage is due to changes in property lines resulting from the Parcel Map processed for the project, which in some cases extended the property line to the back of curb.

270 lands to the west are designated Public/Quasi-Public, Open Space – Parks/Recreation, High
271 Density Residential and Small Hotel; and lands to the east are designated CBD. On the east side
272 of Indian Canyon is the Section 14 Master Plan area, which includes high-density residential,
273 commercial, entertainment and resort hotel land use areas.

274

275 Lands to the north of the Specific Plan area are zoned CBD and O-20 (Open Land, 20 acre
276 minimum); lands to the south are zoned R-3 and CBD; lands to the west are zoned CBD, R-3 and
277 O-20; and lands to the east are zoned CBD and C-2 (General Commercial).

278

279 The Specific Plan area ~~is currently~~ was a developed site when the Specific Plan was initially
280 adopted. The site ~~consists~~ consisted of the under-utilized Desert Fashion Plaza, bounded by
281 Tahquitz Canyon Way on the south, the Hyatt Suites hotel on the north, Museum Drive on the
282 west, and North Palm Canyon Drive on the east. The Specific Plan (Block K) includes lands
283 north of Tahquitz Canyon Way and south of Andreas Road, east of North Palm Canyon Drive
284 and west of Indian Canyon Drive, which ~~are~~ were developed with multiple two story commercial
285 buildings and parking lots.

286

287 Since the adoption of the Specific Plan, the Desert Fashion Plaza has been demolished,
288 construction has been initiated for portions of Blocks A and C-1, new underground parking
289 structures have been constructed and existing underground parking structures have been
290 rehabilitated in Blocks A, B, B-1, H-1 and H-2. Entitlements have also been secured for Block B,
291 C, F, and the master hardscape and landscape plan for Block A, B, C, D and F, prior to the
292 amendment of the Specific Plan in 2016.

293

294 **B. Land Use Concept**

295

296 The City of Palm Springs wishes to facilitate the development of high quality Commercial,
297 Retail, High Density Residential, Open Space/Public Space and Resort development to ensure
298 the future prosperity of the Central Business District and the contributions it makes to the
299 economic base of the City. To that end, the Specific Plan establishes development standards and

300 guidelines intended to assist land owners and developers in their project designs. The standards
301 and guidelines assure that redevelopment within the Specific Plan area will result in the creation
302 of a lively, pedestrian oriented townscape that engenders a unique sense of place. ~~The also~~
303 ~~recognizes that a remodel of the existing shopping center may be a necessary and important first~~
304 ~~step in the long-term redevelopment of the site.~~

305
306 The land use map for the Specific Plan maximizes the potential for appropriate development and
307 considers the logical location of land uses. Retail, Office, High Density Residential, Open
308 Space/Public Space and Resort land uses, together with a wide range of commercial and
309 accessory activities, are identified as compatible and versatile uses that will contribute to a stable
310 and varied economy, increase the City’s tax base and implement the urban core envisioned in the
311 General Plan and Downtown Design Guidelines for the Downtown Core.

312



Retail uses result in lively frontages and ground floor activity. Street frontage space on North Palm Canyon Drive is designated for primary retail use. Office and other commercial uses are generally applicable to the ground floors of other street frontages when mixed with retail uses, and the upper floors of some buildings, as described in

320 Section III, Development Standards. Throughout the Specific Plan, multi-family residential use
321 is ~~limited to~~ encouraged on upper floors on primary
322 street frontages, and parking structures are restricted to
323 particular areas, out of view of the primary activity
324 areas. Appropriate and compatible accessory land uses
325 that increase recreational opportunities and expand
326 nighttime retail/commercial uses, thereby extending the
327 hours of active use, will be encouraged.

