



City Council, Planning Commission
and Architectural Advisory Committee

- Joint Hearing Staff Report -

DATE: April 20, 2016

SUBJECT: ADOPTION OF THE AMENDMENT TO THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN (FORMERLY MUSEUM MARKET SPECIFIC PLAN), CASE 5.1204 SP;

THREE ARCHITECTURAL REVIEW APPLICATIONS PROPOSED WITHIN THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN: BLOCK A-1 PARKING LOT, BLOCK B-1 142-ROOM HOTEL; AND BLOCK C REVISED MIXED-USE BUILDING, PALM SPRINGS PROMENADE, LLC APPLICANT;

APPROVE AMENDED AND RESTATED OPERATIONS COVENANT (TRANSFERRING EXISTING COVENANT FROM THE AC HOTEL ON BLOCK F TO THE VIRGIN HOTEL ON BLOCK B-1).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

On April 6, 2016, the City Council reviewed minor changes to the Downtown Specific Plan and re-introduced for first reading an ordinance to amend the Plan. The Council will consider its second reading for the adoption of the amended Specific Plan.

Upon final action on the Specific Plan, the City Council, Planning Commission and Architectural Advisory Committee (AAC) will hold a joint meeting to review three architectural review applications proposed within the Specific Plan area:

1. Case 3.3607 MAJ – An amendment to a previously approved Major Architectural Application for the development of the easterly half of Block C with a one- and two-story building located at the southwest corner of Palm Canyon Drive and the newly constructed Main Street.
2. Case 3.3908 MAJ – A Major Architectural Application for a proposed 142-room hotel on Block B-1 located at the northeast corner of Belardo Road and Main Street.

3. Case 3.3948 MAA – A Minor Architectural Application to construct a parking lot on Block A-1 located at the northeast corner of Belardo Road and Andreas Road.

Upon the conclusion of the actions on the 3 Architectural Applications, the City Council may consider the transfer of the hotel operations covenant previously approved for the AC Hotel on Block F to the Virgin Hotel on Block B-1 by approval of an Amended and Restated Operations Covenant with Palm Springs Promenade, LLC.

RECOMMENDATION:

Downtown Specific Plan:

City Council to waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1889, "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 (CASE 5.1204)."

Architectural Applications:

1. **Open the public hearing and receive public testimony,**
2. **Block C Mixed Use Building:**
 - a. That the Architectural Advisory Committee recommend approval to the Planning Commission,
 - b. That the Planning Commission recommend approval to the City Council, and
 - c. That the City Council adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR A ONE- AND TWO-STORY BUILDING LOCATED ON BLOCK C OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE SOUTHWEST CORNER OF PALM CANYON DRIVE AND MAIN STREET."
3. **Block B-1 Hotel:**
 - a. That the Architectural Advisory Committee recommend approval to the Planning Commission,
 - b. That the Planning Commission recommend approval to the City Council, and
 - c. City Council adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR A SIX-STORY HOTEL WITH 142 ROOMS LOCATED ON BLOCK B-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE NORTHEAST CORNER OF BELARDO ROAD AND MAIN STREET."

4. Block A-1 Parking Lot:

- a. That the Architectural Advisory Committee recommend approval to the Planning Commission,
- b. That the Planning Commission recommend approval to the City Council, and
- c. City Council adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MINOR ARCHITECTURAL APPLICATION FOR A PARKING LOT LOCATED ON BLOCK A-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE NORTHEAST CORNER OF BELARDO ROAD AND ANDREAS ROAD."

Operations Covenant

Approve the Amended and Restated Operations Covenant between the City and Palm Springs Promenade for the Virgin Hotel.

Downtown Specific Plan

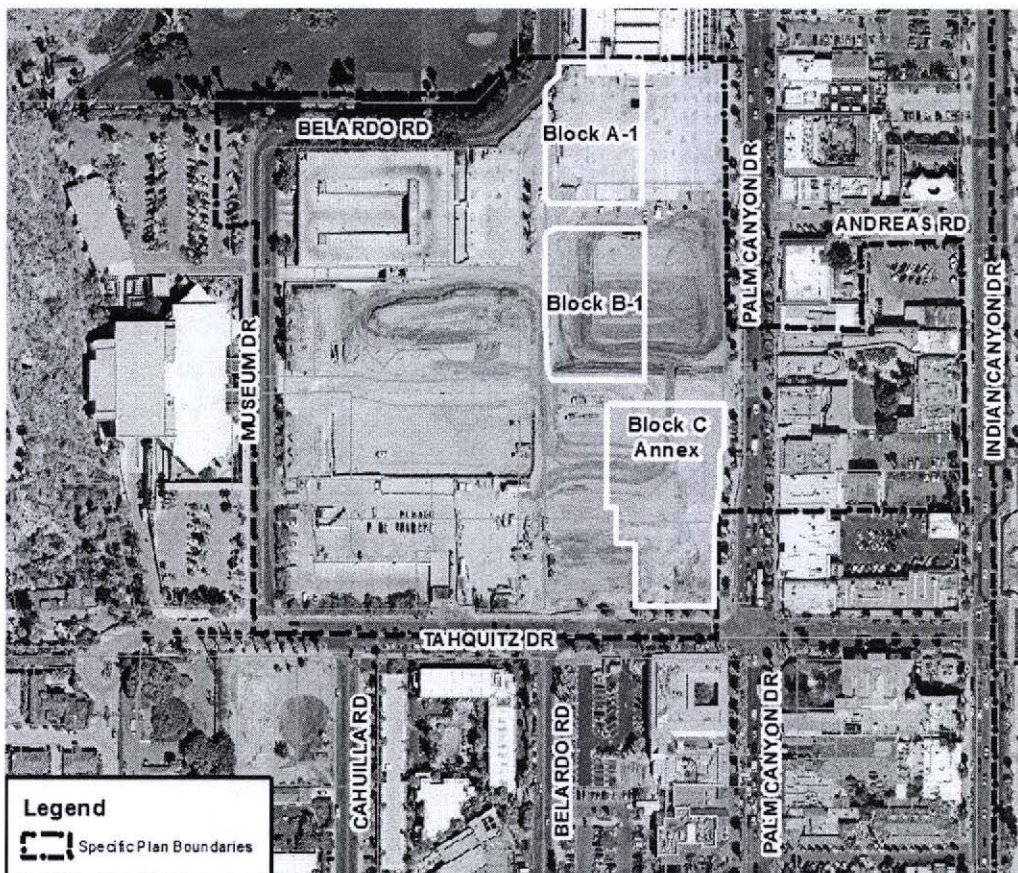
On April 6, 2016, the City Council completed its review of an Amendment to Downtown Palm Springs Specific Plan (formerly the Museum Market Plaza Specific Plan), and reaffirmed adoption of Resolution No. 23977 approving Addendum No. 2 to the previously-certified Environmental Impact Report, and reintroduced Ordinance No. 1889 approving the Amendment. A complete background to the prior actions taken by the City Council associated with the Downtown Palm Springs Specific Plan ("Specific Plan"), and recent approval of the proposed Amendment to the Specific Plan, is identified in the staff report from the March 2, 2016, City Council meeting and included as Attachment 1. The final Specific Plan as amended and approved by Council on April 6, 2016, is included as Attachment 2, and Ordinance No. 1889 previously introduced and prepared for second reading and adoption is included as Attachment 3.

At the City Council meeting of April 6, 2016, the Council approved minor revisions to the development standards for Blocks B, B-1 and Block C as follows:

- Increase building setbacks to the "annex" building located on Block C with a setback of 70 feet diagonal from the southwest corner of North Palm Canyon Drive and Main Street;
- Allow a building height for the "annex" building of one story and 28 feet, or two stories and 34 feet, with the second story being setback 10 feet from the Main Street frontage line and 110 feet from the Palm Canyon frontage line; and
- Establish a building setback of 12 feet on the north side of Main Street along Blocks B and B-1 in accordance with the originally-approved Specific Plan.

The applicant has revised the approved plans for the "annex" building in accordance with the City Council action on April 6, 2016, and has also made revisions to the proposed hotel building on Block B-1 based on Council direction and action. These plans, in addition to the submittal of a plans for a surface parking lot on Block A-1, have been submitted in conjunction with the adoption of the Amendment to the Specific Plan.

Architectural Review Applications



APPROXIMATE SITE LOCATIONS

Block C Mixed Use Building

Background:

At its public hearing of December 19, 2012, the City Council reviewed and approved the Downtown Palm Springs Renovation Project consisting of a Tentative Parcel Map (TPM 36446), three Major Architectural applications, and a Planned Development District

application for a hotel in excess of sixty (60) feet. The three Architectural applications included Blocks A, B and C. The Block C approval consisted of the “annex” building, which was a new multi-story, mixed-use building that was expected to operate in conjunction with the adjacent Kimpton hotel (on Block C-1).

On January 13, 2016, the Planning Commission approved design changes for a one-story building on Block C, which is a portion of the building fronting Palm Canyon Drive. This portion of the building on Block C is approved at 24,285-square feet in size.

Project Description:

The applicant is seeking approval to modify the design of the multi-story portion of the building on Block C. This is now proposed as a primarily one-story building of 11,252-square feet. Additionally, the applicant proposes a second story option on the westerly portion of the building, which would increase building by 6,500-square feet to 17,752-square feet in size. If the two-story option is approved, the total square footage on Block C would be 42,037.

Southerly View from Market Street on Block B/B-1:

One-story Option



Two-story Option



Southwesterly View from Palm Canyon Drive and Main Street Intersection:

One-story Option



Two-story Option



ANALYSIS - BLOCK C:

General Plan

| Land Use Designation and Floor Area Ratio | Request | Compliance |
|---|--------------------------------|------------|
| <p align="center">CBD (Central Business District)</p> <p>The CBD serves as the main activity center and cultural core of the community and, as such, theatres, museums, retail, and other entertainment venues are encouraged here. Uses such as grocery stores, hardware stores, and convenience or pharmacy stores that provide services to the Downtown's residential population are also encouraged. The Central Business District is subdivided into zones or areas that provide for diversity in development standards and land use intensities. The Downtown Central Core (roughly bounded by Amado Road, Tahquitz Canyon Way, Museum Drive, and Indian Canyon Drive) and the Gateway areas (at roughly the north and south ends of the CBD) may be developed with a maximum FAR of 3.5. If projects in these areas provide substantial public spaces or plazas, an FAR of up to 4.0 may be developed upon approval of a Planned Development District or Specific Plan.</p> | <p>Mixed-use ~ 1.2 FAR</p> | <p>Yes</p> |

Specific Plan

Permitted Uses.

Permitted and conditionally permitted uses by the Specific Plan are found in Table III-1 of the Specific Plan. Additionally, there are "ground floor use limitations" (Section III.E.1) which require that street frontages be reserved for retail and tourist-oriented goods and services. The sale of retail goods are permitted by right and will continue to be proposed along street frontages. Office and multi-family residential uses are permitted by right within the Plan and will be located above the first floor retail uses.

Development Standards

The proposed project remains consistent with the development standards outlined in the Specific Plan, including building height, setbacks, stepbacks, maximum square footage and building mass, minimum open space and other development requirements. The table below summarizes development standards for the amended Specific Plan, the approved application and the proposed amended application (with two-story option).

| Block C | Specific Plan Requirement | Approved MAJ | Proposed MAJ Amendment | Conforms |
|---------|--|--------------|------------------------|----------|
| | Minimum Setbacks: - Front Setback ¹ or Street Side Setback | | | |

¹ Exceptions to the minimum setback requirements are listed under Section III-E.5 of the Museum Market Specific Plan.

| | | | | |
|--|---|---|--|---------------------------|
| <ul style="list-style-type: none"> • Palm Canyon Drive • Main Street • Diagonal setback from Palm Canyon and Main Street • Tahquitz Canyon Way - Interior Line | 32-ft 31-ft 70-ft 12-ft 0 | 17-ft to P/L 10-ft to P/L Undefined 94-ft 0 | 34-ft to curb 30-ft to curb 70-ft to curb 65-ft to curb 20-ft | Y N Y Y Y |
| Minimum Distance Between Buildings | | | | |
| - Main Street | 71-ft | Undefined | 80-ft | Y |
| - Market Street | 40-ft | Undefined | 40-ft | |
| Maximum Building Height ² | | | | |
| - Building | 28-ft or 34-ft ³ | 59-ft | 26-ft to 34-ft | Y |
| - Permitted Projections | 15-ft (and no more than 15% of roof) | 11-ft | n/a (no projections shown) | Y |
| Minimum Building Height Stepbacks ⁴ | | | | |
| - Palm Canyon Drive | | | | |
| • 0-30 Feet in Height | 0 | 17-ft | 30-ft to curb | Y |
| • Over 30 Feet in Height | 20-ft | 18-ft | Less than 30-ft. | Y |
| - Main Street | | | | |
| • 0-30 Feet in Height | 0 | 10-ft | 30-ft to curb | Y |
| • Over 30 Feet in Height | 10-ft | 11-ft | 10-ft to face of bldg. | Y |
| Minimum Public / Common Area Open Space | 10% | 47% | ~27% | Y |
| Maximum Building Square Footage (Entire Block) | 195,000 | 223,900 | 165,499 | Y |
| Parking Requirements: (The PFA waives the parking requirement in exchange for the existing parking structures.) | See analysis below. | | | Y |

Parking, Loading and Trash Enclosures. The off-street parking will be accommodated via the existing parking structure, the underground garage and a proposed parking lot on Block A-1. Based on prior approvals and the proposed project, the following analysis has been prepared:

| Block | Use | Sq. Ft. | No. of Units / Rooms | Required Parking |
|-------|----------------------|---------------|----------------------|--------------------------|
| A | Divisible Commercial | 51,484 | -- | 158 |
| | Total: | 51,484 | | TOTAL: 158 spaces |

² Building height shall be measured from the highest point of the building pad to the top of the roofline.

³ A height of 34 feet may be approved by City Council, provided a setback of 10 feet on Main Street and 110 feet on Palm Canyon is maintained for the additional height.

⁴ Stepbacks are defined as the horizontal distance a building face must be set back from the property line at each given height. The area required for a stepback can be used for balconies and terraces. Stepbacks shall be measured from the face of a structure to the property line at a 90 degree angle from the building face.

| | | | | |
|-----------------------|---|----------------|--|--------------------------|
| B | Divisible Commercial | 17,563 | -- | 54 |
| | Residential | 14,237 | 20 residential units (5 1br & 15 studios) | 20 + 5 guest = 25 |
| | TOTAL: | 31,800 | | TOTAL: 79 spaces |
| B-1 | Hotel (rooms, restaurants, fitness, spa, lobby, etc.) | 110,056 | 142 hotel rooms | 142 |
| | Divisible Commercial (not including hotel commercial) | 2,350 | -- | 7 |
| | TOTAL: | 112,406 | | TOTAL: 149 spaces |
| C | Divisible Commercial | 42,037 | | 129 |
| | TOTAL: | 42,037 | | TOTAL: 129 spaces |
| C-1 | Hotel (rooms, restaurants, fitness, spa, lobby, etc.) | 116,405 | 155 hotel rooms | 155 |
| | Divisible Commercial (not including hotel commercial) | 7,057 | -- | 22 |
| | TOTAL: | 123,462 | | TOTAL: 177 spaces |
| F | Hotel (rooms, restaurants, fitness, spa, lobby, etc.) | 71,714 | 135 rooms | 135 |
| | Divisible Commercial (not including hotel commercial) | 5,064 | -- | 16 |
| | TOTAL: | 76,778 | | TOTAL: 151 spaces |
| OVERALL TOTAL: | | | | 843 Spaces |

According to the applicant, there will be approximately 919 public parking spaces, 300 private spaces within the underground garage and 70 surface parking spaces proposed on Block A-1 for the entire Specific Plan area. The public spaces are provided throughout the parking structure and subterranean garage. The private spaces are proposed under Blocks "B" and "F". Furthermore, the amended specific Plan notes 874 parking spaces have been allocated to approved projects. Consequently, the parking demand for the project is considered to be met.

Loading will occur at the north side of the building on Main Street in a dedicated loading area. Trash enclosures are located within the building on the west side of the project.

Design Guidelines

Architecture – Building Height, Scale and Massing. The Specific Plan recognizes that the site is intended for "...an intensive level of development...", but that the pedestrian experience requires buildings to be "...designed to the human scale with

active, pedestrian friendly frontages.” View corridors and public and private open spaces are to be provided throughout. An average maximum height of 60 feet is to be maintained, although hotels may exceed 60 feet. Most significantly, building elements must be varied to reduce the appearance of mass and avoid “cliff-face” frontages.

The proposed building is a one-story building with a portion being two-stories. At heights ranging from 26- to 36-feet, this allows design variation and ensures pedestrian scale is maintained along the sidewalks, and enhances view corridors. A public space will be created at the corner of Palm Canyon Drive and Main Street. Therefore, the project is consistent with these design requirements.

Landscaping. The Specific Plan describes landscape design themes and concepts for streetscape, transition and open space zones throughout the overall area of Specific Plan. The AAC and Planning Commission reviewed and approved the landscaping around the proposed building, and no additional landscape is proposed at this time.

FINDINGS – BLOCK C:

Guiding Principles of Specific Plan. In its introduction (Section I.C.), the Specific Plan provides eight guiding principles under which development should occur. Staff prepared an analysis of the project’s conformance with these principles below.

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*

The proposed building will enhance the experience of those living, working and shopping within the Specific Plan area. Street-lined retail is proposed consistent with the requirements and general vision of the Specific Plan. The use of high-quality materials and contemporary building design will create a vibrant, exciting and safe experience for all.

2. *Connections from the Palm Springs Art Museum to the Resort/Convention Center.*

In order to achieve connections between the Art Museum and Resort/Convention Center, the Specific Plan sets development standards for new developments. The proposed building incorporates large sidewalk areas and building separation space consistent with the Specific Plan. Thus, the project meets the connection requirements envisioned by this finding.

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.*

The development will allow commercial retail stores on both of its street frontages. Such retail may include national and regional chain stores, as well as local businesses.

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.*

As noted above, the project includes retail street frontages. While residential is not permitted on the ground floor, it is allowed on floors above the first floor. The project proposes 6,500-square feet of second floor space, which may be used as residential and increase the number of homes in downtown. Further, there are other locations within the Specific Plan area where residential can still occur. Thus, the project aids in the balance of commercial and residential development and assists in the success of the area.

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.*

The proposed residential, if constructed on the second floor, will relate to the surrounding commercial. Outdoor balconies are proposed and create synergy between the ground floor pedestrian experience and the residential outdoor space above.

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

The proposed retail space will support shopping and dining activities for visitors staying at hotel properties within the Specific Plan area and elsewhere in the city.

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.*

View corridors of the mountains are provided with building separation on Main Street and the proposed low-rise building fronting Palm Canyon Drive. Eighty feet of building separation between the subject building and the building located on Block B will create a view corridor down Main Street. The views will be enhanced by the 26-ft. height of the building adjacent to Palm Canyon Drive.

8. *The 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, thereby avoiding the creation of overwhelming and impenetrable mega-blocks.

The proposed project provides adequate pedestrian space and is sensitively designed to the human scale. The pedestrian experience is provided between the building and street curb in an area ranging from 12 to 70-feet in width, which enables sufficient space for circulation, planters and outdoor dining. The proposed building ranges in height between 23 to 34 feet, and is massed/scaled appropriately for reducing its visual dominance.

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

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;*

The amended project proposes a multi-tenant, mixed-use building with ground floor commercial and upper floor space that may be office, residential or other uses as permitted by the Specific Plan. The portion of the building fronting Palm Canyon Drive is one-story with height variations between 23 and 26-feet. Pedestrian pathways will be separated from vehicular streets with curbs and landscape treatment. Pavers, landscaping and sidewalk furniture will provide an enhanced experience on the site. Sidewalks and other walkways are provided to accommodate the change in topography across the site. Underground parking can be accessed from nearby stairways and elevators via public sidewalks.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The buildings are constrained in size by the street grid and proposed courtyard and hotel development so that they remain in scale with the surrounding area. The heights of the building range from approximately 23 to 34 feet and are generally consistent with the development character of the surrounding area, which includes one-, two- and multiple-story buildings.

The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials, including patterned block, stumpled brick and stucco walls, exposed steel beams, louvers, board-formed concrete, anodized aluminum and steel storefronts. The selection of design elements differs from those of the adjacent blocks within the Museum

Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The proposed building's overall height will range from 23 to 34-feet. Exterior elevations show projections at building edges. Mass is divided with exterior building articulation and height variation. Rooftop mechanical will be concealed from view.

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

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

6. *Consistency of composition and treatment;*

The building design uses consistent forms and treatments across each elevation, yet differentiates the design and materials for the different tenants along Palm Canyon. The contemporary elements interact with each other in a consistent and rhythmic manner where appropriate.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

An overall landscape plan was reviewed and approved for the Museum Market Plaza Specific Plan and no changes or new landscape is proposed under this proposed amendment.

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

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

Block B-1 Virgin Hotel

Background:

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

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

On October 28, 2015, November 12, 2015, December 9, 2015, and March 9, 2015, the Planning Commission held public hearings on the proposed application to construct the 6-story, 112,862-square foot resort hotel with 142-rooms and ground floor commercial. Due to the proposal being contingent upon amendments to the Specific Plan, the item was tabled so that City Council could provide direction.

With Council review of changes to the Specific Plan, the applicant modified the building and recessed portions of the ground floor adjacent to Main Street. This resulted in a reduction of 456-square feet to the building and more pedestrian sidewalk space adjacent to Main Street.

Project Description:

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

The 112,406-square foot, six-story resort hotel will consist of 142 rooms and accessory commercial uses. The ground floor contains the lobby, restaurant and lounge space, meeting rooms, a ballroom and ancillary hotel operation space. The second floor will have 26-hotel rooms, spa, fitness center and outdoor pool deck with bar area. The third through fifth floors each have 33 hotel rooms. The sixth floor includes 17 hotel rooms, view decks, meeting space and a cocktail lounge.

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

ANALYSIS – BLOCK B-1:

General Plan

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

Specific Plan

Permitted Uses.

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

In addition, there are “ground floor use limitations” (Section III.E.1) which require that street frontages be reserved for retail and tourist-oriented goods and services. The proposed building provides commercial-retail uses on the ground floor in accordance with this requirement.

Development Standards

The proposed project remains consistent with the development standards outlined in the Specific Plan, including building height, setbacks, stepbacks, maximum square footage and building mass, minimum open space and other development requirements. The table below summarizes development standards for the amended Specific Plan, the approved application and the proposed amended application (with two-story option).

| Block B-1 | Specific Plan Requirement | Proposed MAJ Amendment | Conforms |
|--|--|--|----------------------------|
| | Minimum Setbacks: - Front Setback ⁵ or Street Side Setback <ul style="list-style-type: none"> • Andreas Road • Belardo Road • Main Street - Interior Line | 12-ft 12-ft 12-ft 0 | |
| Minimum Distance Between Buildings - Market Street | 40-ft | 40-ft | Y |
| Maximum Building Height ⁶ - Building - Permitted Projections | 69-ft 15-ft (and no more than 15% of roof) | 69-ft 15-ft | Y Y |
| Minimum Building Height Stepbacks - Andreas Road <ul style="list-style-type: none"> • 0-30 Feet in Height • Over 30 Feet in Height - Belardo Road <ul style="list-style-type: none"> • 0-30 Feet in Height • Over 30 Feet in Height - Main Street <ul style="list-style-type: none"> • 0-30 Feet in Height • Over 30 Feet in Height | 0 10-ft 0 15-ft 0 10-ft | 12-ft 12-ft 15-ft 15-ft 15-ft 15-ft | Y Y Y Y Y Y |
| Minimum Public / Common Area Open Space | 10% | ~28% | Y |
| Maximum Building Square Footage (Entire Block) | 150,000 | 144,206 | Y |
| Parking Requirements: (The PFA waives the parking requirement in exchange for the existing parking structures.) | See analysis on page 8 of this report. | | Y |

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

⁵ Exceptions to the minimum setback requirements are listed under Section III-E.5 of the Museum Market Specific Plan.

⁶ Building height shall be measured from the highest point of the building pad to the top of the roofline.

Parking, Loading and Trash Enclosures. The parking analysis provided on page 8 of this report includes the proposed hotel and remains applicable. Loading will occur at the north side of the hotel on Andreas Road in a dedicated loading area. Trash enclosures are located within the building on the north side of the project.

Design Guidelines

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

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

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

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

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

FINDINGS – BLOCK B-1:

Guiding Principles of Specific Plan. In its introduction (Section I.C.), the Specific Plan provides eight guiding principles under which development should occur. Staff prepared an analysis of the project’s conformance with these principles below.

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*

The proposed building will enhance the experience of those living, working and shopping within the Specific Plan area. Amenities such as dining, meeting space and lounge areas are proposed. Commercial space provides excitement along street frontages and the pedestrian paseo, Market Street. A high-end hotel brand will operate the property. Consequently, the development will be of high-quality and provide an exciting and safe living, working and shopping experience for all.

2. *Connections from the Palm Springs Art Museum to the Resort/Convention Center.*

In order to achieve connections between the Art Museum and Resort/Convention Center, the Specific Plan sets development standards for new developments. The proposed building incorporates adequate sidewalk areas and building separation space consistent with the Specific Plan requirements. Thus, the project meets connections requirements envisioned by this finding.

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.*

The development will allow commercial retail stores on street frontages and provide overnight accommodations for tourists and visitors to the City. The hotel operator is a national brand that will enhance the development. Other commercial space within the building may be operated by regional chains or a local business.

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.*

The proposed commercial use provides overnight, short-term accommodations for tourists and visitors. Such guests are expected to increase customer base of commercial uses downtown. While no residential is proposed on this block, it may be permitted in other locations within the Specific Plan area. Thus, the project aids in the balance of commercial and residential development and assists in the success of the area.

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.*

No residential is proposed. However, the hotel will have overnight guests that relate synergistically to the surrounding commercial development. With the

location in the heart of downtown, it is expected that these guests will walk to their destinations and avoid automobile use when unnecessary.

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

The proposed resort hotel will provide luxury accommodations and increase the visitors to the City's downtown. With international recognition, the operator is expected to attract greater activity to the area and would be the first location for its brand in the Coachella Valley.

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.*

View corridors of mountains are provided with building separation on Main Street and Andreas Road. With varying widths along Main Street, there will be at least 70-feet between buildings to enhance mountain views. Additionally, the 69-foot building is setback from Palm Canyon Drive, which will further preserve views.

8. *The 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, thereby avoiding the creation of overwhelming and impenetrable mega-blocks.*

The proposed project provides adequate pedestrian space and is sensitively designed to the human scale. The pedestrian experience is provided between the building and street curb in an area ranging from 12 to 28-feet in width, which enables sufficient space for circulation, planters and outdoor dining. The proposed building reaches height of 69-feet, and is massed/scaled appropriately from Palm Canyon to ensure it does not create an overwhelming and impenetrable mega-block.

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

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;*

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

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

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

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The proposed building's overall height will be 69-feet. Exterior elevations show projections at building edges. Mass is divided with exterior building articulation. A large void above the second floor pool deck reduces overall building bulk. Rooftop mechanical will be concealed from view.

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

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

6. *Consistency of composition and treatment;*

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

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

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

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

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

Block A-1 Parking Lot

Project Description:

The applicant is seeking approval to develop a surface parking lot on Block A-1, immediately south of the Hyatt Hotel and east of the new Belardo Road extension through the project. The parking lot will have a total of 70 parking spaces, which includes four handicap parking spaces, and will have two access driveways from Belardo Road. Landscape plantings will be provided at the perimeter of the lot, and trees will be provided in raised planters at the center of the parking lot. The parking lot is located above an existing underground parking structure, which limits the placement and depth of landscape planters. A bicycle parking area will be provided at the southeast corner of the lot.

Background:

As part of the review of updates to the Downtown Palm Springs Specific Plan (formerly the Museum Market Plaza Specific Plan), the City Council reviewed and discussed the use of Block A-1 for a surface parking lot in conjunction with other revisions to reduce the intensity of development associated with the Specific Plan. This site plan has been submitted as a result of City Council action on the update to the Specific Plan.

Development Standards

The Downtown Palm Springs Specific Plan refers to PSZC Section 93.06.00(C) for standards for the design of parking lot areas. The following table provides a conformance analysis of the parking lot:

| Standard | Requirement | Proposed | Conforms |
|----------|--------------------------------|---------------|----------|
| Curbing | Continuous 6" concrete curbing | Not indicated | N |

| | | | |
|---|--|--|---|
| Parking lot shading | 50% minimum (50+ spaces) | 21% | N ¹ |
| Landscaped planters and perimeter treatment | Trees, groundcover and shrubs required | Buffer provided on south side; planters provided on east side; no buffer or planter on west side | Partial ¹ |
| Irrigation | Automatic irrigation required | Not indicated | N/A |
| Lighting | Per PSZC Section 93.21.00 | Light fixtures provided at the perimeter and interior of the lot | Additional review required ² |
| Pedestrian walkways | Shall be provided between parking lot and use being served | Provided on east side of parking lot | Y |
| Handicapped parking spaces | 3 spaces required | 4 spaces provided | Y |
| Compact car parking | Up to 40% allowed | 21% | Y |
| Dimensional requirements | | | |
| • Compact space | 8'x15' | 8'x20' | Y |
| • Regular space | 9'x17' | 9'x18' | Y |
| • Double-loaded spaces | 9'x19' | 9'x20' | Y |
| • Single-loaded drive aisle | 24' wide | 24' | Y |
| • Double-loaded drive aisle | 26' wide | 26' | Y |

¹The construction of a parking lot on over the top of an underground parking structure provides unique challenges in terms of landscaping and buffer areas. PSZC Section 93.06.00(C)(16) allows the Planning Commission to determine the appropriateness of landscape materials for parking decks.

²Specific light fixtures were not approved as part of the landscape/hardscape lighting for the site; the light fixtures for the parking lot will need to be approved as part of the overall lighting plan for the Specific Plan area.

Design Guidelines

The Downtown Palm Springs Specific Plan identifies landscape requirements in Section III of the document. Landscape/hardscape plans for the Specific Plan area were approved by the Planning Commission on November 12, 2015. The streetscape treatment at the perimeter of the site should conform to the approved landscape/hardscape plans; as parking lot landscaping was not addressed in the landscape/hardscape plans, the interior landscaping will be required to conform to the Specific Plan requirements.

East Buffer Area:

The plan depicts six Australian Willow trees in raised planters along the east buffer area of the parking lot, which is consistent with the approved

landscape/hardscape plans. However, the parking spaces extend to the back of the planters, which is in conflict with the approved landscape plans, as a sidewalk area is depicted between the planters and the developable area of Block A-1. The parking lot could be redesigned to provide sidewalk area consistent and in line with the sidewalk dimensions of the approved plan.

South Buffer/Streetscape Area:

The plan depicts a combination of Mediterranean and California Fan Palms in the streetscape area, with one Tipu tree at the center of the block. This is different than the approved landscape/hardscape plan, which depicts three Tipu trees in the streetscape area and one California Fan Palm. It is recommended that this area of the plan be revised to be consistent with the approved landscape/hardscape plan. A four-foot wide buffer will be provided between the sidewalk and the parking lot, and will include three additional Tipu trees, two Mediterranean Fan Palms, with a combination of Natal Plum and Red Yucca for lower-level plantings. Desert Gold crushed granite will be utilized for ground cover.

West Buffer/Streetscape Area:

The streetscape depicts California Fan Palms in the area between the sidewalk and the street; this will need to be modified to add one Tipu tree in accordance with the approved landscape/hardscape plans. Natal Plum will be provided in the streetscape area between the trees, with Desert Gold crushed granite as ground cover. No landscape buffer is provided between the sidewalk and the parking spaces that border the sidewalk.

Architectural Review

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

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;*

The site layout is generally consistent with the Specific Plan and the approved landscape/hardscape plan; however, the location of the parking spaces on the east side of the lot will need to be adjusted to increase the pedestrian area on Market Street (the pedestrian paseo) for consistency with the approved landscape/hardscape plans. Definition between the pedestrian and vehicular areas is provided through paving materials, raised landscape planters, or landscape buffer areas.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate*

neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;

The proposed parking lot is harmonious in its relationship with the adjacent commercial development.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*
4. *Building design, materials and colors to be sympathetic with desert surroundings;*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*

No physical structures or walls are proposed as part of the parking lot development.

6. *Consistency of composition and treatment;*

The landscape plantings are generally consistent as proposed for the parking lot area.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The proposed planting materials are generally consistent with the approved landscape/hardscape plan and appropriate for desert climate conditions. Minor modifications in the placement and type of proposed street trees will need to be made for consistency with the approved landscape/hardscape plan. Irrigation plans have not been provided, but will be required as a part of a building permit application for the project.

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

No signage is proposed as a part of this application.

Guiding Principles – Specific Plan

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*

The proposed parking lot will assist in providing a high-quality environment in that it will increase the number of parking spaces available for the development,

provide convenient access to nearby stores and restaurants, and result in the installation of streetscape and landscape plantings that will provide a desirable environment for patrons.

2. *Connections from the Palm Springs Art Museum to the Resort/Convention Center.*

While the site is not in direct alignment between the Art Museum and the Convention Center, the project will result in the development of a sidewalk and streetscape along Andreas Road, one of several pedestrian connections between the two areas.

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.*

No retail development is proposed as part of this request,

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.*

The parking lot will support both commercial and residential development within the Specific Plan area.

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.*

The proposed parking lot is located towards the interior of the site, and does not interrupt the important pedestrian frontages along Palm Canyon or Main Street.

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

The proposed parking lot will serve visitors to the downtown area.

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.*

As no physical structures are intended to be built upon Block A-1, views of the mountains from the Andreas Road corridor will not be impacted.

8. *The 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, thereby avoiding the creation of overwhelming and impenetrable mega-blocks.*

The sidewalks and landscaping that abut the proposed parking lot will enhance the pedestrian environment. The block is small in scale, and contributes to a walkable environment.

Hotel Operations Covenant

On December 17, 2014, the City Council approved a Hotel Operations Covenant with Palm Springs Promenade, LLC, for the AC Hotel previously approved for Block F within the Specific Plan. Palm Springs Promenade has requested that the rights and obligations under the operations covenant be “transferred” from the AC Hotel to the Virgin Hotel on Block B-1. The proposed Amended and Restated Operations Covenant effects this transfer.

ENVIRONMENTAL DETERMINATION:

The proposed projects are part of a larger project (“Museum Market Plaza Specific Plan” / “Downtown Palm Springs Specific Plan”) evaluated and analyzed under the California Environmental Quality Act (“CEQA”). The City certified and Environmental Impact Report (EIR) which analyzed impacts related to the Museum Market Plaza Specific Plan in 2009. Subsequent addenda have been prepared to analyze changes within the Specific Plan area.

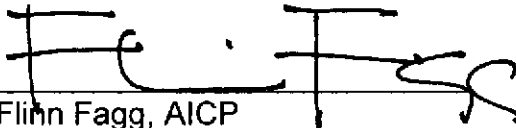
The proposed applications are consistent with the environmental analysis prepared. The intensity and density of the projects will be consistent with the impacts identified in the EIR and Addenda. No changed circumstances, changes in the environment or changes in regulations have occurred since the certification of the EIR or the adoption of the Addenda. Based on the requirements of the Public Resources Code and the CEQA Guidelines, no additional environmental analysis is required for these projects and the mitigation measures previously imposed within the EIR will apply.

CONCLUSION:

In accordance with regular procedures, the City Council should conduct its second review and reading of, and adopt the ordinance amending the Specific Plan. Upon final action on the Specific Plan, the Council, Planning Commission, and Architectural Advisory Committee should consider the three architectural applications. Draft resolutions have been prepared for the Planning Commission and City Council, should they wish to recommend approval and approve, respectively. And lastly, the City

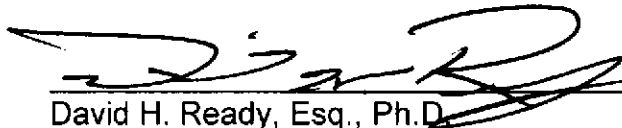
Council should review and approve the Amended and Restated operations covenant that transfers the rights and obligations under the covenant from the AC Hotel on Block F to the Virgin Hotel on Block B-1.

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



Flinn Fagg, AICP
Director of Planning Services

Approved by:



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



Douglas Holland
City Attorney

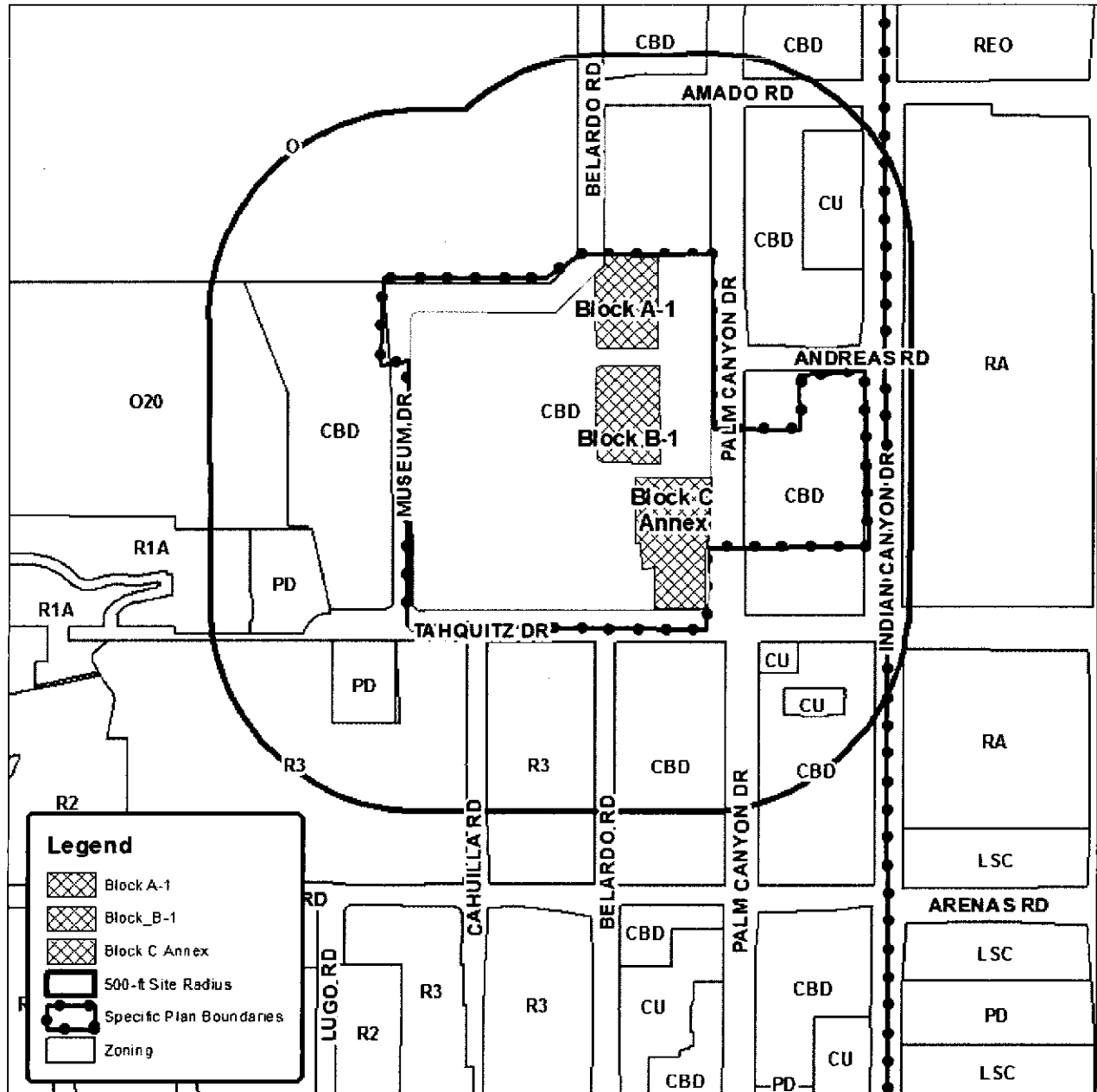
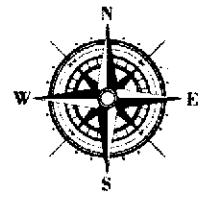
Attachments:

1. Vicinity Map
2. Ordinance No. 1889 and Resolution 23977
3. Specific Plan Amendment (as adopted)
4. Applicant Correspondence
5. Public Correspondence
6. Draft Planning Commission Resolutions for Blocks C, B-1 and A
7. Draft City Council Resolutions for Blocks C, B-1 and A
8. Block C Exhibits
9. Block B-1 Exhibits
10. Block A-1 Exhibits
11. Amended and Restated Operations Covenant

ATTACHMENT #1



Department of Planning Services Vicinity Map



Legend

- Block A-1
- Block B-1
- Block C Annex
- 500-ft Site Radius
- Specific Plan Boundaries
- Zoning

CITY OF PALM SPRINGS

ATTACHMENT #2

Ordinance No. 1889

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:

APPROVED AS TO FORM:

James Thompson, City Clerk

Douglas Holland, City Attorney

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. 1889 is a full, true and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on March 2, 2016, 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

RESOLUTION NO. 23977

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.

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 prepared for the City Council to be approved and adopted by ordinance.

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.

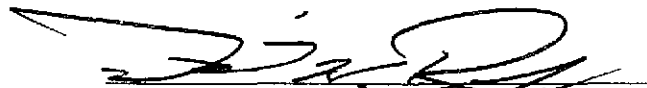
SECTION 5. The City Council finds, ratifies, and adopts the Mitigation Monitoring Program, incorporated into the Final Environmental Impact Report for the Museum Market Plaza Specific Plan adopted on December 2, 2009. The City Council further finds that such Mitigation Monitoring Program meets the requirements 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 BY THE PALM SPRINGS CITY COUNCIL THIS 2ND DAY OF MARCH, 2016.


DAVID H. READY, CITY MANAGER

ATTEST:

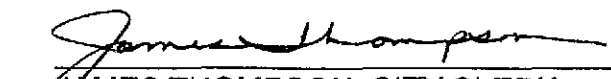

JAMES THOMPSON, CITY CLERK

CERTIFICATION

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

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. 23977 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 March 2, 2016, by the following vote:

- AYES: Councilmember Foat, Councilmember Kors, Councilmember Roberts, Mayor Pro Tem Mills, and Mayor Moon.
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.


JAMES THOMPSON, CITY CLERK
City of Palm Springs, California 03/31/2016

ATTACHMENT #3



City of Palm Springs

**Downtown Palm Springs
Specific Plan**

Adopted April 6, 2016

TABLE OF CONTENTS

I. INTRODUCTION I-1

 A. Authority and Scope I-2

 B. Project Location I-4

 C. Project Description I-4

 D. CEQA Compliance I-6

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-6

 D. Design Principles II-9

 E. Special Provisions II-9

 1. Design statements II-10

III. DEVELOPMENT STANDARDS AND GUIDELINES III-1

 A. Purpose III-1

 B. Land Use Districts III-1

 C. Uses III-4

 1. Allowable Uses III-4

 2. Similar Uses III-8

 3. Prohibited Uses III-8

 D. Development Standards III-9

 E. Land Use Regulations III-11

 1. Ground Floor Use Limitations III-11

 2. Maximum Building Square Footage III-12

 3. Projections Above Maximum Building Height III-13

 4. Projections Over Street Sidewalks III-14

 5. Outdoor Uses on the Sidewalk III-14

 6. Building Articulation III-14

 7. Walls and Fences III-14

 8. Parking and Loading Requirements III-15

 9. Trash Enclosures III-17

 10. Signage III-17

 F. Design Guidelines III-17

 1. Architecture III-17

 2. Connectivity, Streetscapes, Open Spaces III-23

 3. Landscaping III-30

 4. Street Furniture, Lighting and Art III-35

 G. Green Building and Energy Efficiency III-37

IV. INFRASTRUCTURE IV-1

 A. Introduction IV-1

 B. Roadways IV-3

 1. Palm Canyon Drive IV-5

 2. Indian Canyon Drive IV-5

 3. Tahquitz Canyon Way IV-5

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

List of Tables

| | |
|---|--------|
| Table I-1 Specific Plan Blocks | I-5 |
| Table III-1 Allowable Uses..... | III-5 |
| Table III-2 Development Standards..... | III-9 |
| Table III-3 Maximum Allowable Square Footage..... | III-13 |
| Table III-4 Parking Requirements | III-16 |
| Table III-5 Landscape Palette | III-33 |
| Table IV-1 Minimum Parkway Widths | IV-5 |

List of Exhibits

| | |
|--|--------|
| Exhibit I-1 Regional Map | I-7 |
| Exhibit I-2 Vicinity Map..... | I-8 |
| Exhibit II-1 General Plan Land Use Designations..... | II-4 |
| Exhibit II-2 Existing Zoning Designations | II-5 |
| Exhibit II-3 Current Site Plan | II-8 |
| Exhibit III-1 Blocks | III-3 |
| Exhibit III-2 Architectural Treatments | III-22 |
| Exhibit III-3 Block E - Park..... | III-26 |
| Exhibit III-4 Conceptual Master Landscape Plan..... | III-29 |
| Exhibit III-5 Street Furniture | III-36 |

Exhibit IV-1 Street Cross sections IV-7
Exhibit IV-2 Domestic Water IV-11
Exhibit IV-3 Sanitary Sewer IV-12
Exhibit IV-4 Storm Drain IV-14
Exhibit IV-5 Natural Gas IV-15
Exhibit IV-6 Electric IV-16
Exhibit IV-7 Telephone IV-17
Exhibit IV-8 Cable TV IV-18

I. INTRODUCTION

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

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

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

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

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

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

Following extensive review by the City Council, the Specific Plan Amendment was adopted, incorporating some Planning Commission recommendations and modifying others. This document reflects the action and final decisions of the City Council on April 6, 2016.

A. Authority and Scope

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

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

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

"LU1.3 Develop specific plans for areas that need additional design or land use guidance."

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

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

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

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

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

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

“...a high intensity mixed use center with taller buildings surrounded by a vibrant mixed use area...”

This Specific Plan, along with approved projects for the north and south Gateways, form the backbone of the revitalization of the Downtown of Palm Springs. The Downtown Palm Springs project will also be the connection point to the Resort/Convention Center District to the east, and connections from the Palm Springs Art Museum to the hotels and Convention Center to the east are encouraged.

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.).

B. Project Location

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

Lands to the north include hotel and retail commercial development along North Palm Canyon, North Indian Canyon and Belardo. Lands to the east include retail commercial development on North Palm Canyon and Indian Canyon, and the site of the former Spa Hotel beyond. Lands to the south include hotel and retail commercial development, the Wellwood Murray Library and single-family homes beyond. Lands to the west include the Palm Springs Art Museum and the O'Donnell Golf Course.

C. Project Description

The Downtown Palm Springs project encompasses a total of 20.15 acres. The Downtown Palm Springs Specific Plan will provide retail and office commercial space, public plazas, professional office space and residential development in a cohesive, master 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. Connections from the Palm Springs Art Museum 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.
8. The 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, thereby avoiding the creation of overwhelming and impenetrable mega-blocks.

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

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

Table I-1, below, details the net acreage of each Block within the Specific Plan area, including existing and proposed streets.