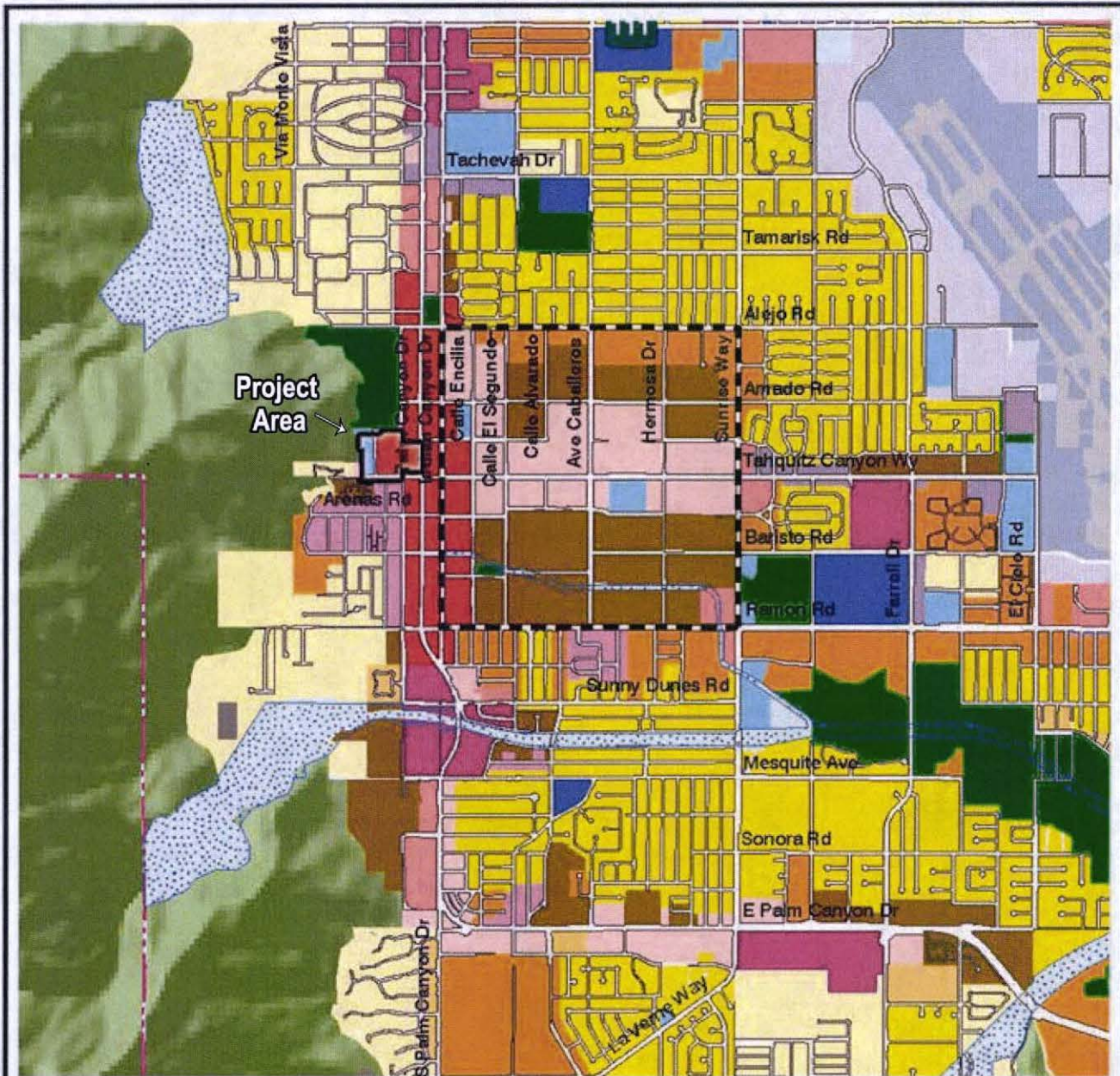


328

329 Land uses within the Specific Plan also recognize the fundamental importance of open space for
330 public gatherings. The focal point of ~~Museum Market Plaza~~Downtown Palm Springs will be ~~the~~
331 ~~a central public plaza~~park branded as the “Downtown Palm Springs Park” proposed ~~at the center~~
332 ~~of the site, on the~~Block E located west side of Belardo Road and north of North Palm Canyon
333 Drive:Main Street. The ~~plaza~~Downtown Palm Springs Park is envisioned as a public park, as
334 ~~well as~~ an area for gatherings, entertainment, and community activities. Limited development in
335 the ~~plaza~~ will consist of two single-story restaurant buildings, which will draw people into the
336 ~~project.~~Downtown Palm Springs Park may include support facilities. The balance of the
337 ~~plaza~~Downtown Palm Springs Park will be devoted to landscaping, outdoor sitting areas, ~~all~~
338 ~~shaded and appropriate shading~~ from the desert heat. ~~Several Concepts~~The current Site Plan for
339 ~~Site Plans of the project are the~~ Downtown Palm Springs Specific Plan is provided in Exhibit II-
340 3.

341
342 The ~~Museum Market Plaza~~Downtown Palm Springs project will also restore the circulation grid
343 in the Downtown area, including a new ~~street which would connect east-west oriented public~~
344 ~~street, called “Main Street,” potentially connecting~~ Indian Palm Canyon Drive to Museum Drive,
345 and the entry of the Palm Springs Art Museum. ~~on the west, and the redevelopment of the Agua~~
346 ~~Caliente Spa Hotel site on the east. A connection may be made to Palm Canyon Drive until such~~
347 ~~time as development of Block K occurs.~~ This important vista westerly along Main Street will
348 provide the visual presence for the ~~Palm Springs Art Museum and the San Jacinto Mountains~~
349 which ~~has been lacking~~did not exist with the ~~construction~~development of the former Desert
350 Fashion Plaza. Additional connections and crossings should be provided from the Specific Plan
351 area to the Convention Center and other resort facilities to the east. Providing a greater degree of
352 connectivity will increase access to retail and restaurant uses, foster economic development, and
353 reduce vehicular trips. Belardo Road will also be restored to its original ~~location~~alignment,
354 providing an important north-south alternative route to Palm Canyon Drive and Indian Canyon:
355 ~~These new Drive. Finally, Andreas Road will be extended between Belardo Road and Palm~~
356 ~~Canyon Drive, to provide an alternate access on and off the project site, and add a view corridor~~
357 ~~through the site. Andreas Road, between Palm Canyon and Indian Canyon, was also recently~~
358 ~~converted by the City to two-way east-west traffic circulation, further enhancing the traffic~~

359 | access into and out of the Specific Plan area. These new public streets will also provide
360 | opportunities for pedestrian and bicycle circulation and access to the mixed uses within the
361 | Specific Plan area.
362 |



- | | |
|--|---|
| Estate Residential (0 - 2.0 du/ac) | School |
| Very Low Density Residential (2.1 - 4.0 du/ac) | Public/Utilities |
| Low Density Residential (4.1 - 6.0 du/ac) | Airport |
| Medium Density Residential (6.1 - 15.0 du/ac) | Open Space - Mountain (1 du/40 ac) |
| High Density Residential (15.0 - 30.0 du/ac) | Open Space - Conservation (1 du/20 ac) |
| Small Hotel | Open Space - Parks/Recreation |
| Tourist Resort Commercial | Open Space - Water |
| Neighborhood/Community Commercial | Desert (1 du/10 ac) |
| Central Business District | Special Policy Area |
| Regional Commercial | Watercourse Zone |
| Mixed Use/Multi-Use | Wind Energy Overlay |
| Office | City Boundary |
| Industrial | Sphere of Influence |
| Regional Business Center | Potential Future Sphere of Influence Expansion Area |
| Public/Quasi-Public | Specific Plan |