**Table I-1
Specific Plan Blocks**

| Blocks | Acres (net)³ |
|---------------|--------------------------------|
| Block A | 1.59 |
| Block B | 0.66 |
| Block B1 | 0.84 |
| Block C | 1.22 |
| Block C1 | 1.19 |
| Block D & F | 3.21 |
| Block E | 1.36 |
| Block G | 1.73 |
| Block H1 | 0.31 |
| Block H2 | 0.41 |
| Block K1 | 0.89 |
| Block K2 | 5.0 |
| Streets | 1.74 |
| Total | 20.15 |

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

In compliance with the California Environmental Quality Act (CEQA), the City identified the preparation of this Specific Plan as a “project” under CEQA, and prepared an Initial Study. The Initial Study was prepared for a draft Specific Plan that encompassed a larger area and a greater intensity of development than is contained in the final Plan. The Initial Study found that the draft Specific Plan had a potential to significantly impact the environment, and that an Environmental Impact Report (EIR) must be prepared. The City circulated to all responsible and trustee agencies a Notice of Preparation (NOP) of an EIR. All comments received in response to the NOP were considered and incorporated into the EIR. The EIR was circulated to all responsible and trustee agencies, and all other interested parties, for a period of 45 days. All comments received in response to the EIR were considered in the Response to Comments prepared for the Planning Commission and City Council. Revisions were made to the draft Plan which resulted in a reduced project compared with that analyzed by the EIR. Implementation of the final Specific Plan includes all mitigation measures described in the EIR; therefore the Specific Plan is fully analyzed by the EIR. The City Council certified the EIR prior to adopting this Specific Plan, on November 18, 2009. In 2012, in response to further detail prepared for the proposed height of buildings within the Specific Plan area, the City prepared an Addendum to the EIR. The EIR Addendum was adopted by the City Council on October 17, 2012. All mitigation measures contained in the original certified Final EIR were preserved through that Addendum. As a result of the need to amend the Specific Plan to reflect current conditions in 2015, the City prepared EIR Addendum #2 for the project. The final draft of the Specific Plan reduced densities and intensities within the Specific Plan Area. These reductions will result in reduced environmental impacts from those studied in the EIR Addendum. That Addendum, along with the Specific Plan Amendment, were approved by the City Council on April 6, 2016.



RIVERSIDE COUNTY

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03.24.16



Source: Google Earth, 2015



Downtown Palm Springs Specific Plan
Vicinity Map
Palm Springs, California

Exhibit

I-2

52

II. LAND USE

Introduction

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

The Specific Plan governs land use for an area totaling 20.15 acres⁴, located within the Central Business District of Palm Springs. The City of Palm Springs General Plan recognizes that the revitalization of the Central Business District is important to the City's future and supports the development of the Downtown Palm Springs Specific Plan. It is the intention of the City to continue land use designations that facilitate commercial, high density residential and hotel development to strengthen the economic base of the City and provide long term growth and prosperity.

A. Current Land Use and Zoning Designations

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

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

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

The Specific Plan area was a developed site when the Specific Plan was initially adopted. The site consisted of the under-utilized Desert Fashion Plaza, bounded by Tahquitz Canyon Way on the south, the Hyatt Suites hotel on the north, Museum Drive on the west, and North Palm Canyon Drive on the east. The Specific Plan (Block K) includes lands north of Tahquitz Canyon

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.

Way and south of Andreas Road, east of North Palm Canyon Drive and west of Indian Canyon Drive, which were developed with multiple two story commercial buildings and parking lots.

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

B. Land Use Concept

The City of Palm Springs wishes to facilitate the development of high quality Commercial, Retail, High Density Residential, Open Space/Public Space and Resort development to ensure the future prosperity of the Central Business District and the contributions it makes to the economic base of the City. To that end, the Specific Plan establishes development standards and guidelines intended to assist land owners and developers in their project designs. The standards and guidelines assure that redevelopment within the Specific Plan area will result in the creation of a lively, pedestrian oriented townscape that engenders a unique sense of place.

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

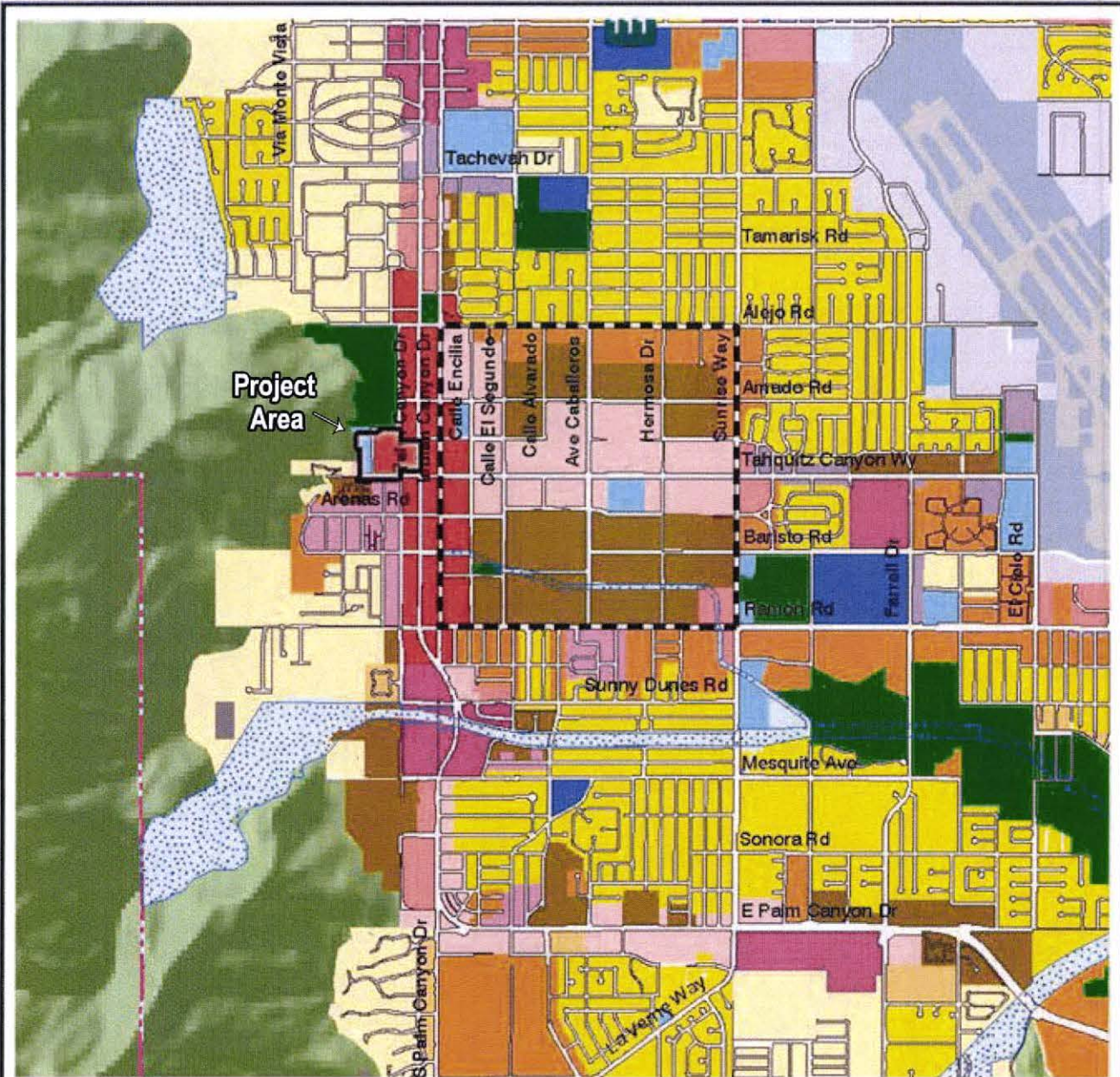


Retail uses result in lively frontages and ground floor activity. Street frontage space on North Palm Canyon Drive is designated for primary retail use. Office and other commercial uses are generally applicable to the ground floors of other street frontages when mixed with retail uses, and the upper floors of some buildings, as described in Section III, Development Standards. Throughout the Specific Plan, multi-family residential use is encouraged on upper floors on primary street frontages, and parking structures are restricted to particular areas, out of view of the primary activity areas. Appropriate and compatible accessory land uses that increase recreational opportunities and expand nighttime retail/commercial uses, thereby extending the hours of active use, will be encouraged.



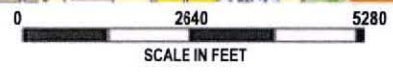
Land uses within the Specific Plan also recognize the fundamental importance of open space for public gatherings. The focal point of Downtown Palm Springs will be a central public park branded as the "Downtown Palm Springs Park" proposed on Block E located west of Belardo Road and north of Main Street. The Downtown Palm Springs Park is envisioned as a public park, as well as an area for gatherings, entertainment, and community activities. Limited development in the Downtown Palm Springs Park may include support facilities. The balance of the Downtown Palm Springs Park will be devoted to landscaping, outdoor sitting areas, and appropriate shading from the desert heat. The current Site Plan for the Downtown Palm Springs Specific Plan is provided in Exhibit II-3.

The Downtown Palm Springs project will also restore the circulation grid in the Downtown area, including a new east-west oriented public street, called "Main Street," connecting Palm Canyon Drive to Museum Drive, and the entry of the Palm Springs Art Museum. This important vista westerly along Main Street will provide the visual presence for the Palm Springs Art Museum and the San Jacinto Mountains which did not exist with development of the former Desert Fashion Plaza. Additional connections and crossings should be provided from the Specific Plan area to the Convention Center and other resort facilities to the east. Providing a greater degree of connectivity will increase access to retail and restaurant uses, foster economic development, and reduce vehicular trips. Belardo Road will also be restored to its original alignment, providing an important north-south alternative route to Palm Canyon Drive and Indian Canyon Drive. Finally, Andreas Road will be extended between Belardo Road and Palm Canyon Drive, to provide an alternate access on and off the project site, and add a view corridor through the site. Andreas Road, between Palm Canyon and Indian Canyon, was also recently converted by the City to two-way east-west traffic circulation, further enhancing the traffic access into and out of the Specific Plan area. These new public streets will also provide opportunities for pedestrian and bicycle circulation and access to the mixed uses within the Specific Plan area.



- Estate Residential (0 - 2.0 du/ac)
- Very Low Density Residential (2.1 - 4.0 du/ac)
- Low Density Residential (4.1 - 6.0 du/ac)
- Medium Density Residential (6.1 - 15.0 du/ac)
- High Density Residential (15.0 - 30.0 du/ac)
- Small Hotel
- Tourist Resort Commercial
- Neighborhood/Community Commercial
- Central Business District
- Regional Commercial
- Mixed Use/Multi-Use
- Office
- Industrial
- Regional Business Center
- Public/Quasi-Public

- School
- Public/Utilities
- Airport
- Open Space - Mountain (1 du/40 ac)
- Open Space - Conservation (1 du/20 ac)
- Open Space - Parks/Recreation
- Open Space - Water
- Desert (1 du/10 ac)
- Special Policy Area
- Watercourse Zone
- Wind Energy Overlay
- City Boundary
- Sphere of Influence
- Potential Future Sphere of Influence Expansion Area
- Specific Plan



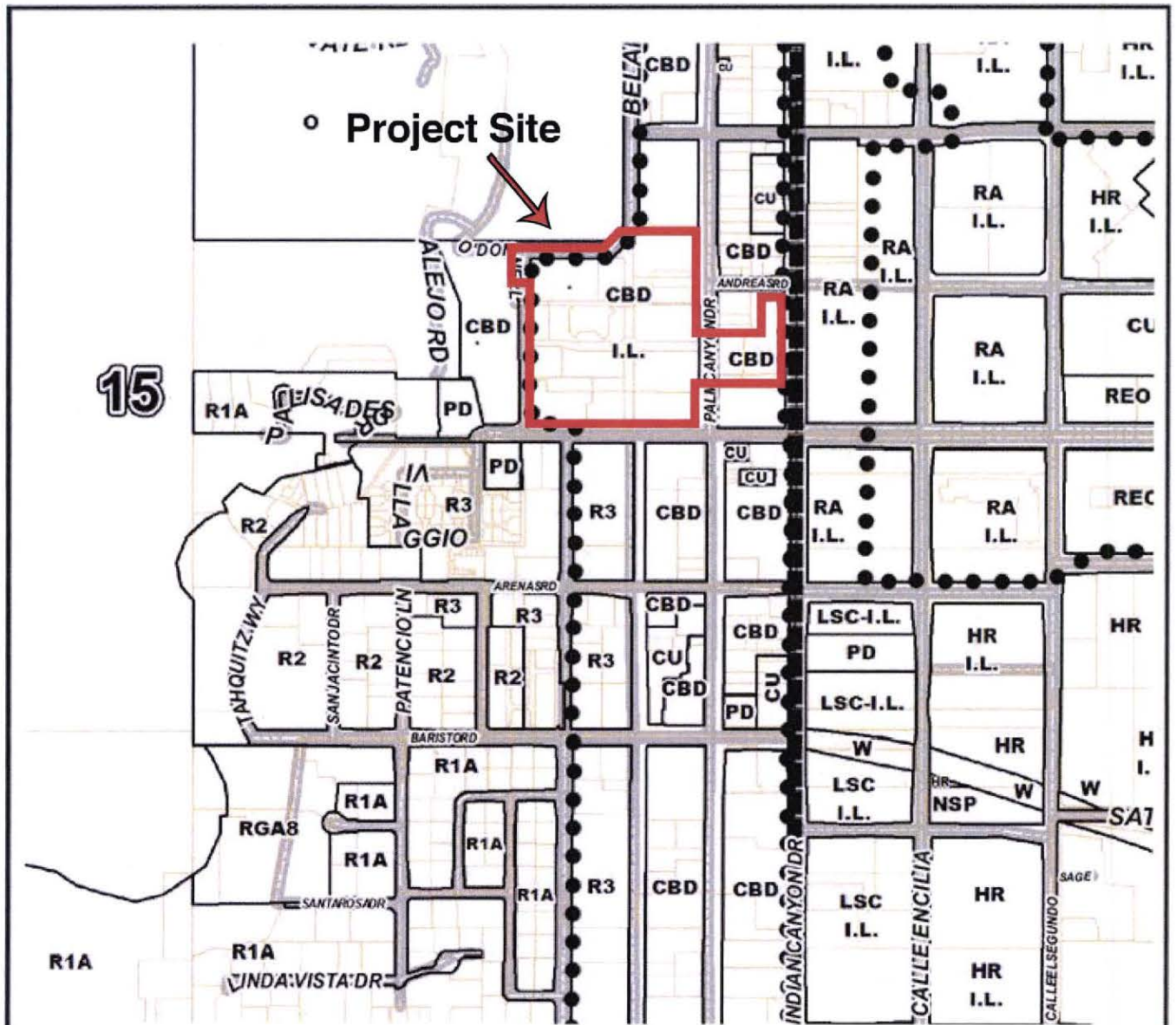
Source: City of Palm Springs General Plan 10.24.2007

03.24.16
N



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

Exhibit
II-1
56



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

| CITY OF PALM SPRINGS ZONING CODES AND DESCRIPTIONS | | | |
|--|------------|------------|------------------------------------|
| RESIDENTIAL | COMMERCIAL | INDUSTRIAL | RECREATION/PLANNED COMMERCIAL ZONE |
| R-1A | CB-1 | I-1 | RE-1 |
| R-2 | CB-2 | I-2 | RE-2 |
| R-3 | CB-3 | I-3 | RE-3 |
| R-4 | CB-4 | I-4 | RE-4 |
| R-5 | CB-5 | I-5 | RE-5 |
| R-6 | CB-6 | I-6 | RE-6 |
| R-7 | CB-7 | I-7 | RE-7 |
| R-8 | CB-8 | I-8 | RE-8 |
| R-9 | CB-9 | I-9 | RE-9 |
| R-10 | CB-10 | I-10 | RE-10 |
| R-11 | CB-11 | I-11 | RE-11 |
| R-12 | CB-12 | I-12 | RE-12 |
| R-13 | CB-13 | I-13 | RE-13 |
| R-14 | CB-14 | I-14 | RE-14 |
| R-15 | CB-15 | I-15 | RE-15 |
| R-16 | CB-16 | I-16 | RE-16 |
| R-17 | CB-17 | I-17 | RE-17 |
| R-18 | CB-18 | I-18 | RE-18 |
| R-19 | CB-19 | I-19 | RE-19 |
| R-20 | CB-20 | I-20 | RE-20 |
| R-21 | CB-21 | I-21 | RE-21 |
| R-22 | CB-22 | I-22 | RE-22 |
| R-23 | CB-23 | I-23 | RE-23 |
| R-24 | CB-24 | I-24 | RE-24 |
| R-25 | CB-25 | I-25 | RE-25 |
| R-26 | CB-26 | I-26 | RE-26 |
| R-27 | CB-27 | I-27 | RE-27 |
| R-28 | CB-28 | I-28 | RE-28 |
| R-29 | CB-29 | I-29 | RE-29 |
| R-30 | CB-30 | I-30 | RE-30 |
| R-31 | CB-31 | I-31 | RE-31 |
| R-32 | CB-32 | I-32 | RE-32 |
| R-33 | CB-33 | I-33 | RE-33 |
| R-34 | CB-34 | I-34 | RE-34 |
| R-35 | CB-35 | I-35 | RE-35 |
| R-36 | CB-36 | I-36 | RE-36 |
| R-37 | CB-37 | I-37 | RE-37 |
| R-38 | CB-38 | I-38 | RE-38 |
| R-39 | CB-39 | I-39 | RE-39 |
| R-40 | CB-40 | I-40 | RE-40 |
| R-41 | CB-41 | I-41 | RE-41 |
| R-42 | CB-42 | I-42 | RE-42 |
| R-43 | CB-43 | I-43 | RE-43 |
| R-44 | CB-44 | I-44 | RE-44 |
| R-45 | CB-45 | I-45 | RE-45 |
| R-46 | CB-46 | I-46 | RE-46 |
| R-47 | CB-47 | I-47 | RE-47 |
| R-48 | CB-48 | I-48 | RE-48 |
| R-49 | CB-49 | I-49 | RE-49 |
| R-50 | CB-50 | I-50 | RE-50 |
| R-51 | CB-51 | I-51 | RE-51 |
| R-52 | CB-52 | I-52 | RE-52 |
| R-53 | CB-53 | I-53 | RE-53 |
| R-54 | CB-54 | I-54 | RE-54 |
| R-55 | CB-55 | I-55 | RE-55 |
| R-56 | CB-56 | I-56 | RE-56 |
| R-57 | CB-57 | I-57 | RE-57 |
| R-58 | CB-58 | I-58 | RE-58 |
| R-59 | CB-59 | I-59 | RE-59 |
| R-60 | CB-60 | I-60 | RE-60 |
| R-61 | CB-61 | I-61 | RE-61 |
| R-62 | CB-62 | I-62 | RE-62 |
| R-63 | CB-63 | I-63 | RE-63 |
| R-64 | CB-64 | I-64 | RE-64 |
| R-65 | CB-65 | I-65 | RE-65 |
| R-66 | CB-66 | I-66 | RE-66 |
| R-67 | CB-67 | I-67 | RE-67 |
| R-68 | CB-68 | I-68 | RE-68 |
| R-69 | CB-69 | I-69 | RE-69 |
| R-70 | CB-70 | I-70 | RE-70 |
| R-71 | CB-71 | I-71 | RE-71 |
| R-72 | CB-72 | I-72 | RE-72 |
| R-73 | CB-73 | I-73 | RE-73 |
| R-74 | CB-74 | I-74 | RE-74 |
| R-75 | CB-75 | I-75 | RE-75 |
| R-76 | CB-76 | I-76 | RE-76 |
| R-77 | CB-77 | I-77 | RE-77 |
| R-78 | CB-78 | I-78 | RE-78 |
| R-79 | CB-79 | I-79 | RE-79 |
| R-80 | CB-80 | I-80 | RE-80 |
| R-81 | CB-81 | I-81 | RE-81 |
| R-82 | CB-82 | I-82 | RE-82 |
| R-83 | CB-83 | I-83 | RE-83 |
| R-84 | CB-84 | I-84 | RE-84 |
| R-85 | CB-85 | I-85 | RE-85 |
| R-86 | CB-86 | I-86 | RE-86 |
| R-87 | CB-87 | I-87 | RE-87 |
| R-88 | CB-88 | I-88 | RE-88 |
| R-89 | CB-89 | I-89 | RE-89 |
| R-90 | CB-90 | I-90 | RE-90 |
| R-91 | CB-91 | I-91 | RE-91 |
| R-92 | CB-92 | I-92 | RE-92 |
| R-93 | CB-93 | I-93 | RE-93 |
| R-94 | CB-94 | I-94 | RE-94 |
| R-95 | CB-95 | I-95 | RE-95 |
| R-96 | CB-96 | I-96 | RE-96 |
| R-97 | CB-97 | I-97 | RE-97 |
| R-98 | CB-98 | I-98 | RE-98 |
| R-99 | CB-99 | I-99 | RE-99 |
| R-100 | CB-100 | I-100 | RE-100 |

Source: City of Palm Springs, 2013

03.24.16



Museum Market Plaza Specific Plan
Existing Zoning Designations
Palm Springs, California

Exhibit
II-2

C. Specific Plan Land Uses

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

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

- Up to 650 multi-family residential units⁵
- Up to two (2) hotels west of Palm Canyon Drive, 450 hotel rooms total⁶
- Up to 391,300 square feet of commercial square footage

The intent of the Specific Plan is to provide the highest quality architecture to house the most successful mix of land uses, and bring activity and permanent population to downtown Palm Springs. By increasing the downtown population, the commercial entities will be supported, and activity in the downtown will increase. In order to achieve this goal, careful attention to site design, landscaping and architectural massing will be required. The CBD zone allows a broad range of land uses in structures of up to 60 feet in height. This concept is supported in the Downtown Design Guidelines, which encourage the development of an urban core, and the activity and vitality which come with it.

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

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.

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.

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

D. Design Principles

The Specific Plan is intended to provide guidance to developers and land owners to assure that 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 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 Downtown Palm Springs project is pedestrian oriented and all buildings must be sensitively designed to the human scale with active, pedestrian friendly frontages. 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.

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

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

E. Special Provisions

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

1. Design Statements

While consistent with the comprehensive urban design concept for Downtown Palm Springs, a number of special design statements are key.

- a. A distinctive and adaptable architectural theme that incorporates a new sustainability aesthetic will define future development. References to prevailing Modernist, Spanish and Mediterranean styles may occur. Fundamental principles of the theme will be consistent throughout, with interesting variation in rooflines, elevational articulation, detailing and materials creating a richly textured built environment.
- b. Stepping back of the upper floors of buildings to create graduated frontages that allow generous view corridors and reduce the visual dominance of building mass.
- c. Definitive corner treatments at primary intersections, achieved by introducing distinctive architectural features and corner cut backs to buildings. Sidewalks will include projections with special landscaping and surface finishes, and street paving will be distinctive.
- d. Active building frontages and lively, 'multi purpose' sidewalks, contributing to a vibrant townscape experience.
- e. Distinctive design treatments of the public spaces and the associated hierarchy of interlinked, versatile public open spaces, creating a well-defined sense of place.
- f. Connectivity between internal components of the Specific Plan and the surrounding development, including the Section 14 Master Plan area, and hotels and Convention Center to the east.

Design statements are an integral component of the comprehensive urban design concept for Downtown Palm Springs and are described in detail in Section III of this document.

III. DEVELOPMENT STANDARDS AND GUIDELINES

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.

A. Purpose

The purpose of the land use districts in the 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:

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

B. Land Use Districts

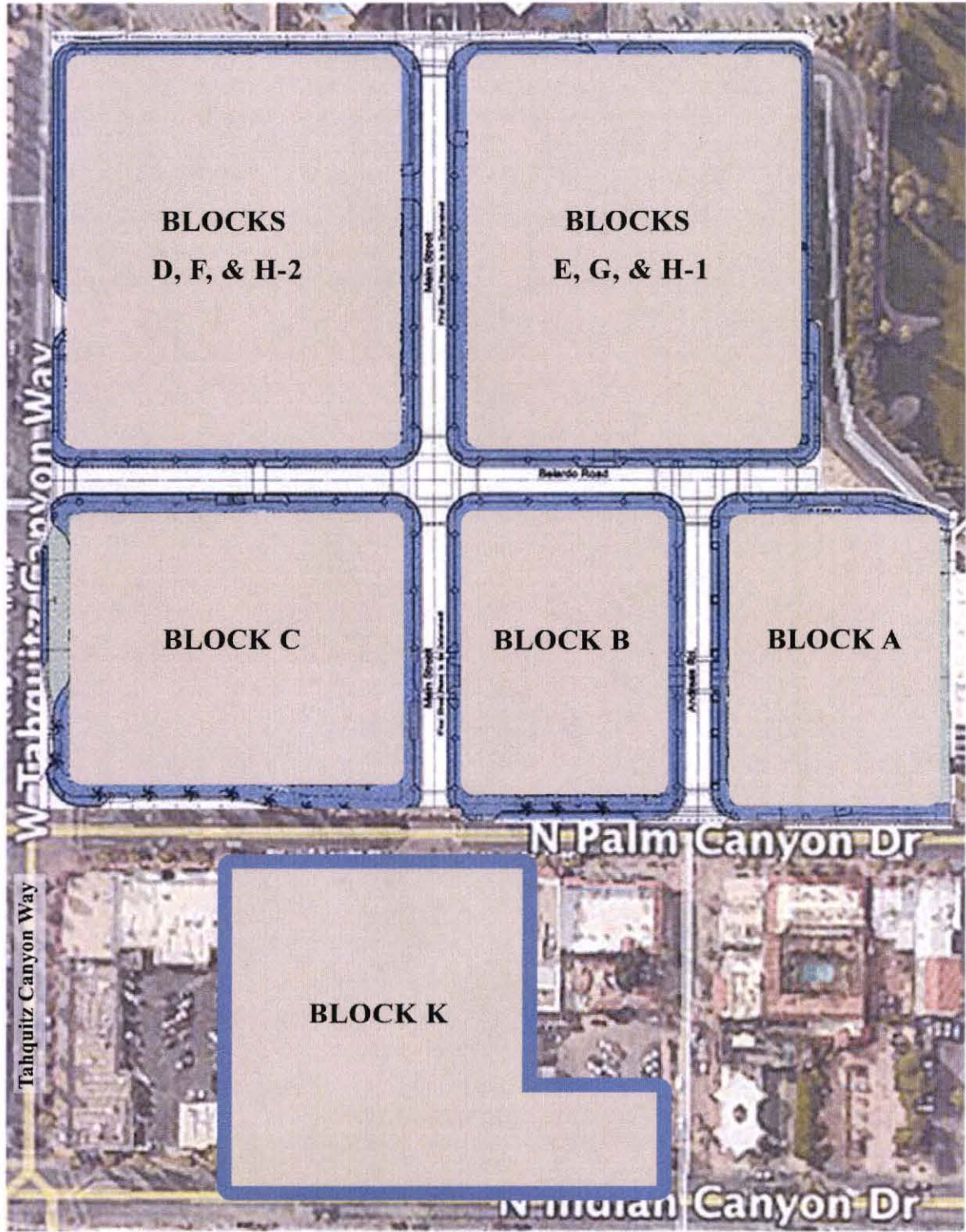
In accordance with the Palm Springs General Plan Land Use map, the blocks within the Specific Plan area (Blocks A through K) are designated Central Business District. All Blocks are depicted in Exhibit III-1.

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

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

Hotel uses and appropriately located, well-designed parking facilities are accepted. Appropriate residential development is also encouraged in downtown locations due to its many beneficial contributions to local character, and the Specific Plan supports a residential component.

The block identified as E is permanently dedicated as a City-owned central park identified as "Downtown Palm Springs Park," within the Specific Plan. The blocks identified as H-1 and H-2 are permanently dedicated for City-owned public purposes. (Please see Section II, Land Use Plan)



Source: Wessman Development



03.24.16



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

Exhibit

III-1

65

C. Uses**1. Allowable Uses**

Uses permitted within the Specific Plan are listed in Table III-1. Similar uses that are not detrimental to permitted uses or to public health, safety and welfare, may be permitted by the City Council subject to the findings listed in Section 94.01.02(B) of the Zoning Ordinance.

According to the provisions of the General Plan, supermarket uses are prohibited in the downtown area. However, in view of the potential for residential uses, an appropriately located supermarket is encouraged in the Specific Plan.

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

All new structures for permitted uses require Major Architectural Approval to be granted by the City Council.

**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 |
| 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 |
| 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 |
| 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 |

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.

| | |
|--|-----|
| 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 uses¹⁰ | P |
| Outdoor uses accessory to permitted main use and located on same property (excluding Blocks E, H-1 and H-2): <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 - outdoor dining & beverage service - plant/floral sales & displays - post card displays¹² - theatre & public assembly - vending carts¹³ | LUP |
| Outdoor uses: located on Blocks E, H-1, and H-2: <ul style="list-style-type: none"> - art displays - 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 - tourism activities kiosks | 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.

2. Similar Uses

Similar uses that are not detrimental to permitted uses or to public health, safety and welfare, may be permitted by the City Council.

3. Prohibited Uses

The uses listed below will not be permitted in the Specific Plan area:

- Adult entertainment
- Automobile parking as Primary use
- Automobile service stations
- Dog kennels and Catteries
- Drive-in and Drive-through restaurants, banks and all uses not specifically permitted
- Industrial or Manufacturing
- Massage (except in conjunction with resort hotel or spa)

- Pawn shops

- Single family residences
- Tattoo, Piercing or Body art Parlors
- Thrift Shops
- Upholstery shops
- Wholesale or Warehousing

D. Development Standards

The following site development standards shall apply within the boundaries of the Downtown Palm Springs Specific Plan.

| Table III-2 Development Standards | |
|---|-------------------------|
| Min. Front Setback or Street Side Setback ¹⁴ (Feet from property line) | |
| • Palm Canyon Drive, west side | 15 |
| • Palm Canyon Drive at Block C and C-1 | 32 ¹⁵ |
| • Main Street at Block B and B-1 | 12 |
| • Main Street at Block C and C-1 | 31 ¹⁵ |
| • Palm Canyon Drive, east side | 10 |
| • All Other Streets (Public and Private) | (50%) ¹⁶ /12 |
| Minimum Distance Between Buildings (feet) | |
| • Tahquitz Canyon | 81 |
| • Belardo | 70 |
| • Main Street | 71 |
| • Andreas | 74 |
| • Market Street | 40 |
| Min. Building Rear Setback (Feet) | 0 |
| Min. Building Side Yard Setback (Feet) | 0 |
| Max. Building Height (Feet) ^{17, 18} | |
| • Block A | 60 |
| • Block A-1 | 20 |
| • Block B | 40 |

¹⁴ Exceptions to the minimum setback requirements are listed under Section III-E.5.

¹⁵ An additional 70 foot diagonal setback shall be required on Block C from the intersection of Main Street and North Palm Canyon.

¹⁶ On the east side of Palm Canyon, up to 50% of the linear frontage may occur at the property line, without any setback, and at least 50% of the linear frontage must have a minimum 10 foot setback from the property line.

¹⁷ Building height shall be measured from the highest point of the building pad to the top of the roofline. Also see Section III-E.4, Projections Above Maximum Building Height.

¹⁸ Buildings exceeding 60 feet in height shall be required to include building voids and open airspace, as described in the paragraph immediately following this Table.

| | |
|--|--------------------------------------|
| • Block B-1 | 69 ¹⁹ |
| • Block C | 28 ²⁰ |
| • C-1 | 60 |
| • Block D | 40 |
| • Block E | 17 ²¹ |
| • Block F | 60 |
| • Block G | 60 |
| • Block H-1 | 17 |
| • Block H-2 | 17 ²² |
| • Block K | 60 |
| Hotels (all Blocks, except B-1, E, H-1, H-2) | Per City Council²³ |
| Minimum Building Height Stepbacks^{24, 25} (Feet) | |
| • Tahquitz Canyon | |
| ○ 0-35 Feet in Height | 0 |
| ○ Over 35 Feet in Height | 20 |
| • Palm Canyon | |
| ○ 0-30 Feet in Height | 0 |
| ○ Over 30 Feet in Height | 20 |
| • Indian Canyon | |
| ○ 0-30 Feet in Height | 0 |
| ○ Over 30 Feet in Height | 20 |
| • Belardo | |
| ○ 0-30 Feet in Height | 0 |
| ○ Over 30 Feet in Height | 15 |
| • Museum Drive | |
| ○ 0-30 Feet in Height | 0 |
| ○ Over 30 Feet in Height | 15 |
| • Internal & Private Streets | |
| ○ 0-30 Feet in Height | 0 |
| ○ Over 30 Feet in Height | 10 |
| • Adjacent to Museum Parking & O'Donnell | |

¹⁹ A Virgin brand hotel use on Block B-1 is permitted up to a maximum height of 75 69 feet subject to the approval of a Development Agreement. A 60 foot height is permitted for commercial or residential uses.

²⁰ A height of 34 feet may be approved by City Council, provided a setback of 10 feet on Main Street and 110 feet on Palm Canyon is maintained for the additional height.

²¹ Except for structures associated with the police substation, art installations and exhibits.

²² Except for proposed historic Aluminaire House relocation, art installations and exhibits.

²³ Hotels on Blocks C, D, F, G and K may exceed 60 feet in height, subject to approval by the City Council via a Planned Development District.

²⁴ Stepbacks are defined as the horizontal distance a building face must be set back from the property line at each given height. The area required for a stepback can be used for balconies and terraces. Stepbacks shall be measured from the face of a structure to the property line at a 90 degree angle from the building face.

²⁵ Also see Section III-E.4, Projections Into the Right of Way.

| | |
|---|-----|
| Golfcourse | |
| ○ 0-45 Feet in Height | 0 |
| ○ 45-60 Feet in Height | 20 |
| ▪ Block K, adjacent to existing buildings | |
| ○ 0-45 Feet in Height | 0 |
| ○ 46-60 Feet in Height | 25 |
| Minimum Public/Common Area Open Space ²⁶ | |
| • Blocks A, B, C, D, F, G, K | 10% |

In order to allow creative building design, provide relief from the vertical plane and maintain views within the Specific Plan, portions of buildings above 35 feet in height shall include additional setbacks (over and above the setbacks already required) in the exterior wall plane so as to provide variation in the vertical plane of the building walls and to reduce the volume and massing at the upper levels of buildings. Portions of buildings over 60 feet in height shall be required to provide additional setbacks and reductions in volume and massing.

To achieve this, buildings shall be designed with setbacks from street property lines and greater open airspace above certain floors, subject to approval by the City Council, and as further specified above in Table III-2.

E. Land Use Regulations

1. Ground Floor Use Limitations

Street frontage (ground floor) uses are primarily limited to *Retail Goods, Personal Services, Food and Beverage Services* and *Tourist and Related Services* (see Table III-1). Uses categorized as *Office and Related* may only be allowed by Conditional Use Permit (CUP) when fronting North Palm Canyon Drive (both sides), Indian Canyon Drive (west side) or Main Street (both sides).

On the ground floors of the following blocks and corresponding street frontages, *Retail Goods, Personal Services, Food and Beverage Services, Tourist and Related Services, Offices and Related* and *Public and Semi-public* uses are permitted in any combination.

| Block | Frontage |
|-------------|-----------------------------------|
| Block A | West, east and south sides |
| Block B, B1 | West, east, north and south sides |
| Block C, C1 | West, east, north and south sides |
| Block K | East side (Indian Canyon) |

A grocery store is preferred on Block D. Further, retail and/or commercial uses are permitted on Block D. Residential uses are permitted above the ground floor of Blocks A and B. For Blocks F

²⁶ All open space is to be calculated based on net acreage (not including street right(s) of way).

and G, commercial development on the ground floor, with residential uses above; all-residential; or a combination of residential and commercial on the ground floor with residential above are permitted.

In all cases throughout the Specific Plan area, street front entrances to uses located above or below ground level are permitted, but may not exceed 20 feet of linear street frontage per entrance.

2. Maximum Building Square Footage

The configuration of buildings is expected to vary widely within the Specific Plan area. Based on the standards and allowances in the Central Business District, commercial or residential buildings could be built to a height of 60 feet, and be allowed 100% building coverage, with stepbacks, on Palm Canyon Drive, Indian Canyon Drive, and Tahquitz Canyon Way. However, building mass and square footage shall be restricted to allow for view corridors, open plazas and private open space, and variations in building types. In this Specific Plan, only hotels may exceed 60 feet, while the Plan also allows limited projections above 60 feet for roof equipment on all other buildings.

In order to provide flexibility in the design of the project's buildings, and to encourage variations in building heights, stepbacks and mass, the Specific Plan limits the potential square footage which can be permitted on any block. Table III-3, below, illustrates the potential square footage allowed in the Specific Plan area.

| Location | Allowed in Specific Plan Area |
|--|--------------------------------------|
| Maximum Potential Square Footage ²⁷ | |
| Block A | |
| Block B | 55,000 |
| Block C | 150,000 |
| Block D & F | 195,000 |
| Block E, | 200,000 |
| Block G | 7,500 |
| Block K | 115,000 |
| | 175,000 |
| Total Potential Square Footage | 897,500 |

Within the Specific Plan area, a transfer of permitted building square footage from one Block to another Block within the area defined by Blocks A, B, C, D, F and G (“Sub-Area 1”), or within the area defined by Blocks K1 and K2 (“Sub-Area 2”), may be permitted, as long as the transfer does not increase building square footage or mass by more than 15% in the receiving Block, and that the overall build out total for the Specific Plan area is not exceeded. A transfer of permitted building square footage between Sub-Area 1 and Sub-Area 2 is not permitted, unless approved by the City Council. All other development standards within this Specific Plan must be met with implementation of a transfer.

At build out of the Specific Plan, building square footage shall not be permitted to exceed the total shown in the “Allowed in Specific Plan Area” column of Table III-3.

3. Projections Above Maximum Building Height

Projections above maximum building heights are allowed for elevator shafts, heating and cooling equipment, and non-habitable towers or architectural features, to a maximum of 15 feet above the building height. Projections above the building height cannot exceed 15% of the building roof area.

²⁷ Building square footage is provided for all Blocks except Blocks H-1 and H-2. These Blocks are to be developed as public open space. Block H-1 is anticipated to accommodate art installations and similar public viewing areas in a park setting. Block H-2 is expected to accommodate the historic Aluminaire House, which will be on permanent exhibition at this location. None of the uses proposed are to include active commercial or residential uses. Should commercial or residential land uses be proposed on Blocks H-1 or H-2, a Specific Plan amendment will be required.

4. Projections Over Street Sidewalks

Projections into the public right of way shall be permitted for the following structures or features:

- a. Awnings: Awnings can extend over the sidewalk, subject to approval of the City Engineer, but in no case past back of curb.
- b. Architectural features/screens/canopies perpendicular to the building face not exceeding 10 feet into the right of way, but in no case past back of curb
- c. Entry porticos not exceeding 20% of the building's linear footage on any side. Porticos may extend to the face of curb, but may not impede the right of way to prevent ADA compliance.
- d. Arcades, trellis features and similar coverings. Such features may extend to the face of curb, but may not prevent ADA compliance.
- e. Balconies and terraces, not exceeding 6 feet into the right-of-way.



5. Outdoor Uses on the Sidewalk

Outdoor dining or sitting areas, when part of an adjacent restaurant, bar or similar establishment, may encroach into the parkway, but may not prevent ADA compliance, and are subject to an LUP.

6. Building Articulation

Building elevations may not extend more than 60 horizontal linear feet without articulation. Articulation may include but is not limited to planar recesses, architectural features, awnings or similar features which either recess into the building or protrude from it a minimum of 2 feet.

In order to allow creative building design, provide relief from the vertical plane and maintain views within the specific plan, portions of buildings above 35 feet in height shall include additional stepbacks (over and above the stepbacks already required) in the exterior wall plane so as to provide variation in the vertical plane of the building walls and to reduce the volume and massing at the upper levels of buildings. Portions of buildings over 60 feet in height shall be required to provide additional stepbacks and reductions in volume and massing, subject to approval by the City Council, and as further specified above in Table III-2.

7. Walls and Fences

Walls and Fences are permitted at specific locations within the Specific Plan Area, as follows:

Adjacent to retail commercial or hotel land uses, walls shall be permitted at the ground level only to screen loading dock facilities. Walls shall not be allowed to exceed 6 feet in height, as measured from finished grade. Walls shall be constructed of masonry with a decorative finish

that complements the surrounding architecture. Wrought iron fencing, decorative masonry or tubular steel fencing no higher than three feet in height shall be permitted to enclose outdoor use areas, such as restaurant terraces and lounge areas. No other fencing shall be permitted in conjunction with retail commercial or hotel uses.

Adjacent to residential development, walls and fences shall be permitted at the ground level to screen entryways and courtyards. Walls and fences adjacent to a street may not exceed 6 feet in height, as measured from finished grade. Walls and fences on the interior of a building, adjacent to common area open space or parking areas, may not exceed 6 feet in height as measured from finished grade. Walls and fences may be constructed of wrought iron, tubular steel, split face block, precision block, stucco, or decorative metal siding (non-reflective). No chain link fencing shall be permitted at or above ground level in any development, except for temporary chain link fencing specifically approved for limited duration use by the City for special events occurring on Blocks E, H-1, or H-2.

Within underground garage and service areas, chain link fencing shall be permitted to enclose equipment or storage areas only. The chain link fencing shall not exceed six feet in height, and shall not be located within 20 feet of any exterior wall, with one exception: Fencing separating public and private parking areas may be permitted to extend from floor to ceiling in parking structures, and shall be constructed of tubular steel or similar materials.

8. Parking and Loading Requirements

a. Number of Parking Spaces Required

Primary parking for residential uses shall be provided immediately adjacent to, under or over the units served, and within the Block where the units occur. 50% of the guest parking for residential uses must be provided within the Block, and 50% may be provided elsewhere within the Specific Plan area.

Parking for non-residential uses may be provided anywhere within the Specific Plan area. The Major Architectural Application shall include a demonstration that sufficient parking is provided elsewhere in the Specific Plan area, and shall be constructed prior to occupancy of the use, to accommodate the use. Please see Section V.A.

At the time that the Specific Plan was amended in 2016, a total of 1,219 parking spaces were available west of Palm Canyon Drive, and 874 of these spaces were allocated to approved projects. Projects proposed after adoption of the Specific Plan amendment will be required to:

- a. demonstrate that their parking needs can be met within the remaining 345 spaces; or
- b. prepare a parking management plan that demonstrates that sufficient parking is available to the use, including shared parking for uses with complementary activity hours, and dedicated off-site parking.

As part of the Specific Plan Amendment adopted in 2016, Block A-1 will be purchased by the City for construction of a public parking structure, to include ground level plus one deck of

parking. Further, Block F shall be required, when development is proposed, to include parking beneath the structure. Finally, any unbuilt Block may be used as temporary parking, but must include landscaping and paved surfaces. Temporary parking lots shall require approval of a site plan showing all proposed improvements. The Director may approve such a site plan. Parking in temporary parking lots cannot be counted toward satisfying the parking requirement for any permanent development within the Specific Plan area.

Finally, up to 25% of required parking for the Specific Plan area may be provided through the payment of in lieu fees, consistent with Section 96.06.00 of the Palm Springs Zoning Ordinance.

Parking shall be required as shown in Table III-4.

**Table III-4
Parking Requirements**

| Land Use | No. of Spaces Required |
|--|---|
| All uses including accessory and appurtenant uses, except those identified below | 1 space/325 s.f. |
| Hotel (all), Bed & Breakfast, Timeshare or Fractional Ownership ²⁸ | 1 space/room |
| Residential: Primary spaces: Studio or 1 Bedroom 2 Bedroom 3 Bedroom More than 3 Bedroom Guest spaces, in addition to Primary Spaces | 1 space 1.5 spaces 2 spaces 0.5 space for each additional bedroom 1 space/4 units |

Parking requirements within each Block may be reduced for shared use, if a parking study is prepared and approved by the Planning Commission.

b. Loading Spaces Required

Loading spaces shall be provided in conformance with Section 93.07.01 of the Palm Springs Zoning Ordinance.

²⁸ No additional parking shall be required for ancillary uses, such as ballrooms, restaurants, bars and spas, except where the ancillary use has direct access on a public street. If the ancillary use has direct access on a public street, its parking shall be calculated at a rate of 1 space per 325 s.f.

c. Parking and Loading Development Standards and Design

Parking and loading spaces shall be designed in conformance with Section 93.06.00.C of the Palm Springs Zoning Ordinance, with the following exceptions:

Lift parking is permitted for primary parking of residential land uses. Lift parking is defined as parking of one car over another through mechanical means.

Tandem parking is permitted for residential areas, however, no more than two tandem spaces are allowed with one access to a drive aisle.

Tandem parking is permitted for hotel or restaurant uses, however, a valet service must be provided at all times the use is open for business, and the valet parking area is accessible only by the valet service.

9. Trash Enclosures

Trash enclosures shall be designed and constructed in conformance with Section 93.07.02 of the Palm Springs Zoning Ordinance.

10. Signage

Signage shall be permitted consistent with Section 93.20.00 et. seq. of the Palm Springs Zoning Ordinance, with the following exceptions:

Banners with changing copy and graphics may be permitted when affixed to street lights on a permanent basis, and must be well maintained and replaced when torn or frayed. Kiosks signage will be permitted in the building setback areas, as depicted here and in Section III-F.8, Street Furniture.



F. Design Guidelines

1. Architecture

a. General Provisions

Consistent with the requirements and recommendations of the General Plan and the Downtown Urban Design Guidelines, all development within the Specific Plan area will complement the distinctive, eclectic townscape character that has made Palm Springs nationally and internationally famous. The existing built form and characteristic townscape spatial arrangements, together with the startling local topography, have created a unique environment that provides all users with a well-defined sense of place.

The northwest corner of the area contained within the Specific Plan fronts open space, but other than that, the Specific Plan addresses an area that is bordered on all sides by existing urban development. Achieving sympathetic relationships between new buildings and the existing adjoining developments will therefore be fundamental to the successful integration of forthcoming development into the wider context.

The Specific Plan area will be known as the Downtown Palm Springs and its component blocks must be clearly unified by a coherent visual identity. An encompassing visual identity creates an essential 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.

b. Building Height, Scale and Massing

The Specific Plan allows for an intensive level of development, where careful attention to appropriate building height, scale and massing will be essential. The area is pedestrian oriented and all buildings shall be sensitively designed to the human scale with active, pedestrian friendly frontages. Each of the component blocks must be effectively permeated with public and private open spaces, allowing view corridors to and from the public domain and thus avoiding the creation of an overwhelming and impenetrable built form. Within each block, individual buildings must be treated with care and consistency.

With the exception of Block K, all Blocks within Specific Plan are defined as Central Core in terms of the Palm Springs Downtown Urban Design Guidelines. In accordance with the recommendations of the Guidelines, this Specific Plan allows for an average maximum building height of 60 feet. However, with sympathetic massing and effective architectural treatment to visually reduce building bulk, hotels may exceed 60 feet, subject to City Council approval. The design of the buildings, and the layout of the Specific Plan area, is intended to implement the goals of the General Plan, to create a new mixed use center of Palm Springs.

Building elements throughout the Specific Plan must be varied to include stepping down so that the apparent mass of the building is reduced, austere ‘cliff-face’ frontages avoided, and view corridors created.

In addition to conforming to the requirements concerning building height and stepped frontages, massing of the buildings in Block A must also respect the presence of the existing building to the north, and the hierarchy of streetscapes to either side.