0 2640 5280
SCALE IN FEET

09.28.15
N

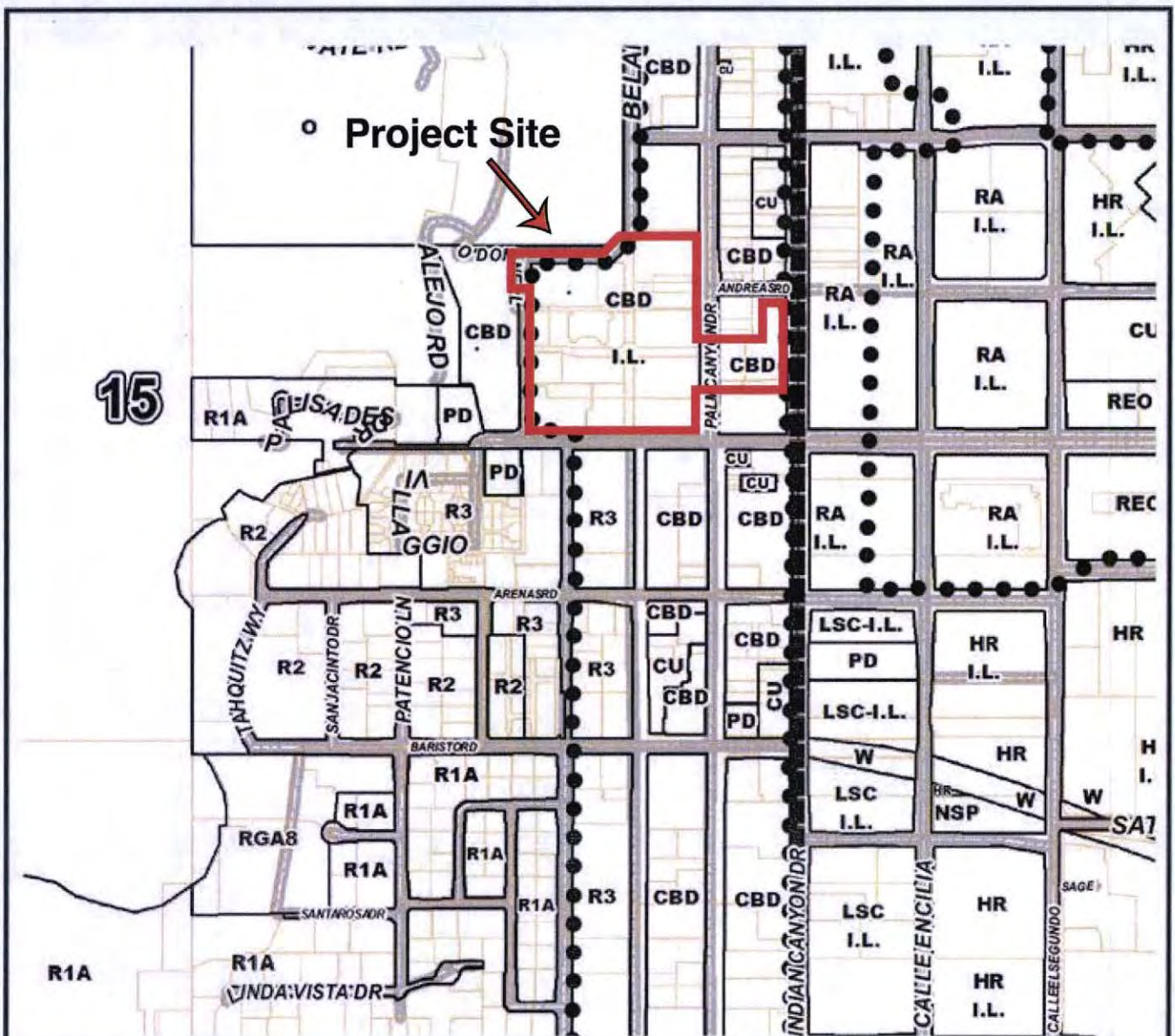
Source: City of Palm Springs General Plan 10.24.2007



**Downtown Palm Springs Specific Plan
General Plan Land Use Designations
Palm Springs, California**

Exhibit

II-1



ZONING MAP
CITY OF PALM SPRINGS, CALIFORNIA
DEPARTMENT OF PLANNING SERVICES

CITY OF PALM SPRINGS ZONING CODES AND DESCRIPTIONS			
RESIDENTIAL	COMMERCIAL	INDUSTRIAL	OTHER
R-100	C-1	I-1	O-1
R-150	C-2	I-2	O-2
R-200	C-3	I-3	O-3
R-250	C-4	I-4	O-4
R-300	C-5	I-5	O-5
R-350	C-6	I-6	O-6
R-400	C-7	I-7	O-7
R-450	C-8	I-8	O-8
R-500	C-9	I-9	O-9
R-550	C-10	I-10	O-10
R-600	C-11	I-11	O-11
R-650	C-12	I-12	O-12
R-700	C-13	I-13	O-13
R-750	C-14	I-14	O-14
R-800	C-15	I-15	O-15
R-850	C-16	I-16	O-16
R-900	C-17	I-17	O-17
R-950	C-18	I-18	O-18
R-1000	C-19	I-19	O-19
R-1050	C-20	I-20	O-20
R-1100	C-21	I-21	O-21
R-1150	C-22	I-22	O-22
R-1200	C-23	I-23	O-23
R-1250	C-24	I-24	O-24
R-1300	C-25	I-25	O-25
R-1350	C-26	I-26	O-26
R-1400	C-27	I-27	O-27
R-1450	C-28	I-28	O-28
R-1500	C-29	I-29	O-29
R-1550	C-30	I-30	O-30
R-1600	C-31	I-31	O-31
R-1650	C-32	I-32	O-32
R-1700	C-33	I-33	O-33
R-1750	C-34	I-34	O-34
R-1800	C-35	I-35	O-35
R-1850	C-36	I-36	O-36
R-1900	C-37	I-37	O-37
R-1950	C-38	I-38	O-38
R-2000	C-39	I-39	O-39
R-2050	C-40	I-40	O-40
R-2100	C-41	I-41	O-41
R-2150	C-42	I-42	O-42
R-2200	C-43	I-43	O-43
R-2250	C-44	I-44	O-44
R-2300	C-45	I-45	O-45
R-2350	C-46	I-46	O-46
R-2400	C-47	I-47	O-47
R-2450	C-48	I-48	O-48
R-2500	C-49	I-49	O-49
R-2550	C-50	I-50	O-50
R-2600	C-51	I-51	O-51
R-2650	C-52	I-52	O-52
R-2700	C-53	I-53	O-53
R-2750	C-54	I-54	O-54
R-2800	C-55	I-55	O-55
R-2850	C-56	I-56	O-56
R-2900	C-57	I-57	O-57
R-2950	C-58	I-58	O-58
R-3000	C-59	I-59	O-59
R-3050	C-60	I-60	O-60
R-3100	C-61	I-61	O-61
R-3150	C-62	I-62	O-62
R-3200	C-63	I-63	O-63
R-3250	C-64	I-64	O-64
R-3300	C-65	I-65	O-65
R-3350	C-66	I-66	O-66
R-3400	C-67	I-67	O-67
R-3450	C-68	I-68	O-68
R-3500	C-69	I-69	O-69
R-3550	C-70	I-70	O-70
R-3600	C-71	I-71	O-71
R-3650	C-72	I-72	O-72
R-3700	C-73	I-73	O-73
R-3750	C-74	I-74	O-74
R-3800	C-75	I-75	O-75
R-3850	C-76	I-76	O-76
R-3900	C-77	I-77	O-77
R-3950	C-78	I-78	O-78
R-4000	C-79	I-79	O-79
R-4050	C-80	I-80	O-80
R-4100	C-81	I-81	O-81
R-4150	C-82	I-82	O-82
R-4200	C-83	I-83	O-83
R-4250	C-84	I-84	O-84
R-4300	C-85	I-85	O-85
R-4350	C-86	I-86	O-86
R-4400	C-87	I-87	O-87
R-4450	C-88	I-88	O-88
R-4500	C-89	I-89	O-89
R-4550	C-90	I-90	O-90
R-4600	C-91	I-91	O-91
R-4650	C-92	I-92	O-92
R-4700	C-93	I-93	O-93
R-4750	C-94	I-94	O-94
R-4800	C-95	I-95	O-95
R-4850	C-96	I-96	O-96
R-4900	C-97	I-97	O-97
R-4950	C-98	I-98	O-98
R-5000	C-99	I-99	O-99
R-5050	C-100	I-100	O-100

City Limits
 Section Boundary
 Chino Cone Project Area
 Resort Combining Zone
 Specific Plan Area
 Roads
 Zone Boundary
 Parcel Boundary
 N Overlay Zone
 60 CNEL
 Palm Springs International Airport
 Watercourse (100-500yr Floodplain FEMA '00)

Source: City of Palm Springs, 2013

09.25.15

367 **B.C. Specific Plan Land Uses**

368

369 The Specific Plan area includes blocks identified as A through H, ~~as well as Block K.~~ Land
 370 uses envisioned for the Plan include *Retail Goods, Personal Services, Food and Beverage*
 371 *Services, Services for Groups, Office and Related, Residential, Tourist and Related Services,*
 372 *Public and Semi-public,* and compatible accessory uses. The area includes ~~the main plaza (a~~
 373 ~~City-owned public central park “Downtown Palm Springs Park” (located on Block B);~~ City-
 374 ~~owned parcels (Blocks H1 and H2) for future use as public open spaces, cultural and/or~~
 375 ~~recreational spaces, or potential accessory use by the Palm Springs Art Museum;~~ and extends
 376 ~~from Museum Drive to the west side of Indian Canyon Drive. Block~~ Blocks B, C, D, F, G, and K,
 377 ~~which connects the Specific Plan to Indian Canyon, is~~ are planned to be developed as a include
 378 hotel, ~~retail and/or residential uses,~~ activating the downtown, and providing additional hotel
 379 rooms for the Convention Center.

380

381 ~~The Specific Plan allows up to 1,359,500~~ 879,500 square feet of building area within the project.
 382 ~~This includes the following:~~

383

- 384 • ~~Up to 650 multi-family residential units~~⁵
- 385 • ~~Up to two (2) hotels west of Palm Canyon Drive, 450 hotel rooms total~~⁶
- 386 • Up to 391,300 square feet of commercial square footage

387

388 The intent of the Specific Plan is to provide the highest quality architecture to house the most
 389 successful mix of land uses, and bring activity and permanent population to downtown Palm
 390 Springs. By increasing the ~~Downtown~~ downtown population, the commercial entities will be
 391 supported, and activity in the ~~Downtown~~ downtown will increase. In order to achieve this goal,

⁵ The affordable housing required in Mitigation Measure H.1. in the Specific Plan EIR can occur on site, or through the payment of a fee in lieu.

⁶ The number of hotels is limited to two (not to exceed 300 rooms total) until such time as the demand for additional rooms can be demonstrated. At that time, hotel rooms could total 450 rooms. See Section V.C.

392 careful attention to site design, landscaping and architectural massing will be required. The CBD
393 zone allows a broad range of land uses in structures of up to 60 feet in height. This concept is
394 supported in the Downtown Design Guidelines, which encourage the development of an urban
395 core, and the activity and vitality which come with it.