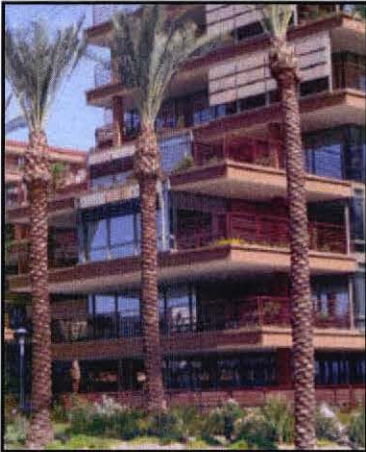
Blocks E, H-1 and H-2 provide public open spaces for Downtown Palm Springs and the built form shall therefore remain entirely subordinate to that of the blocks abutting, allowing views across these Blocks in all directions. So that the unimpeded views and predominance of landscaping that typically characterize public open spaces can prevail, buildings shall be visually permeable



and not exceed one story in height, (exhibition structures and structures associated with the police substation, and the Aluminaire House may exceed one story). Permanent buildings located on these Blocks are limited to the maximum total area identified in Table III-3, and shall be massed appropriately to one side of each Block to frame the open space thereon.

Buildings included in Block C should conform to the requirements concerning building height and stepped frontages, with massing concentrated towards the centre. Sympathetic massing of the new built form will also respect the spatial characteristics of the Downtown Palm Springs Park to the northwest, the surrounding hierarchy of streetscapes and the modest levels of existing development to the southwest of the block.

The blocks defined as D and F may be developed together as one block or as two blocks, and with limited exceptions, the standard constraint on building height will apply, together with the requirement for stepped frontages. If developed as one block, massing shall be concentrated away from Tahquitz Canyon Way, and pedestrian and visual permeability must be included so that the creation of an impenetrable and overtly urban mega-block is avoided. If the two blocks are separated by the introduction of a parking access drive, massing of the component buildings will require careful consideration so that the creation of an uninviting, alley-like access route is avoided. Sympathetic massing of the new built form will respect the spatial characteristics of the Palm Springs Art Museum, the Downtown Palm Springs Park on Block E, the public space and future potential cultural use by the Palm Springs Art Museum on Block H-2, and open areas to the west, as well as the surrounding hierarchy of streetscapes.



Subject to sensitive architectural treatment, the new built form will continue the adjacent well-defined edge along the northern frontage of Block G.

Block K will require future planning, and must be developed subject to approval of a PDD. Another potential exception to the 60-foot height limit may be at Block K, where subject to City Council approval via a Planned Development District, additional building heights may be developed. Increased building height at Block K will result in the new built form providing visual continuity between the constrained level of development allowed to the west and the intensive levels of existing and proposed development in Section 14, to the east. Additional connections and crossings should be provided from the Specific Plan area to the Convention Center and other resort facilities to the east. Providing a greater degree of connectivity will increase access to retail and restaurant uses, foster economic development, and reduce vehicular trips. The fragmented nature of the block presents challenges in terms of achieving sympathetic massing, as all street frontages shall be designed to the human scale and the existing modest levels of development at abutting sites must be respected.

c. Architectural Style and Treatment

Eclectic Architecture is a defining feature of Downtown Palm Springs and while renowned for its uniquely Californian Modernist buildings, the area is also rich in interesting examples of Spanish and Mediterranean styles.

Where the distinctive character of an area derives from its diversity of development over many decades, new built form that merely replicates previous styles is counter to the way in which the area has evolved. New development, while contextual, should therefore be of its time, using contemporary designs of a scale and form reflective of locally distinctive models.

Aside from landmark buildings, most buildings forming part of a streetscape do not need to be idiosyncratic. Too many buildings of individual dominance and distinction compete with each other and create urban chaos. A more harmonious townscape is achieved by using variations on a consistent architectural theme, with variety in the detailing and materials.



With reference to the City's legacy of Modern, Spanish and Mediterranean styles, a forward-looking architectural theme recognizing a new sustainability paradigm is the primary direction for future development in the Specific Plan area. The theme seeks to encourage architecture that builds on Palm Springs' tradition of responding to the demands of a desert climate, but with new respect for minimizing energy and materials use in construction and occupancy. New design aesthetics will be needed to incorporate solar control, passive energy production (solar and wind), and wireless technologies with time-honored concerns for pedestrian entries, security and orientation, building function, view preservation and visual appeal in the manipulation of form, materials and color. Particular attention to the sensitive treatment of the street front forms a core objective within the unified Urban Design concept. Together, these principles will provide the Downtown Palm Springs area with a cohesive and distinctive character. Within this overall architectural theme, interesting variation in rooflines, elevational articulation, detailing and materials will be needed to create a richly textured built environment. Recesses and reveals that provide shade and create shadow lines, such as building projections, covered walkways, colonnades, arcades, and other human scale openings shall be included to reduce the impact of building mass and create visual interest. The means of enclosure to courtyards and balconies shall be visually permeable where appropriate and the stepping back of upper floors will also be utilized to further reduce the visual impact of building mass and maximize view corridors.



In accordance with the prevailing architectural theme, buildings are to be clearly legible with active main frontages and well-defined entrances. All elevations of a building shall be consistently treated, and rooftop mechanical and electrical equipment must be screened as an integral part of the architectural treatment.

Buildings situated at important intersections should receive special treatments. The inclusion of architecturally definitive features and corner cut-backs assists in the creation of a distinctive sense of place, as well increasing opportunities to create useable outdoor public spaces.

In its location at the eastern end of the Specific Plan Block K will form a balanced counterpart to the Palm Springs Art Museum building located at the western end of Main Street. Although standing alone as a landmark building, its architectural treatment will complement the architectural theme prevailing throughout Downtown Palm Springs.



Special architectural treatments will also be required for the southern and northern elevations of the buildings included in Block G, and the western elevation of Block D and F. While consistent with the prevailing architectural theme, western elevational treatments shall defer to the presence of the adjacent Palm Springs Art Museum building and relate to the public open space immediately next to them. Effective articulation of the southern and northern frontages of Block G will be essential to reduce the visual dominance of the tall building.

Parking structures at street level have a potential to result in austere and impermeable frontages. While consistent with the prevailing architectural theme, they will require special design treatment to minimize the impact of the structure on the pedestrian experience. Parking structures must be visually permeable and include 'designed-in' safety features. Elevations require effective articulation, incorporating projections, recesses and interesting combinations of materials to avoid the creation of continuous, harsh frontages. Parking structures must also have well defined entrances, easy access and legible interior spatial arrangements to invite consistent usage.

Exhibit III-2
Architectural Treatments



d. Storefronts

Well-designed storefronts make a significant contribution to streetscape character and assist in the creation of lively frontages. The pedestrian experience is enhanced by visually permeable, largely glazed storefronts that minimize the division between interior and exterior space, and allow interesting views of inviting interiors. Clearly defined and easily accessible entrances create active frontages and draw people into the store, while visually permeable design treatment allows the interior of the store to function as an extensive display area at all hours, thereby maximizing economic opportunities for vendors.

Essential security equipment must be inconspicuously located so that the creation of a hostile atmosphere is avoided. If permitted, security grilles must be internally mounted, fully retractable during trading hours and visually permeable when in use after the store is closed.

While allowing flexibility for individual distinctiveness, shopfront design should be compatible with Downtown Palm Springs architectural theme and reflect the appearance and scale of the building above.

c. Building Materials

Designed as an integral component of Downtown Palm Springs architectural theme, a rich palette of complementary materials and finishes will create subtle continuity throughout the area by visually linking eclectic architectural styles. While consistent with the broader theme, it is essential that materials, colors and finishes are appropriate to the architectural style of individual buildings.

The Specific Plan allows for an intensive level of development and building facades must be softened and articulated by the innovative use of a harmonious range of surface treatments. In addition to visually reducing building mass, interesting variety in color and material assist in the creation of a lively townscape. Intense sunshine is a prevailing feature of the Palm Springs environment and textured surface finishes on which interesting shadow effects can be achieved will contribute much to distinctive local character. Wide expanses of glazing blur the distinction between interior and exterior space, promoting an essential sense of permeability and spaciousness long associated with the Palm Springs townscape.

2. Connectivity, Streetscapes, Open Spaces

a. Connectivity and Streetscenes

Streetscape character has a fundamental impact on the vitality of downtown by either encouraging or deterring pedestrian activities and a legible, well defined hierarchy of streets and pedestrian links, connected by a sequence of versatile public open spaces, effectively permeates the Specific Plan.

East-west connectivity is facilitated for both vehicles and pedestrians. Upgrading the streetscape of Andreas Road and additional connections and crossings should connect the Specific Plan area

to the Convention Center and other resort facilities on the east. Providing a greater degree of connectivity will increase access to retail and restaurant uses, foster economic development, and reduce vehicular trips. The existing grid circulation of Main Street extending to Belardo Road is essential to successful traffic circulation, and the extension completes the grid circulation pattern essential to improved traffic circulation in the Specific Plan.

Permeating the blocks included in the Specific Plan with well-designed pedestrian connections avoids the creation of overwhelmingly urban mega-blocks, adds visual interest to the streetscene and encourages pedestrian activity. The design treatment of pedestrian links, both within the Plan Area and to adjacent development, forms an integral part of the Downtown Palm Springs Urban

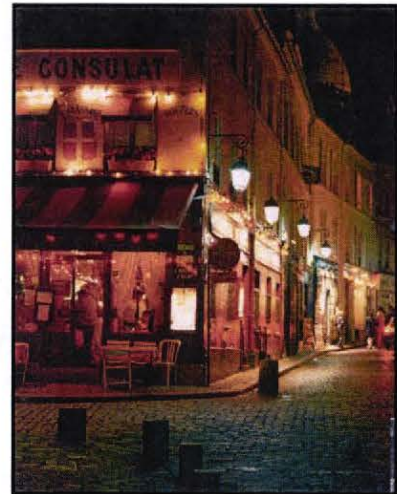


Design concept, creating inviting, multi-purpose spaces of distinctive character that include 'designed-in' safety features.

View corridors have contributed much to the unique townscape character of Palm Springs. The mountains form a spectacular backdrop to the City and downtown streetscenes offer distinctive longitudinal views, where the vertical rhythm of the mature palm trees acts as an effective foil to the general horizontality of the built form. In terms of preserving

local distinctiveness, it is important that existing view corridors are protected and new ones created. As building heights within the Specific Plan generally exceed those previously existing, it is essential that architectural elements and building components be varied and reduce the overall perception of mass, resulting in graduated frontages that allow generous view corridors. A particularly definitive local view will be created by the opening of a new east-west street that allows tree-framed views in both directions. Views to the east will extend to the startling focal point of the new building and views to the west will include the iconic Art Museum, with the mountain behind. Additional connections and crossings should be provided from the Specific Plan area to the Convention Center and other resort facilities to the east.

In accordance with the Downtown Palm Springs Urban Design concept, streetscapes should be characterized by consistent, but adaptable, design treatments so that a strong sense of continuity and place is achieved. Component spaces of special use or interest can be individually defined by a complementary variety of detailing and material. Major vehicle and pedestrian routes within the Specific Plan shall be enclosed by active frontages, with sidewalks designed to accommodate a variety of compatible outdoor activities and thereby extend the hours of active use. Consistent with the Urban Design concept for Downtown Palm Springs, a full range of features and amenities to enhance the pedestrian experience and encourage pedestrian activity shall be incorporated into the design of sidewalks and other public open spaces (see Section III.4 Street Furniture). Parking structures at street level have a potential to result in austere and



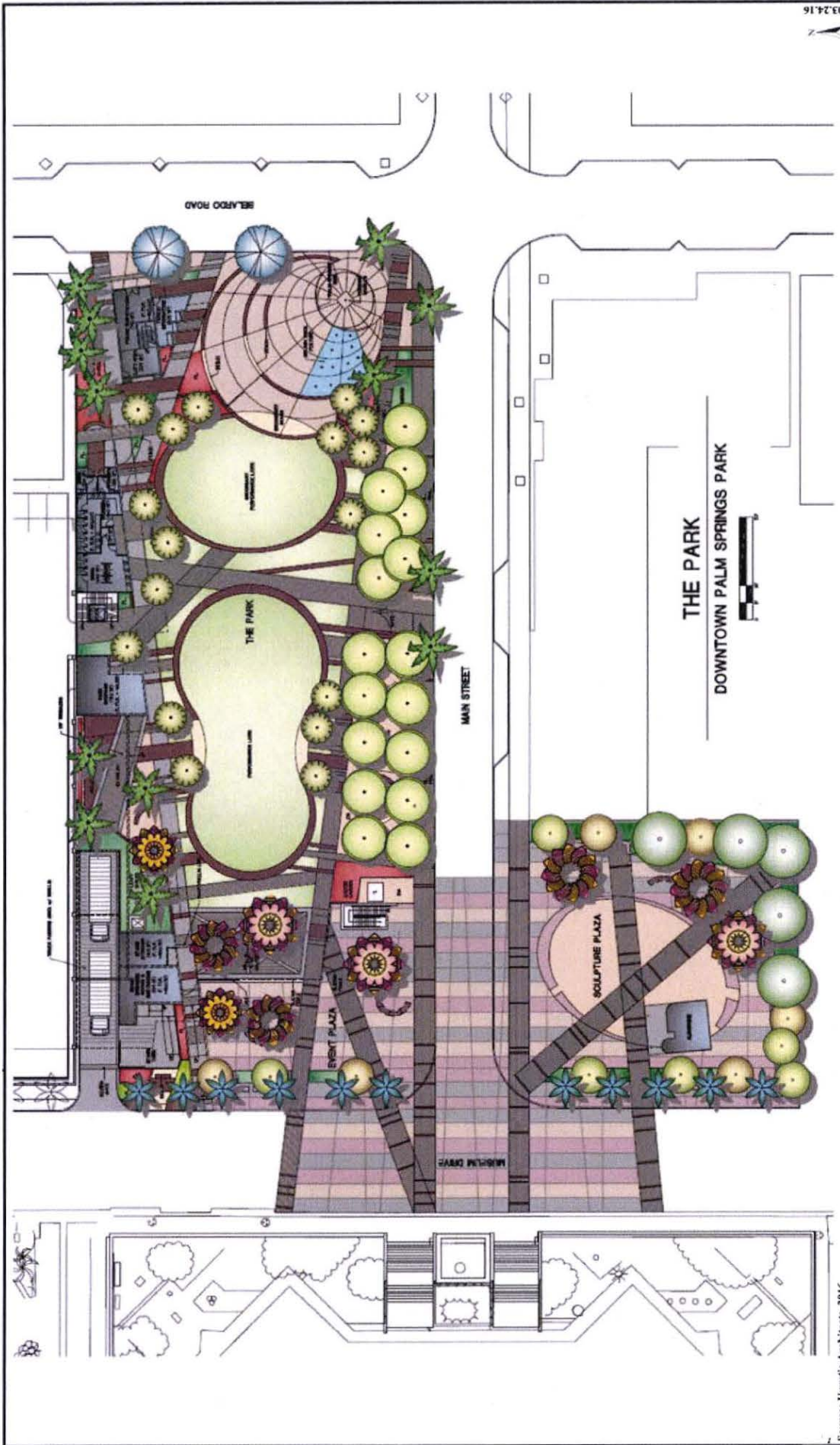
impermeable frontages and the sidewalk fronting a street level parking structure will require sensitive design treatment and landscaping to soften the visual impact of the parking structure.

Within the Specific Plan, a hierarchy of definitive intersections is to be created. Street surfaces at selected intersections will be given visual definition by the introduction of special surface finishes, while landscaped sidewalk projections or 'bulbs', together with building corner cutbacks, will create useable public open spaces and contribute to a more pleasing pedestrian experience. All design treatments will be consistent with the unified Urban Design concept, with special interest and variety being achieved in the detailing. Key definitive intersections shall be

created at Belardo Road and Andreas Road, Belardo Road and Main Street, and at the intersections of Tahquitz Canyon Way with Belardo



Road and North Palm Canyon Drive. Secondary definitive intersections may be created at other minor intersections within the Specific Plan area. A visual link between the Downtown Palm Springs and the Section 14 district to the east shall be achieved by the introduction of special street surface finishes. This will draw the attention of drivers to the gateway as well as encouraging pedestrian circulation between the two areas.



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III-3

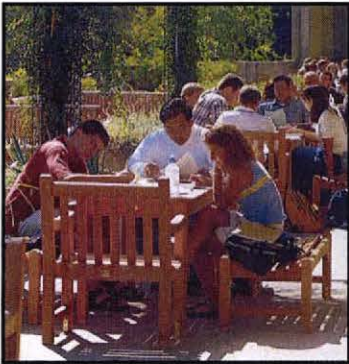
Downtown Palm Springs Specific Plan
 Block E - Park
 Palm Springs, California

Source: Urrutia Architects, 2016



b. Public Open Spaces

The new City-owned central park identified as “Downtown Palm Springs Park,” occupying Block E fulfills the need for a public gathering place in the Specific Plan area. Successful, pedestrian oriented open spaces have clearly defined edges, are well connected by being situated



adjacent to, but not on, main movement spaces and they are well integrated into the surrounding urban fabric. The Downtown Palm Springs Park is centrally located within the Specific Plan area, with direct connection to areas north, south and east of the Specific Plan via Main Street and Belardo Road. The area is effectively enclosed by the surrounding blocks and its spatial characteristics provide opportunity for extended and varied uses. The Downtown Palm Springs Park is fundamental to the creation of a distinctive sense of place and it will be a definitive space, forming the nucleus of Downtown Palm Springs.

Design and detailing must be consistent with the wider Urban Design concept and the Downtown Palm Springs Park will include a distinctive central focal point, such as a commanding piece of art or water feature, creative landscaping and a wide range of amenities to facilitate cultural, pedestrian, and recreational activities, as well as a venue for gatherings, entertainment, and community activities. Built form within the Downtown Palm Springs Park will remain limited and subordinate to the function of the Downtown Palm Springs Park and its use as a public space and special event venue; wide views should exist in all directions.



Public gathering spaces on a smaller scale will also be created in front of the Palm Springs Art Museum on Blocks H-1 and H-2. These secondary open spaces will form an integral part of the significant view corridor that expose the eastern façade of the Palm Springs Art Museum. The design treatment of Blocks H-1 and H-2 will complement that of the Downtown Palm Springs Park so that a clear hierarchical relationship between the open spaces within Downtown Palm Springs is evident and continuity of theme maintained.

c. Common Open Space in Residential Projects

Common area open space for residential projects is intended to provide opportunities for views within the blocks to the surrounding mountains and streetscene. When designed in conjunction with building articulation, the aesthetic effect will be improved for residents and visitors alike. Permeating the built form with interesting and sensitively designed open spaces prevents the creation of continuous frontages and overwhelming urban ‘mega-blocks’, while facilitating the safety of users by allowing spontaneous observation.

The domestic use of common open spaces in residential projects must be reflected in spatial proportions to the human scale and in gentle means of enclosure that, while providing residents with an essential level of privacy, allow landscape features and a sense of spaciousness to prevail. Design treatments must be consistent with the wider urban design concept and result in lively and inviting common spaces that complement the architectural style of the adjacent buildings and encourage appropriate use.



3. Landscaping

Highly defined landscaping is an essential part of achieving quality design within the Downtown Palm Springs Specific Plan, and will have a profound effect on the quality of life enjoyed by residents and visitors. Development of this landscape plan has been guided by a variety of considerations, including the natural and developed setting within which the project occurs.

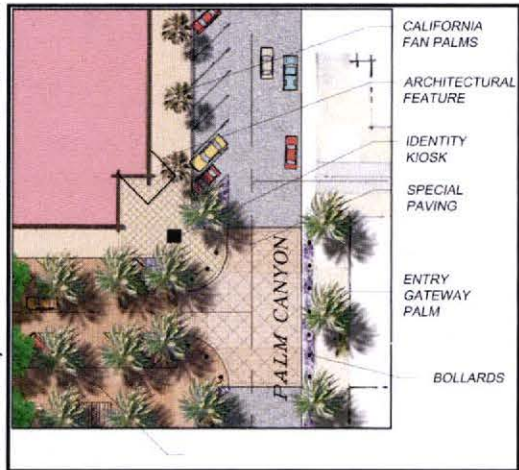
The Specific Plan landscape plan has been designed to be compatible and consistent with the local setting as well as the Downtown Design Guidelines. Landscaped open space areas must be responsive to desert conditions, utilizing thoughtful and creative designs that limit water demand and are in harmony with the natural setting. The master landscape palette includes a variety of drought tolerant and native species.



Use of landscaping throughout the site will provide connectivity linking all residential, commercial and mixed-use areas. Open space areas provide for pedestrian and bicycle access and connect to the hotels and Convention Center to the east.

Landscaping will be utilized as a functional design element within all Blocks. Landscape treatments and enhancements are designed to maximize the use of native desert and compatible drought-tolerant planting materials. Landscape plans will address water erosion issues and must demonstrate the water efficiency gained from plant and irrigation system selection.

To accomplish the design objectives, landscape elements will incorporate vertical dimension. Fan palms, date palms, acacia and Rhus lancia are appropriate trees within the project. Trees can also be used to provide shading and cooling. Use of trees shall take into careful account the viewsheds, as well as that rightfully enjoyed by adjoining properties.



The conceptual Master Landscaping Plan for Downtown Palm Springs is shown in Exhibit III-4. Downtown Palm Springs is divided into a series of Major and Minor Entries, and Major and Minor Focal Points. As the central focal point to the entire project, the Downtown Palm Springs Park is to be given particular attention and care. The Downtown Palm Springs Park is to transition between the regimented street landscaping on surrounding streets, into a landscaped, people friendly place where the atmosphere invites visitors to sit, enjoy the cool air, and the amenities incorporated into the recreational space. Shade trees are intended to have larger canopies, including Desert Museum Cercidium, and Tipu Tree. Design of the Downtown Palm Springs Park will incorporate themes that are compatible with other significant outdoor public spaces.

From the Downtown Palm Springs Park, the landscaping plan returns to the theme of California fan palm and date palm trees lining interior streets, with shade trees provided at intersections. Additional planting along the streets should focus on potted accent palms, typical of an urban environment, rather than planting strips and beds. Planting beds are appropriate when surrounding shade trees near parking areas, particularly on secondary streets, to soften the asphalt and hardscape.

Landscaping Zones

The landscaping concept divides landscaping into three “zones”: the Streetscape Zone, the Transition Zone and the Open Space Zone.

The Streetscape Zone is designed to integrate into the landscaping patterns already occurring in downtown Palm Springs. Street trees and plantings will emulate the rows of palm trees which now flank Palm Canyon Drive, and will extend throughout the primary streets in all Blocks. Shade trees are provided at intersections to break up the linear nature of the palms, and cool the environment for both pedestrians and vehicles. Plantings are focused on potted palms and annual color, which does not block pedestrian activity.

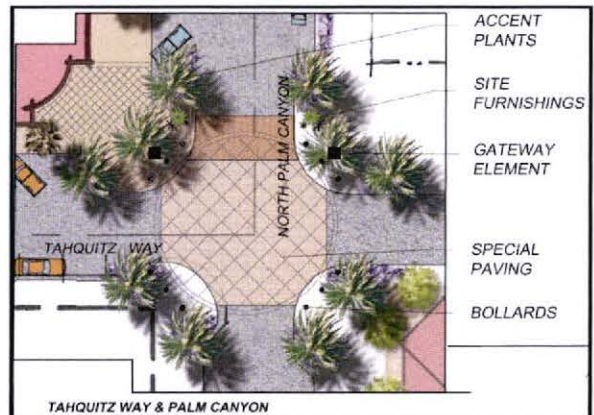
The Transition Zone has a less intense focus on palm trees, and introduces a greater variety of shade trees and shrubs. The Transition Zone plants should apply to the secondary streets and the residential areas, to soften the built environment, and provide greater shade and cooling. Planting areas should include a mix of potted palms and plants, as well as planting beds surrounding street trees, to reflect a less intense urban environment.