396

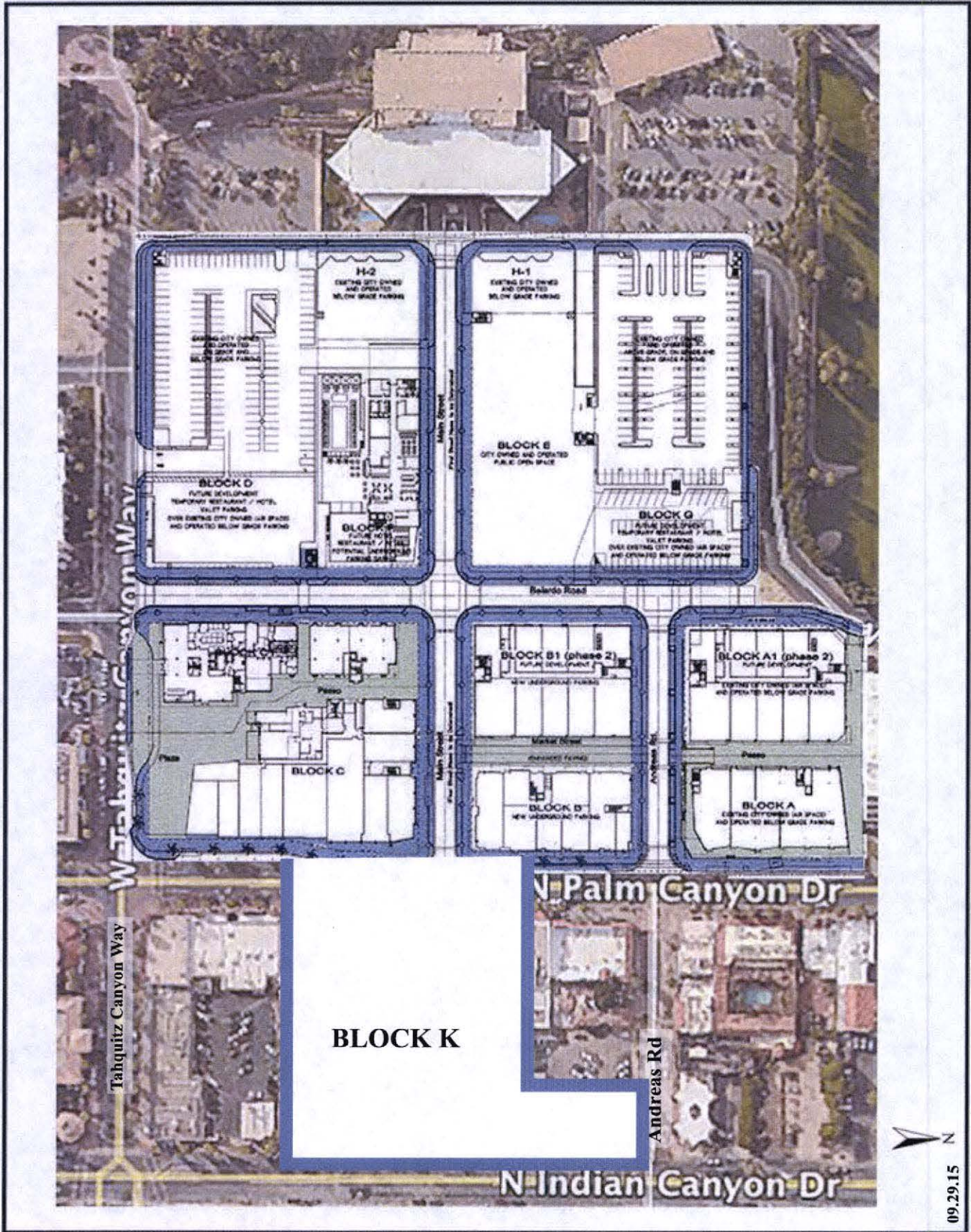
397 The Specific Plan will generally reflect the CBD zone and the Design Guidelines, with limited
398 exceptions. The Development Standards included in Section III of this document set the range of
399 permitted and conditionally permitted uses, as well as provide specific direction for preferred
400 uses on certain street fronts. Also, standards for ~~mass~~, height and setback are established to
401 assure that variety in building mass and height is achieved. Within these standards, any
402 combination of retail, office, residential and hotel development may be proposed.⁷ However,
403 each project must demonstrate compliance with this Specific Plan when application is made, as
404 detailed in Section V-A.

405

406 The Specific Plan allows a broad range of development. The key is to achieve a compatible mix
407 of appropriate uses that stimulate economic opportunity and result in a lively, inviting
408 Downtown environment with a unique sense of place. Specific development standards and
409 guidelines for each designation, together with a comprehensive list of uses, are provided in
410 Section III of this document. Section III further defines the potential square footage which can be
411 built within the Specific Plan area, ~~as well as the maximum mass (cubic feet) of each of the~~
412 ~~Blocks.~~ These levels are well below the maximum potential square footage ~~or building mass~~
413 which could be achieved within the Plan area under the CBD Zone. These standards have been
414 established to assure that the buildings built within the project do not overwhelm the streetscape,
415 and provide significant articulation and variation to create an exciting destination in
416 ~~Downtown~~ downtown Palm Springs. All standards must be combined, and any project must be
417 found to be consistent with the standards, through the approval process.

418

⁷ The Museum Market Plaza Specific Plan Environmental Impact Report (EIR) analyzed a specific set of maximum land use intensities and densities (q.v.). If a proposed combination of intensities and densities exceeds that which has been analyzed in the EIR, additional environmental review will be required.



C.D. Design Principles

The Specific Plan is intended to provide guidance to developers and land owners to assure that ~~Museum Market Plaza~~Downtown Palm Springs is developed in a manner which will provide sustained economic growth and the creation of a lively, pedestrian oriented townscape of definitive character. Creative and effective urban design is essential in attaining these goals.

The component blocks of the ~~Museum Market Plaza~~Downtown Palm Springs project must be clearly unified by a coherent visual identity in order to create a distinct sense of place, and all design elements must work together to reinforce an underlying perception of continuity. The formulation of a unified, distinctive and adaptable urban design concept, that is based on versatile design principles and can, while retaining integrity, lend itself to interesting variations in application, detail and materials, is therefore an essential element of the Specific Plan.

The ~~Museum Market Plaza~~Downtown Palm Springs project is pedestrian oriented and all buildings must be sensitively designed to the human scale with active, pedestrian friendly frontages ~~on the ground floor. Structures are to be massed to reduce their visual dominance and preserve view corridors.~~

The built form is to be effectively permeated with public and private open spaces, ~~allowing secondary view corridors to~~ and from the public domain and thereby avoiding the creation of overwhelming and impenetrable mega-blocks.

Good connectivity throughout the Specific Plan area is achieved by a legible, well defined hierarchy of streets and pedestrian links, together with a sequence of versatile public open spaces. Sidewalks and open spaces are designed to accommodate a variety of compatible outdoor activities and thereby extend the hours of active use.



451 Parking, both on-street and in dedicated structures, is to be visually unobtrusive and the needs of
452 the motor vehicle are generally to remain secondary to those of the pedestrian.

453
454 The Development standards and guidelines of the Specific Plan have been designed to ensure
455 high quality, distinctive development that will have an active and long-term future. Detailed
456 requirements for an effective and comprehensive urban design approach are described in Section
457 III of this document.

458 **D.E. Special Provisions**

459
460
461 The Development Standards and Guidelines included in Section III of this Specific Plan are
462 consistent with the intent of the City's Development Code and Downtown Urban Design
463 Guidelines to create an intense mixed use downtown core. Several Special Provisions have been
464 added to this Specific Plan due to factors such as the sensitive location, the need for economic
465 development and ~~considerable~~ community ~~concerns~~ concerns.

466 **1. Design statements**

467
468
469 While consistent with the comprehensive urban design concept for ~~the Museum Market~~
470 ~~Plaza~~ Downtown Palm Springs, a number of special design statements are key.

471
472 a. A distinctive and adaptable architectural theme that incorporates a new sustainability
473 ~~esthetie~~ aesthetic will define future development. References to prevailing Modernist,
474 Spanish and Mediterranean styles may occur. Fundamental principles of the theme will
475 be consistent throughout, with interesting variation in rooflines, elevational articulation,
476 detailing and materials creating a richly textured built environment.

477
478 b. Stepping back of the upper floors of buildings to create graduated frontages that allow
479 generous view corridors and reduce the visual dominance of building mass.

480

- 481 | c. Definitive corner treatments at primary intersections, achieved by introducing distinctive
482 | architectural features and corner cut backs to buildings. Sidewalks will include
483 | projections with special landscaping and surface finishes, and street paving will be
484 | distinctive.
- 485 |
- 486 | d. Active building frontages and lively, ‘multi purpose’ sidewalks, contributing to a vibrant
487 | townscape experience.
- 488 |
- 489 | e. Distinctive design treatments of the public spaces and the associated hierarchy of
490 | interlinked, versatile public open spaces, creating a well-defined sense of place.
- 491 |
- 492 | f. Connectivity between internal components of the Specific Plan and the surrounding
493 | development, including the Section 14 Master Plan area, and hotels and Convention
494 | Center to the east.
- 495 |
- 496 | Design statements are an integral component of the comprehensive urban design concept for the
497 | ~~Museum Market Plaza~~Downtown Palm Springs and are described in detail in Section III of this
498 | document.

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III. DEVELOPMENT STANDARDS AND GUIDELINES

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This section of the Specific Plan serves as the Specific Plan Area’s Zoning Ordinance. Standards and guidelines which are applied to the Specific Plan Area only are described in detail below. When Zoning Ordinance standards and guidelines apply, a reference is made to the appropriate Section of the Zoning Ordinance.

511
512

A. Purpose

513
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517

The purpose of the land use districts in the ~~Museum-Market Plaza~~Downtown Palm Springs Specific Plan is to encourage the development of well-planned projects that are consistent with the goals and objectives of both the City’s General Plan and the Specific Plan. The land use districts within the Specific Plan are intended to:

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1. Provide lands for uses appropriate to the downtown Palm Springs context that will preserve and enhance the distinctive mixed-use character intended for the Downtown core, while providing opportunities for economic development and growth.
2. Accommodate uses defined as appropriate, such as retail and commercial, office, hotel and multi family residential, services to meet the needs of local residents, employees and visitors, specific public and semi public uses, limited automotive uses and complementary accessory uses.
3. Provide an inter-connected, pedestrian-friendly Downtown which connects the Museum on the west to the hotels and Convention Center on the east.
4. Include high density residential land uses to create a market for the expanded commercial component of the Downtown core.

529 5. Provide development standards which assure consistent and compatible development
530 within the Specific Plan Area.

531

532 **B. Land Use Districts**

533

534 In accordance with the Palm Springs General Plan Land Use map, the blocks within the Specific
535 Plan area (Blocks A through K) are designated Central Business District. All Blocks are depicted
536 in Exhibit III-1.

537

538 ~~At present, most activity within the area covered by the Specific Plan occurs during the daytime.~~

539 The introduction of appropriate ~~additional~~ uses, an increase in recreational opportunities and the
540 expansion of nighttime retail/commercial uses will extend the hours of active use and result in a
541 more vibrant townscape. In addition, the residential units created in the Specific Plan will
542 improve the commercial market in the Downtown core, and enhance the sense of place of this
543 critical area by creating a neighborhood above the retail and office uses.