The Open Space Zone applies not only to the Main Plaza, but also to the common area open spaces that will be created within each Block. This Zone includes the widest variety of plant materials, and is intended to connect the Streetscape and Transition Zones. In areas away from the Main Plaza, the focus should be on canopy and accent trees, and a higher intensity of groundcovers, particularly in areas where the primary uses are residential.

Entries and Focal Points

In addition to the Downtown Palm Springs Park, particular care must be taken in the landscape design of Major and Minor Entries, and Major and Minor Focal Points. The Entries to the Specific Plan must be designed to include the signature palms, accent trees and special paving, to draw the visitor in, and define the space.



The Major Focal Point in the project will be the intersection of Main Street and Museum Drive. This area, in front of the Palm Springs Art Museum, shall include not only significant vertical elements, but also extensive special paving and public art. Landscaping in this area shall act as a frame to the Palm Springs Art Museum building, and not obliterate the structure.

At Minor Focal Points, the emphasis must be on landscaping and hardscape which is at a pedestrian scale, and provides opportunities for street furniture, directional signage and shade. Again, accent paving which defines the area is critical to providing a sense of place within the project.

Continuity of Theme

The overall theme of the landscaping plan must be maintained throughout the Specific Plan. Since it is expected that the project will develop in phases, and that individual buildings and blocks will have differing architectural character, the connecting thread between the buildings and blocks will be the landscaping. As projects are reviewed and approved, the least amount of variation should be allowed in landscaping patterns, unlike the architectural variety which is expected in architecture. Since the Downtown Palm Springs Park and major roadway streetscapes are expected to be the in the early phases of development, these areas will set the tone for the balance of the landscaping plans throughout Downtown Palm Springs. Once established, their design theme shall be adhered to for all subsequent phases of the project.

**Table III-5
Landscape Palette²⁹**

| Plant Zone | Scientific Name | Common Name | Size |
|-------------------|------------------------|--|------------------------|
| | Palms | | |
| S | O | <i>Butia capitata</i> | Pindo Palm |
| S | | <i>Phoenix dactylifera</i> | Date Palm |
| S | T O | <i>Washingtonia filifera</i> | California fan palm |
| S | T O | <i>Washingtonia robusta</i> | Mexican fan palm |
| S | T O | <i>Chamaerops humillis</i> | Mediterranean fan palm |
| | Trees | | |
| S | | <i>Acacia salicina</i> | Willow Acacia |
| | O | <i>Citrus sp.</i> | Citrus sp. |
| | T O | <i>Fraxinus udei</i> 'Majestic Beauty' | Evergreen ash |
| S | T | <i>Cercidium</i> 'Desert Museum' | Desert Museum |
| S | T | <i>Prosopis h.</i> 'Phoenix' | Phoenix |
| | T O | <i>Rhus lancea</i> | African sumac |
| | T O | <i>Schinus molle</i> | California pepper tree |
| | O | <i>Schinus terebinthifolius</i> | Brazilian pepper tree |
| | T O | <i>Ulmus parvifolia</i> | Evergreen Elm |
| | T O | <i>Tipuana Tipu</i> | Tipu tree |
| | Accents | | |
| | O | <i>Beaucarnea recurvata</i> | Ponytail palm |
| | O | <i>Cycas revoluta</i> | Sago palm |
| S | T | <i>Dasyliirion longissima</i> | Mexican grass tree |
| S | T | <i>Dasliirion wheeleri</i> | Desert spoon |
| | T O | <i>Muhlenbergia rigens</i> | Dear grass |
| | Shrubs | | |
| S | T O | <i>Bougainvillea</i> 'Oo La La' | Bougainvillea |
| S | T | <i>Caesalpinia pulcherrima</i> | Red Bird of Paradise |
| S | T O | <i>Carissa grandiflora</i> spp. | Natal plum |
| S | O | <i>Cassia artemesoides</i> | Desert cassis |
| S | T O | <i>Cassia nemophila</i> | Bushy senna |
| S | T O | <i>Dodonaea viscosa</i> | Hopseed bush |
| S | O | <i>Euryops pectnatis</i> | Green leaf euryops |
| S | T O | <i>Hesperaloe parvifolia</i> | Red yucca |
| | O | <i>O Hibiscus Rosa-Sinensis</i> | Chinese hibiscus |
| S | T | <i>Leucophyllum</i> spp. | Texas ranger |
| | T O | <i>Nandina domestica</i> | Heavenly bamboo |

²⁹ Appropriate plants identified in the Coachella Valley Water District's "Lush and Efficient" publication may be used with the approval of the Planning Director.

**Table III-5
Landscape Palette²⁹**

| Plant Zone | | | Scientific Name | Common Name | Size |
|---|---|---|--|-----------------------------|----------------------|
| | T | O | Nerium oleander 'Petite' | Dwarf oleander | 5 – Gal. |
| | | O | Pittosporum t. 'Variegata' | Variegated Pittosporum | 5 – Gal. |
| | | O | Pittosporum t. 'Wheelers dwarf' | Wheelers dwarf tobira | 5 – Gal. |
| | | O | O Rhamphiolepis indica | India hawthorn | 5 – Gal. |
| S | T | | Salvia greggii | Red salvia | 5 – Gal. |
| S | T | O | Thevetia peruviana | Yellow oleander | 15 – Gal. |
| S | T | O | Xylosma congestum 'Compacta' | Xylosma | 5 – Gal. |
| S | | O | Prunus caroliniana | Carolina laurel cherry | 15 – Gal. |
| | | O | Ligustrum j. 'Texanum' | Japanese privet | 5 – Gal. |
| Vines & Groundcovers | | | | | |
| S | T | O | Bougainvillea 'B. Karst' | Bougainvillea Barbara Karst | 15 – Gal. |
| S | T | O | Calliandra inaequilatera | Pink powder puff | 15 – Gal. |
| S | T | O | Tecoma spp. | | 15 – Gal. |
| S | | O | Carrisa g. 'Green Carpet' | Green carpet | 1 – Gal. |
| | | O | Annual Color | Seasonal | Flats |
| S | | | Baccharis h. 'Thompson' | Desert Bloom | 1 – Gal @ 5' o.c. |
| S | T | O | Lantana montevidensis | Trailing lantana | 1 – Gal @ 4' o.c. |
| S | T | O | Lantana 'New Gold' | New Gold Lantana | 1 – Gal @ 4' o.c. |
| | | O | Trachelospermum jasminoides | Star jasmine | 1 – Gal. |
| | | | Cobble 'Sunburst Pebbles' | | 2" – 4" dia. |
| | | | DG | 3/8" Minus Desert Gold | Compacted 2" depth |
| | | | 2' – 5' dia. Desert Chocolate Boulders | | |
| Sod | | | Hybrid Bermuda | | |
| Legend: S= Streetscape Zone; T= Transition Zone; O= Open Space Zone | | | | | |

4. Street Furniture, Lighting and Art

Well-designed street furniture, lighting and public art enliven townscape character and contribute to a strong sense of local identity. Downtown Palm Springs is a pedestrian oriented area and street furniture shall be designed to the human scale and placed to enhance the pedestrian experience. While consistent with the general design principles included in the Palm Springs Downtown Urban Design Plan, a variation on the recommended theme that complements the Urban Design concept for Downtown Palm Springs should be implemented within the confines of the Specific Plan. Special detailing will define Downtown Palm Springs as an area of distinctive identity, while maintaining continuity of theme ensures that the downtown area as a whole engenders a clearly perceptible sense of place. While allowing for interesting variations in complementary design, all elements must work together to create a distinctive, unified identity.

The Plan's downtown location offers many opportunities for public art and items of cultural or educational interest to be incorporated into the design of public open spaces, with the Park and adjacent H-1 and H-2 Blocks presenting an opportunity to display an exceptionally commanding piece. Lighting, while facilitating public safety, shall provide illumination levels appropriate to the uses of the area and contribute to the general ambience.

Exhibit III- 5
Street Furniture



G. Green Building and Energy Efficiency

Downtown Palm Springs provides an opportunity to demonstrate the benefits of energy efficiency and green construction in Palm Springs. The basic tenet of the project – to provide a place where people can live, work and shop without the use of an automobile – is in and of itself an energy efficient concept. In addition to facilitating this concept in its mix of land uses, Downtown Palm Springs can provide energy efficient construction through the use of passive and active solar energy; construction techniques using Green Building or Leadership in Energy and Environmental Design (LEED) principles; installation of water conserving landscaping materials; selection of reused and repurposed materials for buildings and public areas; and installation of recycling facilities throughout the project.

Passive solar design has been implemented in Palm Springs and the Coachella Valley for a number of years, through the use of shade structures and building orientation. Although Downtown Palm Springs's orientation is primarily east-west, passive solar design shall still be part of building design through deep recesses for balconies which shield building interiors; window placement on exposed wall faces; and use of buildings to shade public or private open spaces, and limit heat sink effects.

Active solar design shall be considered throughout the project, as flat rooftops will occur throughout the site, and will be available for use for solar panels. As technology continues to expand and improve, solar energy can be harnessed throughout the project to lower the energy demand of both the residential and commercial components of the project.

Projects approved after the adoption of the 2016 Specific Plan amendment must be consistent with the City's Green Building Program "Tree Level" in effect at the time of issuance of building permit. LEED requirements range from access to public transit and alternative transportation to the use of recycled building materials and low-emitting paints and coatings. The LEED model is readily accessible, beneficial to the community, both with Downtown Palm Springs and throughout Palm Springs, and is more commonly implemented every year.

The landscaping palette for Downtown Palm Springs is designed to minimize the use of water for irrigation. Landscape irrigation can represent the majority of a project's water use. Downtown Palm Springs shall be designed to lower its water use in landscaping, through the installation of highly efficient irrigation systems, rain sensing equipment, and plant-specific emitters.

Recycling of materials within Downtown Palm Springs shall be made as simple and accessible as possible. Although centralized solid waste disposal is likely throughout the project, each building should be designed to make the recycling of materials easy and convenient. If trash chutes or centralized sorting areas are designed in buildings, they must include a recycling component. Because of the non-traditional design of housing units in the project, consultation with Palm Springs Disposal Service may need to be augmented with research and design more typical of urban environments, since the practices associated with multi-story design for recycling in the Coachella Valley are limited.

Finally, the public and private open spaces within the project will require furnishings and finishes which shall to the greatest extent possible be made of sustainable and/or recycled materials. A broad range of products are now available, with more being introduced every year, which reuse materials in their construction.

IV. INFRASTRUCTURE

A. Introduction

Downtown Palm Springs occurs in an area of Palm Springs which is fully developed. As such, most infrastructure, including roadways, water, sewer, and utilities, are in place in the area. It is expected that with implementation of the Specific Plan, existing trunk lines will remain, and on-site extensions will occur to service individual blocks throughout the site. A detailed description of all existing and proposed infrastructure for the project is provided below.

Complete Streets

Assembly Bill 1358 (AB 1358, Chapter 657, Statutes of 2008), the *California Complete Streets Act*, required the Governor's Office of Planning and Research (OPR) to amend its 2003 General Plan Guidelines to provide guidance to local jurisdictions on how to plan for multimodal transportation networks in general plan circulation elements. AB 1358 had a legislative goal "...to reduce greenhouse gas emissions, make the most efficient use of urban land and transportation infrastructure, and improve public health by encouraging physical activity, transportation planners must find innovative ways to reduce vehicle miles traveled (VMT) and to shift from short trips in the automobile to biking, walking and use of public transit." AB 1358 incorporated new regulations in Government Code Section 65302(b)(2), adding:

(A) Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

(B) For the purposes of this paragraph, "users of streets, roads, and highways" means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

In accordance with AB 1358, in December 2010 OPR released the *Update to the General Plan Guidelines: Complete Streets and the Circulation Element* (the "Update"). The City is required to use this Update in conjunction with the OPR's published 2003 General Plan Guidelines when considering an update to the Circulation Element of the General Plan. OPR's Update to implement AB 1358 establishes a goal for the City to "...plan for the development of a well-

balanced, connected, safe, and convenient multimodal transportation network. This network should consist of complete streets which are designed and constructed to serve all users of streets, roads, and highways, regardless of their age or ability, or whether they are driving, walking, bicycling, or taking transit.”

The Circulation Element of the City’s 2007 General Plan Update was adopted by the City Council on October 17, 2008. Although adoption of the City’s updated Circulation Element preceded AB 1358, the Circulation Element considered and provides for a multimodal transportation network throughout the City as called for in AB 1358. Goal CR1 of the City’s General Plan states: *Establish and maintain an efficient, interconnected circulation system that accommodates vehicular travel, walking, bicycling, public transit, and other forms of transportation.* Specifically, the City’s Circulation Element established goal and policies associated with the following components of the Circulation Element:

- 1) a grid system of roadway classifications to accommodate varying volumes of existing and future traffic;
- 2) truck routes for movement of goods through the City;
- 3) public transportation (transit, para-transit, and rail systems);
- 4) a recreational trail system;
- 5) bikeway classifications and routes;
- 6) pedestrian experience;
- 7) vehicular parking;
- 8) aviation facilities;

Adoption of the Downtown Palm Springs Specific Plan in 2009 was consistent with the 2007 General Plan Update, and positioned the project within and adjacent to various transportation systems, including bicycle routes as shown in Figure IV.1.

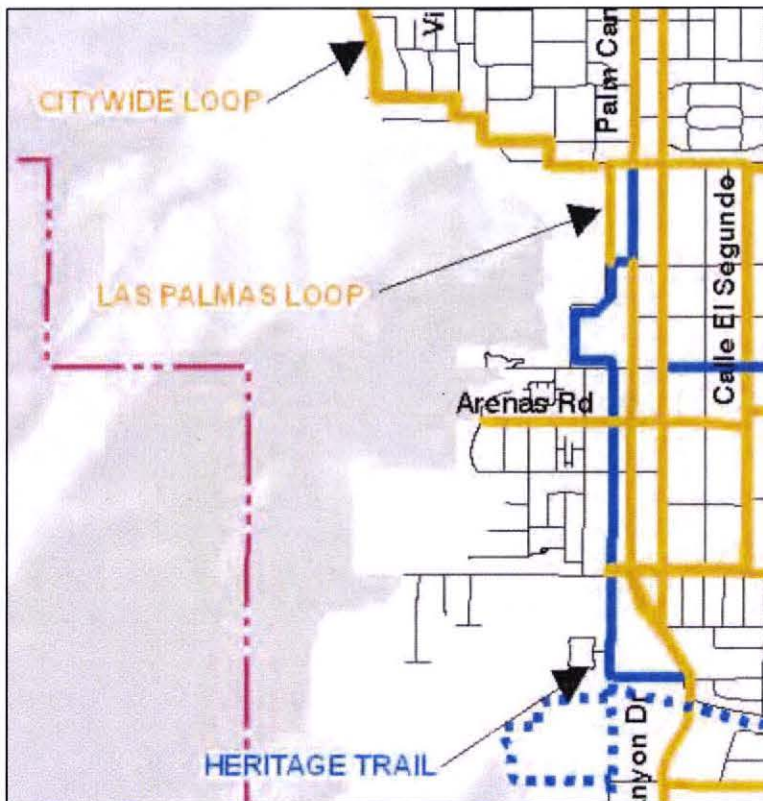


Figure IV-1 – Bicycle Routes

Subsequently, on October 5, 2011, the City Council adopted an amendment to the 2007 General Plan to incorporate the Coachella Valley Non-Motorized Transportation Master Plan (“NMTMP”). The NMTMP established a valley-wide master plan of bikeways, trails, associated facilities and programs and identified each City’s individual systems of bicycle routes, trail systems and associated facilities. The NMTMP was adopted to ensure compliance with AB 1358, as a planning tool to assure that the various components of the City’s Circulation Element was interconnected within the City and with other cities, as a way to enhance alternative modes of transportation, to reduce dependence on the use of private automobiles, to reduce traffic congestion, to reduce vehicle emissions and greenhouse gas emissions. The NMTMP incorporates an updated bicycle route map as shown in Figure IV-2.

| Table IV-1 Minimum Parkway Widths | |
|--|---------|
| Palm Canyon Drive | |
| Tahquitz Canyon to Main Street | 25 feet |
| Main Street to Andreas | 24 feet |
| Andreas to north property line | 25 feet |
| Belardo Road | |
| Tahquitz Canyon to Main Street | 17 feet |
| Main Street to Andreas | 25 feet |
| Andreas to north property line | 25 feet |
| Main Street | |
| Palm Canyon to Belardo | 23 feet |
| Belardo to Museum Drive | 22 feet |
| Andreas Road | 18 feet |
| Tahquitz Canyon | 30 feet |

1. Palm Canyon Drive

North Palm Canyon is constructed at its ultimate right of way. Palm Canyon consists of an 80 foot right of way. Palm Canyon currently includes three lanes of traffic with parking on the east side. This configuration can be amended, with City Council approval, and without amendment of the Specific Plan.

2. Indian Canyon Drive

As with Palm Canyon Drive, Indian Canyon Drive is developed at its ultimate right of way. The ultimate configuration of lanes (either one- or two-way) and parking, will be developed when development, renovation and adaptive reuse plans are brought forward for Block K.

3. Tahquitz Canyon Way

Tahquitz Canyon Way is constructed to a paved width of 50 feet, within an 88 foot right of way. The recently adopted General Plan downgraded Tahquitz Canyon to a Collector, with a 60 to 66 foot right of way. In the Specific Plan area, the north side of Tahquitz Canyon will be designed to incorporate a vehicular drop-off for the hotel use proposed on Block C, while maintaining one lane of westbound traffic.

4. Belardo Road

Belardo Road will be extended through the Specific Plan area with a 41 foot right of way, to allow one lane of travel in each direction, and parallel parking on each side.

5. Andreas Road

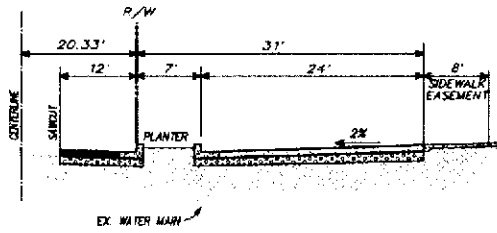
Andreas Road will be extending across Palm Canyon Drive to Belardo Road within a 41 foot right of way, allowing one lane of travel in each direction, curb-adjacent landscaping and a sidewalk.

6. Museum Drive

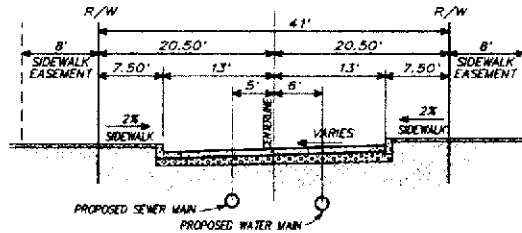
Museum Drive will be 41 feet of right of way, with a single lane of traffic in each direction, and parallel parking adjacent to the Specific Plan frontage. 7. Main Street will be 41 feet of right of way, with a single lane of traffic in each direction, and parallel parking adjacent to the Specific Plan frontage. The alignment of Main Street will begin in front of the Palm Springs Art Museum and run due east, initially terminating at Palm Canyon Drive, and potentially (at build out) terminating at Indian Canyon Drive.

7. Private Drives/Internal Access

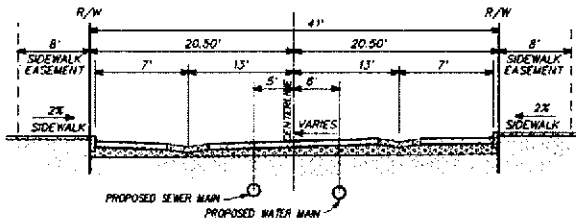
Additional drives, alley ways, and access roads may be designed as part of the development of each block. All such roads and drives are proposed to be private, and to be designed within a minimum 20 foot right of way, to include one lane of traffic in each direction, and no parking. Appropriate pedestrian access will be provided through each Block.



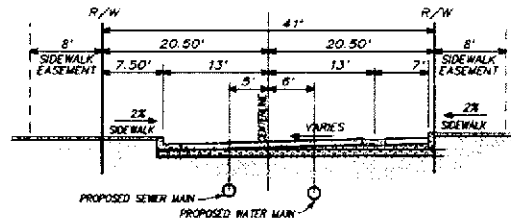
TYPICAL SECTION
TAHQUITZ CANYON WAY
AT HOTEL ENTRANCE
N.T.S.



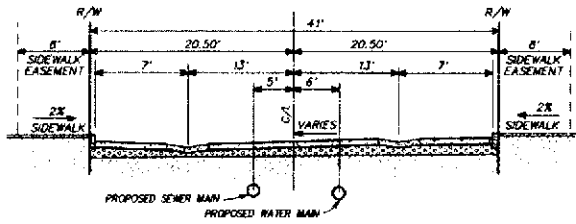
TYPICAL SECTION
BELARDO ROAD, MAIN STREET
N.T.S.



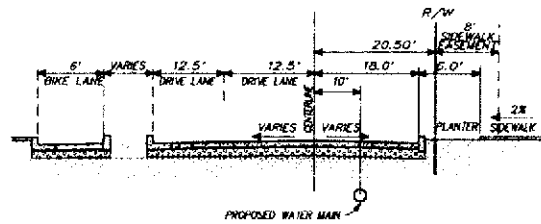
TYPICAL SECTION
BELARDO ROAD, MAIN STREET
N.T.S.



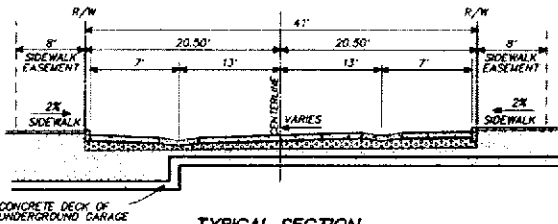
TYPICAL SECTION
BELARDO ROAD
N.T.S.



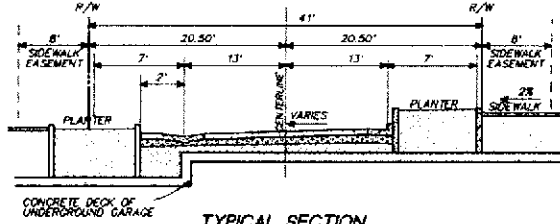
TYPICAL SECTION
MAIN STREET
N.T.S.



TYPICAL SECTION A-A
AT BELARDO ROAD
N.T.S.



TYPICAL SECTION
ANDREAS ROAD NO PLANTER
N.T.S.






TYPICAL SECTION
ANDREAS ROAD / PLANTER
N.T.S.

03.24.16




C. Bicycle Routes

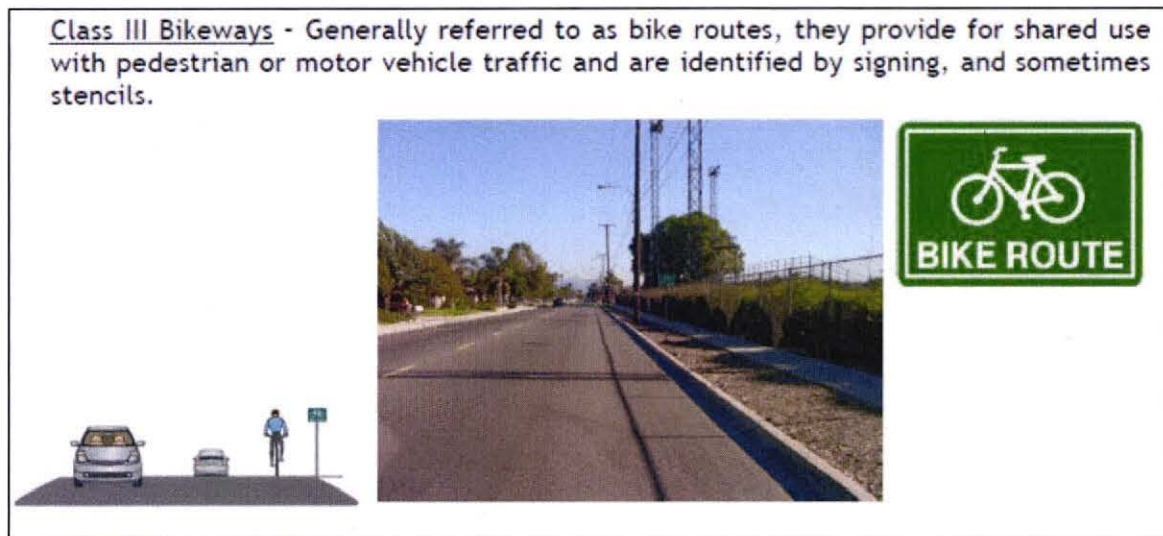
The bicycle routes established in the 2007 General Plan Update, and the subsequently adopted Coachella Valley Non-Motorized Transportation Master Plan (“NMTMP”), establish an interconnected system of alternative transportation leading to and around the Downtown Palm Springs Specific Plan. Bicycle routes have been established as various classifications as shown in the NMTMP and the following Figures:

Class I Bikeways - Typically called bike paths, they provide for bicycle travel on paved rights-of-way completely separated from any street or highway. These are particularly popular with novice cyclists.