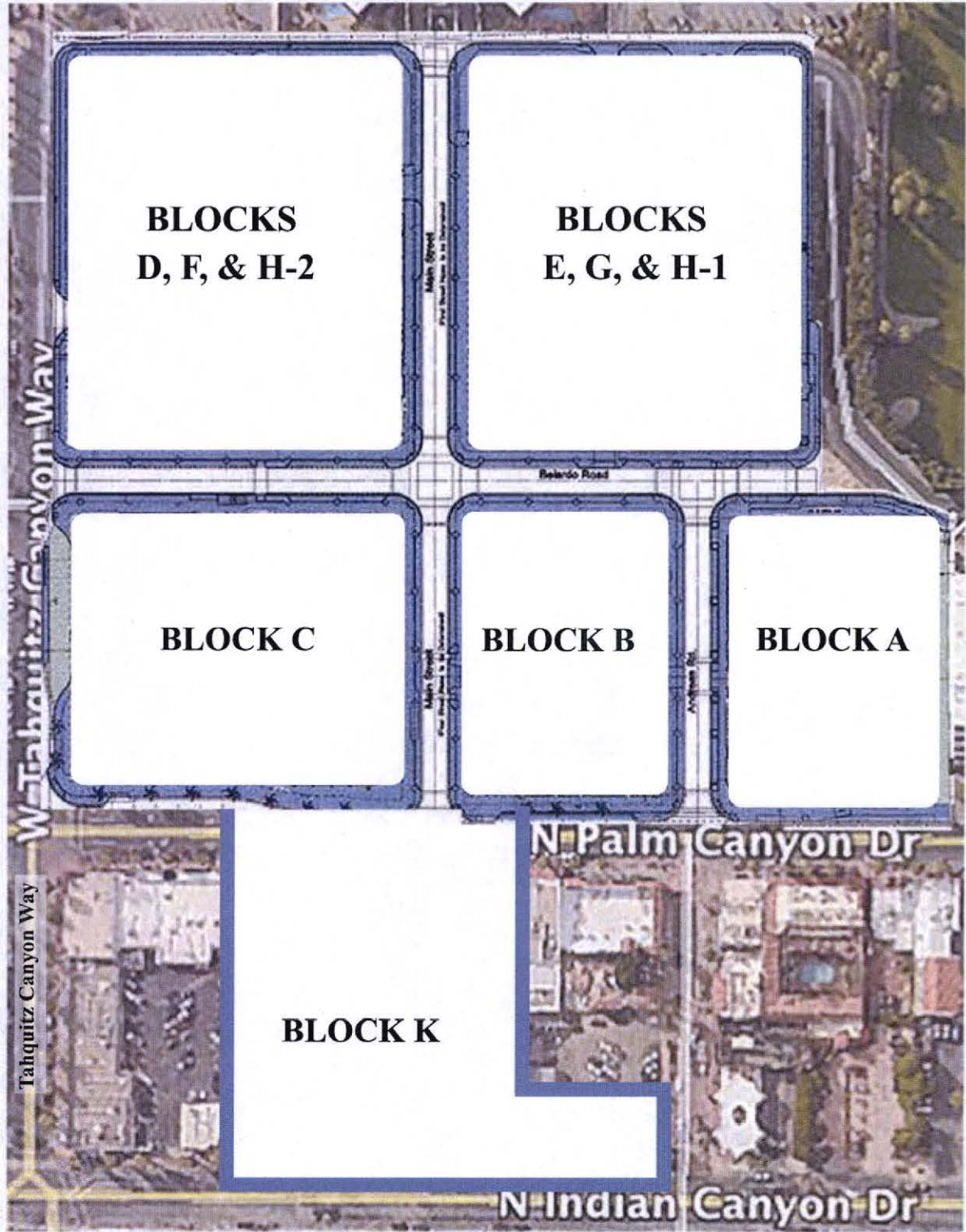
544

545 The Specific Plan is intended to support the development of a broad range of appropriate uses,
546 including those outlined in Section A.2 above, and those detailed in Table III-1. Prime retail
547 frontages are located at ground floor level on North Palm Canyon Drive. ~~Office and~~
548 ~~commercial~~Commercial uses are generally applicable to the ground floors of other street
549 frontages, and the upper floors of the ~~proposed~~ buildings ~~within PA1~~.

550

551 Hotel uses and appropriately located, well-designed parking facilities are accepted, ~~with various~~
552 ~~residential uses being limited in certain areas to the upper floors of the buildings~~. Appropriate
553 residential development is also encouraged in downtown locations due to its many beneficial
554 contributions to local character, and the Specific Plan supports a residential component.

555 The block identified as 'B'E is permanently dedicated as a significant landscaped, open space
556 for public gathering City-owned central park identified as "Downtown Palm Springs Park,"
557 within the Specific Plan. The blocks identified as H-1 and H-2 are permanently dedicated for
558 City-owned public purposes. (Please see Section II, Land Use Plan)
559
560



Source: Wessman Development

09.29.15



Downtown Palm Springs Specific Plan
 Specific Plan Blocks
 Palm Springs, California

Exhibit

III-1

563 C. Uses

564

565 1. Allowable Uses

566

567 Uses permitted within the Specific Plan are listed in Table III-1. ~~If a proposed use is~~ Similar uses
568 ~~that are not listed in the Table, the Planning Director shall, upon written request and in~~
569 ~~conformance with the provisions of~~ detrimental to permitted uses or to public health, safety and
570 ~~welfare, may be permitted by the City Council subject to the findings listed in Section~~
571 ~~94.01.02(B) of the Zoning Ordinance Planning Commission, under Section 94.01.02~~
572 ~~(Commission Determination) of the Palm Springs Zoning Ordinance, review the proposed~~
573 ~~unlisted use and determine whether it is permitted, requires a Conditional Use Permit or is~~
574 ~~prohibited~~ Code.

575

576 According to the provisions of the General Plan, supermarket uses are prohibited in the
577 downtown area. However, in view of the potential for residential uses, an appropriately located
578 supermarket ~~may be accepted~~ is encouraged in the Specific Plan.

579

580 All uses listed in the Table will be applied to requests for new development, alteration or
581 expansion of existing uses, tenant improvements resulting in a listed use, or change in
582 occupancy.

583

584 ~~In accordance with Section 94.04.04.00 of the Palm Springs Zoning Ordinance, a~~ All new
585 structures for permitted uses require Major Architectural Approval to be granted by the City
586 Council ~~Planning Commission~~.

587

Table III-1
Allowable Uses

P = Permitted; CUP = Conditional Use Permit required; LUP = Land Use Permit TUP =
 Temporary Use Permit required; X = Prohibited

TYPE OF USE	USE STATUS IN SPECIFIC PLAN
Retail Goods	
Antiques	P
Art (galleries)	P
Baked goods	P
Beauty supplies	P
Bicycles, including accessory repair	P
Books stores, new and used; and Stationery	P
Candies and Confections	P
Clothing and Apparel	P
Consignment stores and auction houses	CUP LUP

Delicatessens	P
Department stores	P
Drafting and art supplies	P
Drugs and Pharmacies	P
Drugs and Pharmacies, Drive through	CUP
Flowers and Plants	P
Furniture	P
Gifts	P
Groceries (preferred on Block D)	P
Hardware and Appliances	P
Hobbies, Stamps and Coins	P
Jewelry	P
Leather goods and Luggage	P
Motor scooter, Motorbike or Motorcycle Rentals or Sales	LUP
Motorcycle Sales or Rentals	CUP
Music and Musical instruments	P
Newspapers and Magazines	P
Pet shops, including grooming; no kennel facilities	LUP
Photographic equipment, retail	P
Shoes	P
Tobacco products, excluding on-site consumption	LUP
Tobacco products, on-site consumption	CUP
Toys	P
Vending Carts	LUP
Personal Services	

Artist studios	P
Banks, excluding drive through	P
Barbers and Hairdressers	P
Beauty shops	P
Bicycle rentals	LUP
Dry cleaners & Laundries, including self-service	CUP
Nail salons	CUP
Photographic studios	P
Picture framing (retail & assembly only)	P
Spas	LUP
Tailors	P
Travel agencies	P
Food and Beverage Services	
Bars and Cocktail lounges	LUP
Beer, Wine and Liquor, packaged	LUP
Coffee house	P
Coffee house, drive through	CUP
Ice cream, Yoghurt, Doughnuts, Bagels, etc.	P
Nightclubs and Discotheques	CUP
Restaurants, all types including take-out and delivery	P
Tobacco products, on-site consumption	CUP

Services for Groups⁸	
Art schools	P
Athletic clubs, Fitness centers, Gyms, Health clubs and Slimming salons	P
Auction galleries	P
Commercial recreational facilities	P
Dance studios	P
Lodges, meeting halls and private clubs	P
Movie, radio, TV production & broadcast facilities	CUP
Video/amusement arcades & machines ⁹	LUP
Office and Related⁷	
General and professional offices	P
Insurance	P
Real estate	P
Residential	
Multiple family dwellings and condominiums	P
Tourist and Related Services	
Automotive rental, only as accessory to a resort hotel	P
Bed and Breakfast establishments	P

⁸ *Services for Groups*, and *Office and Related* uses are restricted on street frontage (see Section III.E.1).

⁹ Arcades as primary use, machines as secondary use (except as otherwise regulated) located no closer than 300 feet to any other such use, or as a secondary use in conjunction with a resort hotel. In all cases, the use is subject to Palm Springs Zoning Code Section 93.16.00.

Catering, as accessory to a restaurant or any hotel	LUP
Convention center, only as accessory to a resort hotel	P
Hotels and Resort hotels	P
Time-share and Fractional ownership Resorts	P
Public and Semi-public	
Festivals and Exhibits	LUP
Libraries	P
Museums	P
Post office branches	P
Public Parks and Plazas	P
Theatres, Cinema or Stage	P

Accessory uses ¹⁰	P
<p>Outdoor uses accessory to permitted main use and located on same property or in MMP Plazas: (excluding Blocks E, H-1 and H-2):</p> <ul style="list-style-type: none"> - art displays - artisans, artists - display cases in malls/courts - farmers market - fashion shows - festivals, exhibits & special events - florists - musicians/entertainment¹¹ - <u>outdoor</u> dining & beverage service - plant/floral sales & displays - post card displays¹² - theatre & public assembly - vending carts¹³ 	LUP
<p>Outdoor uses: located on public property/rights of way, in a designated area approved by the City Council & undertaken as part of a festival/event/program to promote commercial, artistic or cultural activity:</p> <p>Outdoor uses: located on Blocks E, H-1, and H-2:</p> <ul style="list-style-type: none"> - art displays 	P

¹⁰ Accessory uses customarily incidental to permitted uses & located on the same lot.

¹¹ Subject to provisions of Noise Ordinance, Section 11.74 of the Municipal Code.

¹² One per store front.

¹³ Dispensing: food, beverage, crafts, floral items, other uses determined by the City Council Planning Commission.

<ul style="list-style-type: none"> - artisans, artists - farmers market - fashion shows - festivals, exhibits & special events - florists - musicians, entertainment - dining & beverage service - plant/floral sales and displays - musical or theatre performance & public assembly - vending carts - tourism activities kiosks 	
--	--

588

589

590

2. Similar Uses

591

592 Similar uses that are not detrimental to permitted uses or to public health, safety and welfare,
593 may be permitted by the ~~City Council Planning Commission, under Section 94.01 (Commission~~
594 ~~Determination) of the Palm Springs Zoning Code.~~

595

596

3. Prohibited Uses

597

598 ~~In addition to the land uses prohibited in Table III-1, the~~The uses listed below will not be
599 permitted in the Specific Plan area:

600

601

Adult entertainment

602

Automobile parking as Primary use

- 603 Automobile service stations
- 604 Dog kennels and Catteries
- 605 Drive-in and Drive-through restaurants, banks and all uses not specifically permitted
- 606 Industrial or Manufacturing
- 607 Massage (except in conjunction with resort hotel or spa)
- 608 ~~Motor scooter, Motorbike or Motoreycle Rentals or Sales~~
- 609 Pawn shops
- 610 ~~Second hand or Used goods Stores~~
- 611 Single family residences
- 612 ~~Tattoo~~ Tattoo, Piercing or Body art Parlors
- 613 ~~Thrift Shops~~
- 614 Upholstery shops
- 615 Wholesale or Warehousing
- 616