Class II Bikeways - These are often referred to as bike lanes. They provide a striped, stenciled and signed lane for one-way travel on a street or highway.





Class II and Class III bicycle routes have been established along various streets leading to, extending adjacent to and through the Downtown Palm Springs Specific Plan as shown on Figure IV.2.

D. Public Facilities and Utilities

Each of the public facilities providers' facilities are described individually below. In addition, the existing and proposed facilities for each provider is depicted in Exhibits IV-3 through IV-9.

1. Domestic Water

Domestic water is provided to the Specific Plan area by the Desert Water Agency (DWA). DWA has existing 12 inch water mains on the west and east sides of Palm Canyon Drive; a 10 inch main on the west side, and a 6 inch line on the east side of Indian Canyon Drive; a 12 inch main in Tahquitz Canyon, west of Belardo; a 12 inch main in Museum Drive, north of Tahquitz Canyon; and a 12 inch main in Belardo, south of Tahquitz Canyon, and north of the north boundary of the Specific Plan.

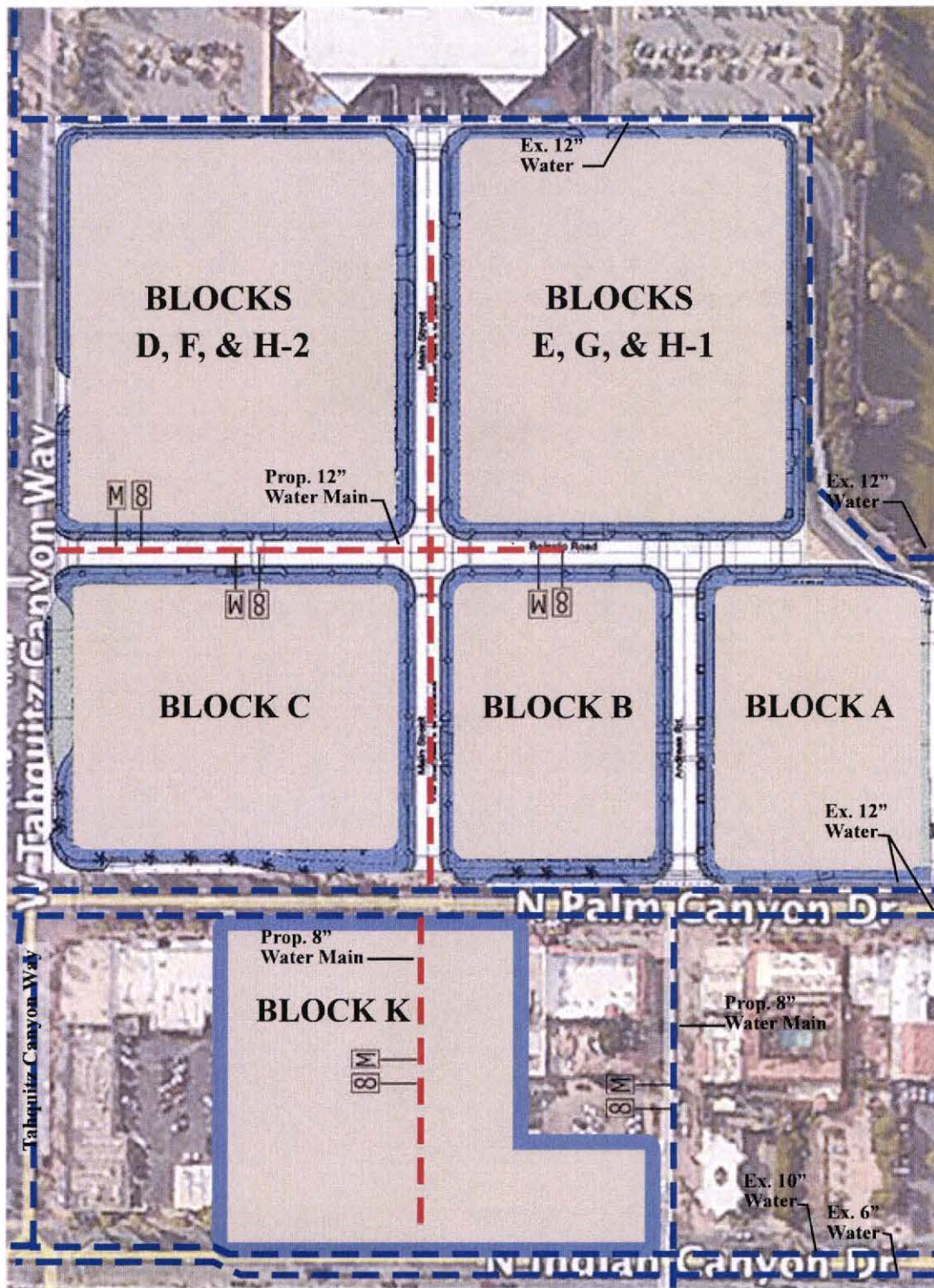
As part of the development of the Specific Plan, a 12 inch main will be installed in the extension of Belardo Road to connect the existing northern and southern portions of this line, and the existing 12 inch line in the north portion of Museum Drive, and its connection to Belardo Road to the north, will be abandoned, as development will occur in that area of the Specific Plan. In addition, an 8 inch line will be extended in the new east-west street, between Palm Canyon and Indian Canyon.

Smaller service lines would connect to the main line system described above to provide water service to individual buildings in individual blocks.





2. Sanitary Sewer

The City of Palm Springs provides sanitary sewer facilities to the Specific Plan area. Existing facilities in the area include a 10 inch line in Indian Canyon north of Andreas; 8 inch lines in Indian Canyon south of Andreas; Belardo south of Tahquitz Canyon; Tahquitz Canyon west of Belardo; and west of Palm Canyon, within the existing Desert Fashion Plaza.

With the implementation of the Specific Plan, the 8 inch line in Belardo will be extended northerly, in the extension of Belardo through the project. Six inch lateral lines will be provided to connect individual blocks and buildings to the main lines. Finally, the western half of the existing 8 inch sanitary sewer line through the Desert Fashion Plaza will be abandoned.



Legend

-  Existing Water
-  Proposed Water
-  Proposed 2" Water Meter
-  Proposed 6" Detector Check Assembly

Source: Wessman Development



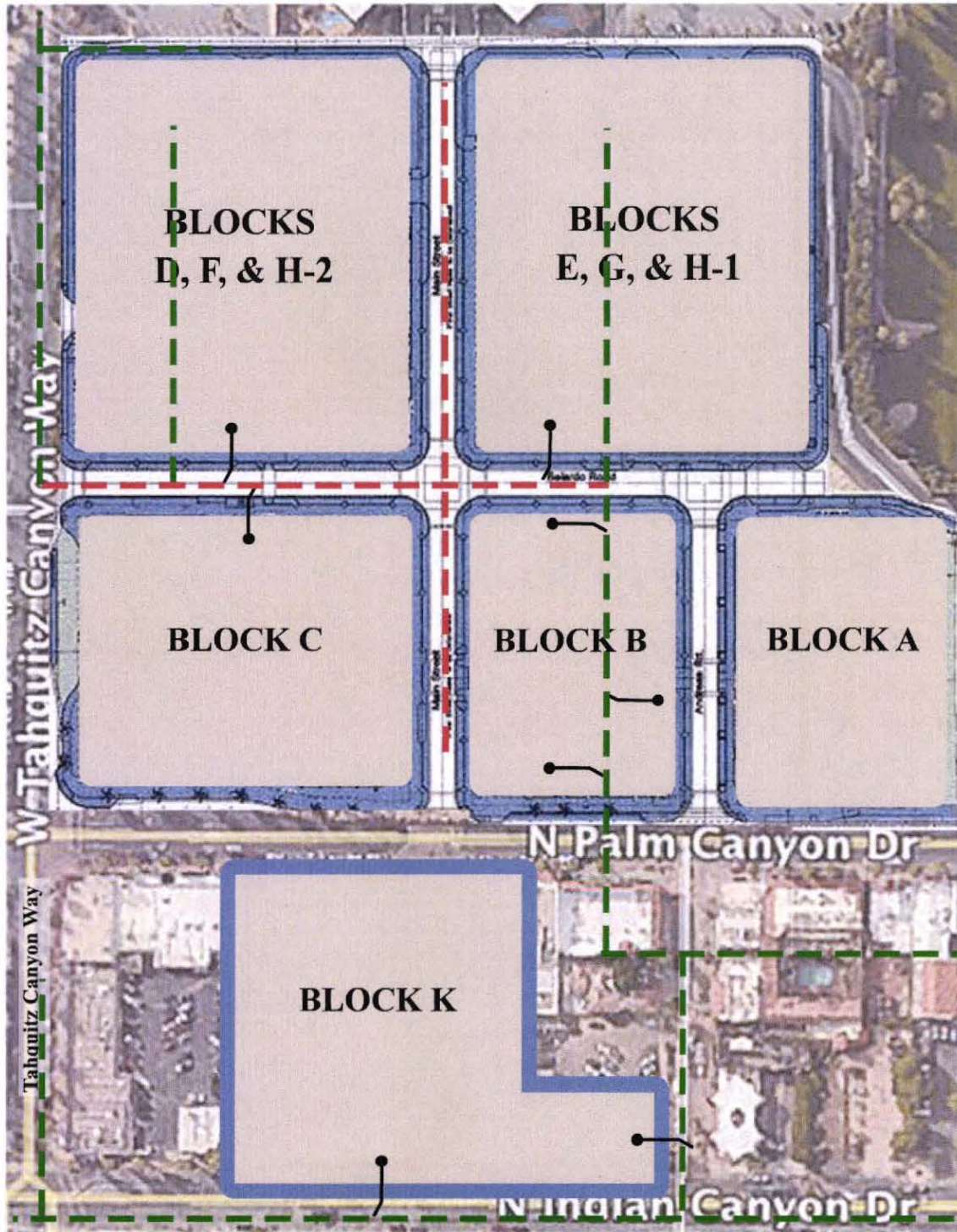
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**Downtown Palm Springs Specific Plan
Domestic Water Plan
Palm Springs, California**

Exhibit

**IV-2
111**



Legend

- Existing Sewer
- Proposed Sewer
- Proposed 6" Laterals

Source: Wessman Development



03.24.16



**Downtown Palm Springs Specific Plan
Sanitary Sewer Plan
Palm Springs, California**

Exhibit

IV-3

112

3. Storm Drains

An existing storm drain system occurs surrounding the Specific Plan area. This system includes 57 inch storm drains in Palm Canyon, north of Andreas; in Indian Canyon; and in Tahquitz Canyon between Indian Canyon and Palm Canyon. In addition, a 54 inch storm drain occurs in Tahquitz Canyon west of Palm Canyon Drive, and a 36 inch storm drain occurs in Museum Drive, north of Tahquitz Canyon.

The Specific Plan's development will result in the construction of a 36 inch storm drain in the extension of Belardo Road, from Tahquitz Canyon to the new east-west private street. This facility will collect storm flows from throughout the project in catch basins, and direct them to the existing facilities in surrounding streets.

4. Natural Gas

Natural gas service is provided to the Specific Plan area by The Gas Company. An extensive system of lines occurs in the area, including 3 inch lines in Palm Canyon south of Andreas, and Tahquitz Canyon; 2 inch lines in Andreas, Palm Canyon north of Andreas, Belardo south of Tahquitz Canyon, Cahuilla south of Tahquitz Canyon, and Belardo Road/Museum Drive along the northern boundary of the Specific Plan. These lines will be extended through the project site to serve development as it occurs in the Specific Plan area.

5. Electric Service

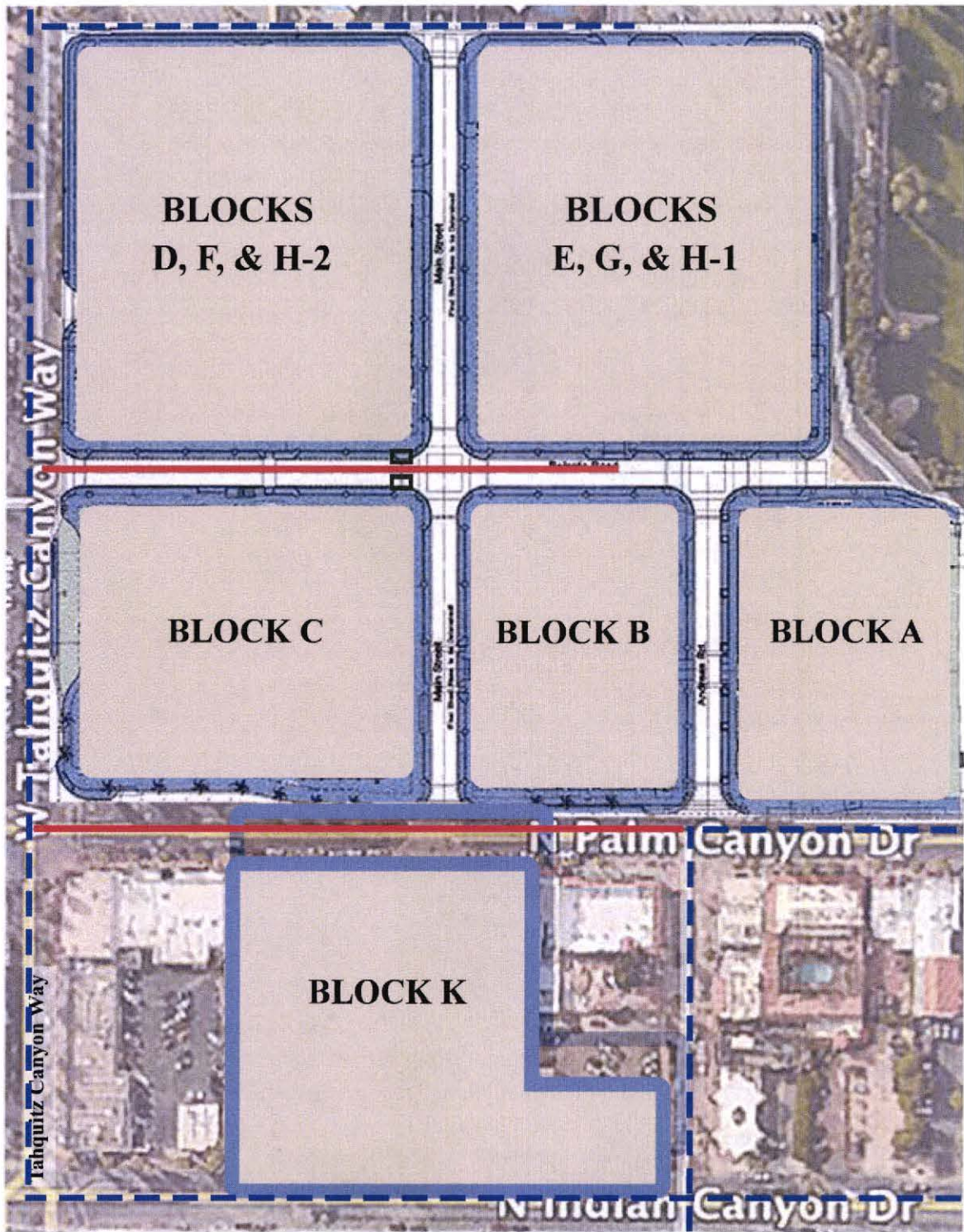
Electric service is supplied by Southern California Edison, which has existing underground facilities in Indian Canyon, Palm Canyon, Museum Drive, Belardo and Tahquitz Canyon. Future development within the Specific Plan area will extend service from these existing facilities throughout the Specific Plan area.

6. Telephone Service

Telephone service is provided to the Specific Plan area by Verizon, which has existing underground service in Indian Canyon, Belardo, and Museum Drive. Future development in the Specific Plan area will connect to these existing lines as development occurs. A number of providers also provide wireless and data services.

7. Cable Television

Cable television service is the responsibility of Time Warner Cable. Time Warner has underground facilities in Indian Canyon, Belardo, and Museum Drive. The implementation of the Specific Plan will result in the extension of these services throughout the area as development occurs.



Legend

- - - Existing Storm Drain
- Proposed Storm Drain
- Proposed Catch Basin

Source: Wessman Development



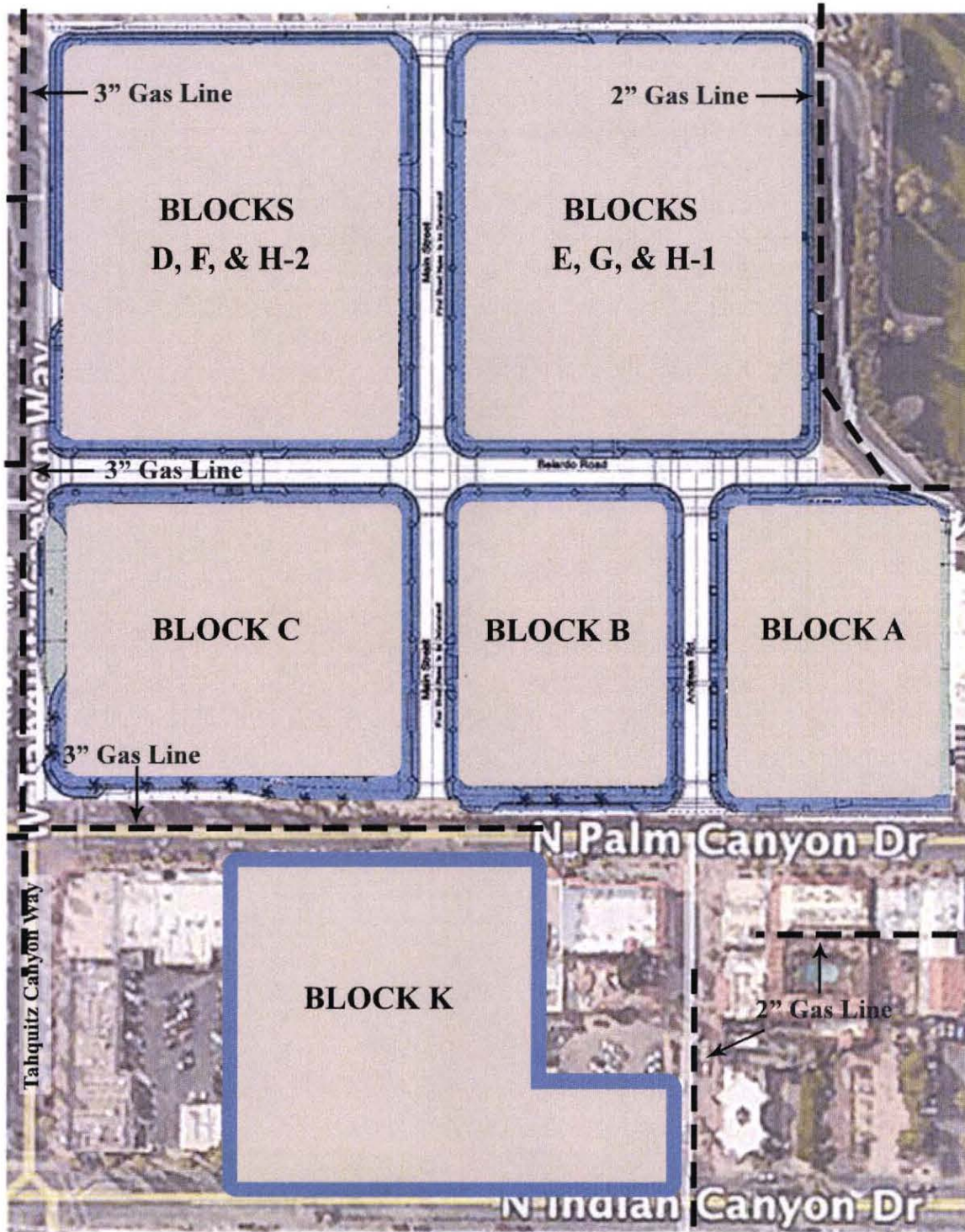
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**Downtown Palm Springs Specific Plan
Storm Drain Plan
Palm Springs, California**

Exhibit

**IV-4
114**



Legend

----- Existing Gas Line

Source: Wessman Development



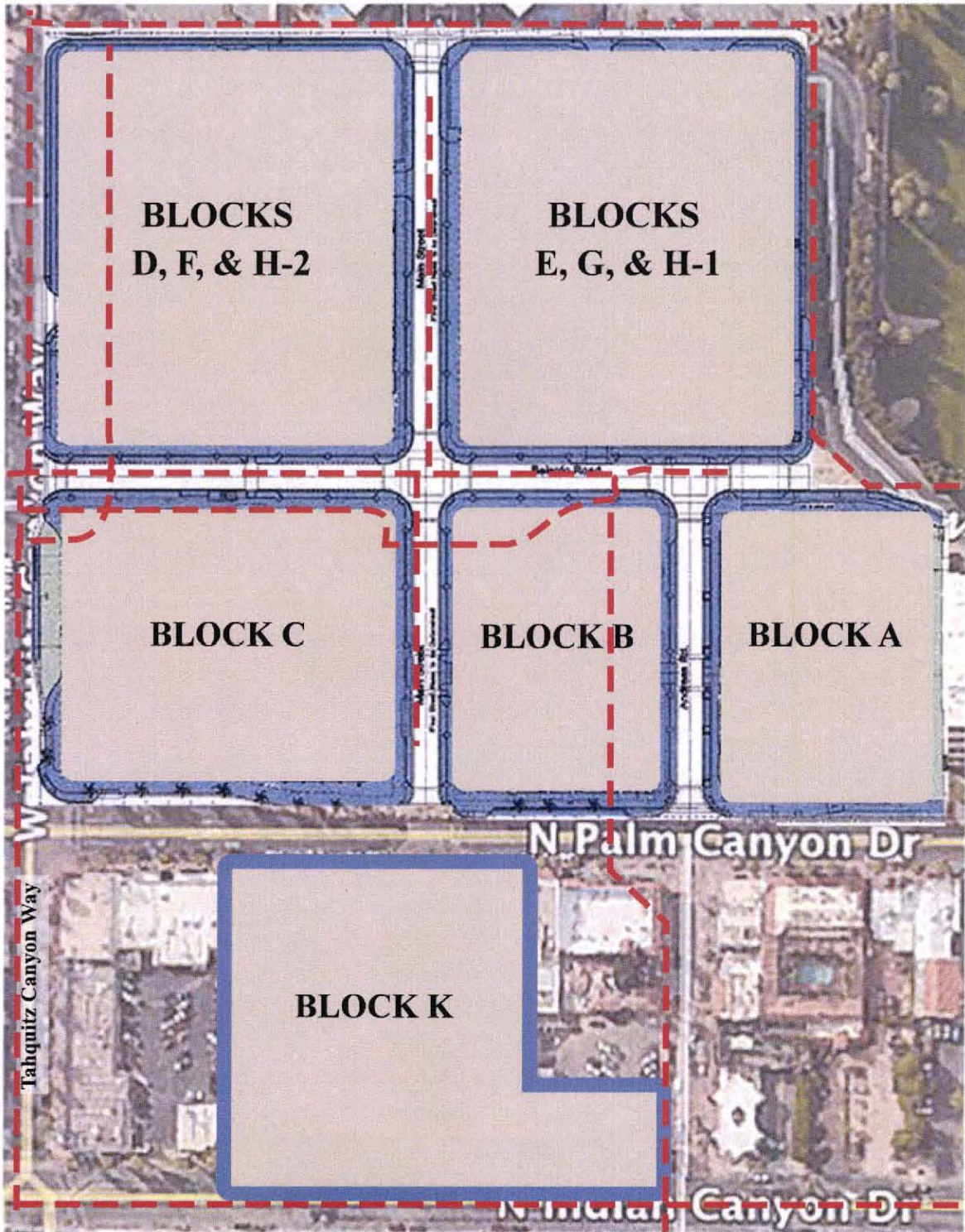
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Downtown Palm Springs Specific Plan
 Natural Gas Plan
 Palm Springs, California

Exhibit

IV-5
 115

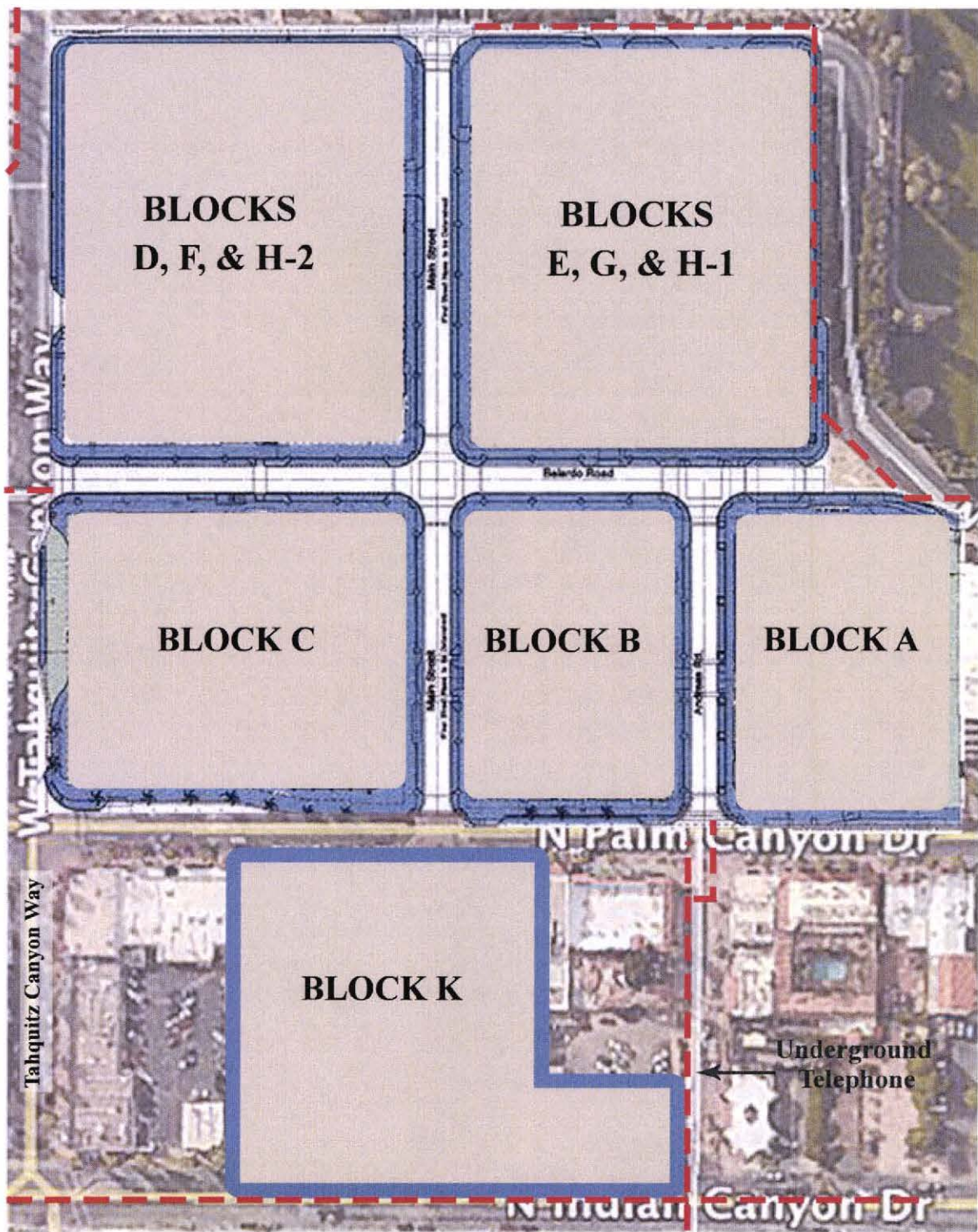


Legend

--- Existing Electric Lines

Source: Wessman Development

03.24.16



Legend

--- Existing Telephone Line

Source: Wessman Development



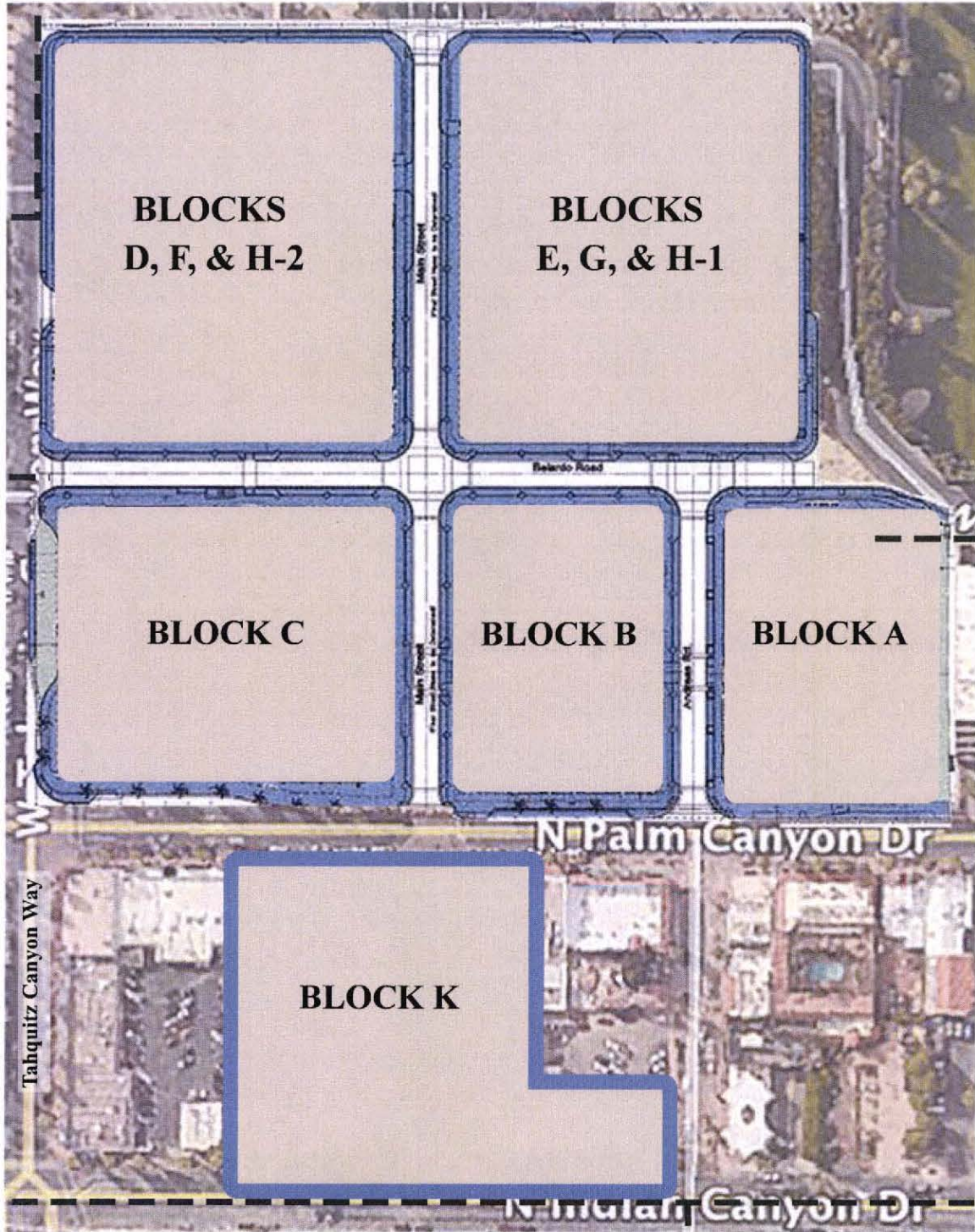
03.24.16



Downtown Palm Springs Specific Plan
 Telephone Service
 Palm Springs, California

Exhibit

IV-7
 117



Legend

--- Existing Cable Television



03.24.16

Source: Wessman Development



Downtown Palm Springs Specific Plan
 Cable Television Service
 Palm Springs, California

Exhibit

IV-8

118

V. ADMINISTRATION AND IMPLEMENTATION

A. Application Review Process

The implementation tools for the Specific Plan will be Major Architectural Reviews, Conditional Use Permits and subdivision maps. Under certain conditions, Planned Development Districts may be required.

The successful implementation of the Downtown Palm Springs Specific Plan is critical to the long-term health of downtown Palm Springs. In order to assure an efficient and streamlined entitlement process, applications for areas within the Specific Plan will require special handling. This Specific Plan establishes a permit streamlining process which will assure the thorough review of Major Architectural Review, Conditional Use Permit and subdivision applications.

1. Application Requirements and Process

All applications relating to new buildings within the Specific Plan area shall require approval by the City Council.

Major Architectural Review applications will include the following in addition to the materials required as part of a standard Major Architectural Review application:

- a. A progressive calculation of building square footage, provided on the site plan. The analysis shall include square footage permitted for the applicable Block under the Specific Plan (Table III-3); square footage approved to date; and square footage proposed with the application.
- b. If the project is for hotel or residential use, a progressive calculation of the number of hotel rooms or residential units provided on the site. The analysis shall include rooms or units permitted for the Specific Plan area approved to date and rooms or units proposed with the application.
- c. If the project is for retail or office use, a progressive calculation of the square footage provided on the site. The analysis shall include square footage permitted for the Specific Plan area approved to date and square footage proposed with the application.
- d. A calculation of parking required, parking provided within the applicable Block, and parking provided elsewhere in the Specific Plan area, as described in Section III.E.8.
- e. If parking is proposed to be located outside the boundaries of the Block where the use is to occur, the application shall include a demonstration that sufficient parking occurs elsewhere in the Specific Plan area, and shall be constructed prior to occupancy of the use, to accommodate the use, as described in Section III.E.8.

- f. If parking is proposed to be reduced for shared uses, a parking study, completed by a qualified traffic engineer or parking professional, utilizing recognized sources of data, as described in Section III.E.8.

When found complete by the Planning Department, a meeting for the Major Architectural Application shall be held within 30 days by the Architectural Advisory Committee, and a public meeting shall be scheduled, within 45 days, before the Planning Commission. Such review shall include any evaluation required under the California Environmental Quality Act (CEQA). The Commission, upon closing the public meeting, shall:

1. Request changes to the application and continue the matter; or
2. Recommend approval to the City Council, including the addition or modification of project conditions; or
3. Deny the project.

The recommendation of the Planning Commission shall be forwarded to the City Council for final approval. The decision of the City Council shall be final.

Applications for Conditional Use Permits and Land Use Permits, not involving construction of new structures and only the use in question, shall be processed consistent with the provisions of Section 94.02.00 et. seq. of the Palm Springs Zoning Ordinance.

Subdivisions shall be processed in accordance with the Subdivision Map Act and Title 9 of the Palm Springs Municipal Code.

Planned Development Districts, if required, will be processed consistent with the requirements of Section 94.03.00 et. seq. of the Palm Springs Zoning Ordinance.

2. Conformity Review Procedure.

In accordance with the provisions of Subsection C (Phasing) of this Section V, Phase One of the Specific Plan's implementation includes the opportunity for any property owner within the specific plan boundary area to request a "Conformity Review". Conformity Review is a determination that a proposed project consisting of the rehabilitation, renovation, and/or remodel of existing buildings and facilities (a "Renovation Project") within the Specific Plan is generally consistent with the Specific Plan.

- a. The property owner shall fully complete and file a request for Conformity Review describing the proposed project and identifying the rehabilitation, renovation, and remodel components and file such other information as the Planning Director may require. The filing may be schematic and conceptual; precise plans or drawings shall not be required unless the submission is processed concurrently with an entitlement provided under the City's Zoning Ordinance. The filing and processing fees, if any, shall be assessed according to the City's resolution of fees and charges.

- b. The Planning Director shall consider the request for Conformity Review and shall prepare written findings and recommendations to the City Council. The request for Conformity Review shall be considered by the City Council at a noticed public hearing pursuant Government Code section 6061. The City Council shall approve, conditionally approve, or deny the request. The decision of the Council is final.
- c. In the review and consideration of the Conformity Request, the City Council shall consider whether the proposal reasonably furthers the goals or objectives of the Specific Plan, including without limitation Subsection C of this Section V.

B. Specific Plan Amendments

Interpretations of this Specific Plan which may be needed to clarify standards, guidelines, or the definitions of permitted uses, or may be otherwise required, and which do not change development standards, guidelines or permitted uses in this Specific Plan may be made by the Director of Planning Services.

All other changes shall be considered amendments to this Specific Plan, and shall be subject to public hearing and review by the Planning Commission and City Council.

C. Phasing

In response to market conditions, implementation of Downtown Palm Springs is expected to begin with the development of the Specific Plan area located west of Palm Canyon Drive and defined by Blocks A, B, C, D, E, F, G, and H. Connections and crossings should be provided from the Specific Plan area to the Convention Center and other resort facilities to the east. Providing a greater degree of connectivity between the east and west sides of Indian Canyon Drive will increase access to retail and restaurant uses, foster economic development, and reduce vehicular trips.

Nothing herein shall be construed as allowing or permitting any deviation from the maximum height or density requirements of the Specific Plan.

Phasing of Downtown Palm Springs will be determined by the market. Phasing may be modified by market pressures, including changes in both the commercial and residential environments:

Phase 1: Construction of Blocks A, B, and C, as well as the Downtown Palm Springs Park, the installation of the new east-west roadway ("Main Street") from the Palm Springs Art Museum to Palm Canyon Drive, the extension of Belardo and Andreas Roads through the site, and improvements to Palm Canyon Drive. The number of hotels shall be limited to two (not to exceed 300 rooms total) until such time as the demand for additional rooms can be demonstrated. Demand shall be demonstrated by a professional third party assessment showing that annualized occupancy at hotels exceeding 125 rooms in the City are achieving at least 62% occupancy, and that additional demand can be supported in the market area. At that time, hotel rooms could total 450 rooms.

Phase 2: Blocks D, F and G

Phase 3: Block K

The City shall direct an independent study evaluating the structural and economic feasibility of preserving all or portions of the existing Town and Country Center buildings for adaptive reuse. The study shall be prepared ~~submitted~~ prior to any application on Blocks K-1 or K-2. All development within Block K shall require approval of a Planned Development District (PDD). The Town and Country Center shall be preserved, renovated and reused. Any new development surrounding the Town and Country Center in Block K will be designed to integrate the existing building and courtyard into the new development project.

D. Financing

Although the Specific Plan occurs in an area in which infrastructure is generally complete, improvements and alterations will be required throughout the development of Downtown Palm Springs, to allow for the intensity of use proposed and to adjust public improvements along the boundaries and edges of the Specific Plan area. Financing for these improvements is likely to come from a number of sources, both public and private. In addition, the costs for the preparation of the Specific Plan can also be recovered. Some of the potential funding mechanisms are described briefly below. This list is not intended to be exhaustive or exclusive. The allocation of costs and the apportionment of fees pursuant to the provisions of this Subsection, including without limitation a credit on fees, may be provided in an owner's participation agreement or a development agreement (DA) between a developer and the City.

Specific Plan Fee

To defray the cost of preparation, adoption, and administration of the specific plan, including all related studies and environmental documentation, the City Council should consider the adoption of a fee to be imposed upon all persons seeking approvals of the City or the Redevelopment Agency of the City of Palm Springs which are required to be consistent with the specific plan in the manner provided under Government Code Section 65456. A portion of any amounts collected pursuant to such fee shall be used to reimburse any person who advanced or incurred costs for the preparation of the specific plan in excess of such person's fair share of such costs as determined under the provisions of Government Code Section 65456.

Special Improvement Districts

Special Improvement or Assessment Districts may be initiated subject to the approval of property owners or voters. They allow the municipality to issue tax-exempt bonds for public infrastructure improvements. Assessments are generally accompanied by a formal lien against each property which receives the improvements. Those properties benefiting from the improvement are assessed an annual cost on their tax bill. Assessments are proportional to the amount of benefit being received by the property owner. The assessments are generally paid over up to 30 years, but may be prepaid.

Measure J Funding

The City of Palm Springs' residents passed Measure J, allowing an extra \$0.01 to be added to sales tax transactions in the City. The funds raised through Measure J are administered by an oversight committee that selects projects for funding on an annual basis. Various facilities associated with Downtown Palm Springs may be funded through Measure J funds, if the project(s) is selected by the City Council.

Developer Impact Fees

Developer impact fees can be used for a variety of improvements, and require the preparation of cost estimates and fair share distribution based on a "rational nexus" that the fee being paid is equivalent to the cost which would otherwise be incurred by the developer to provide his fair share of an improvement. Existing Impact Fees may be applicable to roadway improvements on Palm Canyon or Indian Canyon, or could be created to address the project's improvements. Conversely, most of the development within the Specific Plan area has in the past contributed to Development Impact Fee and TUMF fees, which may be credited to the Downtown Palm Springs construction.

Landscaping and Lighting Districts

Landscaping and Lighting Districts may be created to provide a range of infrastructure improvements. Annual assessment would be raised from properties in the district. Funds may be used for construction and maintenance of curbs, gutters, sidewalks, paving, parkway landscaping and other facilities. The long-term maintenance of the Specific Plan area's street system could be financed through this vehicle.

Mello-Roos Districts

Mello-Roos districts can be used to finance a wide range of improvements, including land purchases and maintenance. The creation of the district results in a special tax levied on the affected property owners. Mello-Roos district taxes are not tied to property value, but rather to a special tax formula based on the level of benefit received by each property.

ATTACHMENT #4

PALM SPRINGS PROMENADE, LLC

555 S. Sunrise Way, Suite 200
Palm Springs, CA 92264

Dear Council Members

I am writing with regard to the first reading of the Specific Plan Amendment scheduled for April 6th 2016 and our request to review and possibly reverse the additional 6 feet set back from Main Street for Block B. Due to a prior family commitment I will not be able to attend the Meeting. Emily Hemphill will attend and represent Wessman Development Companies and its related entities for our Downtown Revitalization Project. Designer Chris Pardo from Elemental Architecture, who is the main Designer for Downtown, will also be attending to answer any questions regarding the design direction of the Annex building.

I believe we have been successful these past weeks working with the Sub Committee, Chris Mills and JR Roberts to produce an alternative solution, which will make this a much better project. In Option 1 the Height of the Annex Building has been reduced to a one story building (23 feet to the roof line and other projections up to 28 feet). The building with approximately SQF 11,500 will be facing Palm Canyon and Main Street with a diagonal set back of the building of 70 feet from the corner curb (Palm Canyon and Main Street). This creates the opportunity for a public plaza on this very important corner.

As an additional alternative and mainly for architectural reasons, we would like you to consider the possibility of adding a second floor in the rear half of the one story Annex building. The 2nd floor portion would be 36 feet in height and approximately SQF 6,000 set back from Palm Canyon. It is our opinion that a second floor would provide for a better visual transition from the one story Annex building in front towards the Kimpton Hotel in the rear, all facing Main Street and the pedestrian walkway in front of the Kimpton Hotel. The 2nd floor would either house 3-4 residential units or office suites.

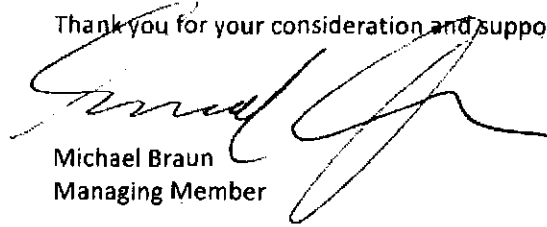
I trust the council will consider either alternative as it makes for a better project and at the same time avoids delaying the construction of Block B (two story building retail with above residential or office use) and B1 with the proposed Virgin Hotel.

We hope the council is considering further to hold a joint Architectural, Planning Commission and City Council Meeting on April 20th to consider final approvals for the redesigned Annex Building, the Virgin Hotel Building and the related transfer of the TOT Covenant.

The Kimpton Hotel is scheduled to be finished by year end and we need to have the buildings in Block C including the Annex fronting Palm Canyon under substantial construction to meet delivery schedules for already committed tenants, but more important to have all landscaping and public areas in Block C completed to create the environment for a successful grand opening of the Kimpton Hotel January 2017. The same applies for Block B; Construction Documents are completed and ready for submittal to the Building Department for permitting; once the pending law suit against Block B is resolved we can start vertical construction immediately for targeted opening no later than Summer / Autumn 2017. As to Block B1, any further delays in the approval process for the Virgin Hotel beyond April 2016 would push the opening of the Hotel to the 4th Quarter 2019; a date not acceptable to Virgin or to the Developer.

New Coachella Valley Hotels do not open during the period April - October (Note we submitted the Virgin Hotel application September 2015 and had two ARC hearings and 4 Planning Commission Hearings). In order to meet our ambitious and committed time schedule of a grand opening by Dec 2018, we need to start contracting Interior Design work and Construction Documents (Building Architecture, Mechanical, Plumbing, Electric etc.) of the building no later than this summer (time frame 6-8 months or finished by January 2017), we would then be able to pull a building permit 1st QTR 2017 and start vertical construction no later than 2nd QTR 2017 (18 months construction = Grand opening December 2018)

Thank you for your consideration and support.

A handwritten signature in black ink, appearing to read "Michael Braun", written over the typed name and title.

Michael Braun
Managing Member

ATTACHMENT #5



RECEIVED
CITY OF PALM SPRINGS

2016 APR 12 PM 12:00

April 6, 2016

Sent via U.S. Mail and Facsimile

JAMES THOMPSON
CITY CLERK

City of Palm Springs
c/o City Clerk
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262
Fax: (760) 322-8332

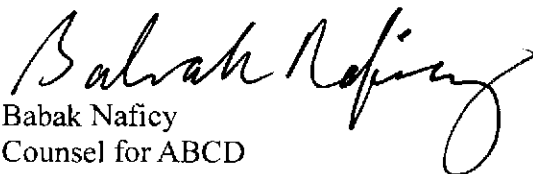
RE: Notice of Intent to Commence Litigation

Please take notice that Advocates for Better Community Development ("ABCD") intends to commence legal action to set aside the Palm Springs City Council's ("City") March 2, 2016 approval of revisions to the Museum Market Plaza Specific Plan and certification of an Addendum therefor.

ABCD contends the City violated CEQA by failing to prepare a Subsequent or Supplemental Environmental Impact Report. ABCD further contends the Addendum is inadequate as a matter of law, its findings and analysis are not supported by substantial evidence, and the City violated CEQA by failing to lawfully adopt enforceable mitigation measures. Finally, ABCD contends the City abused its discretion because the City's findings in support of the Project approval and the Addendum are not supported by substantial evidence.

This notice is provided pursuant to Public Resources Code 21167.5.

Sincerely,


Babak Naficy
Counsel for ABCD

cc: Emily Hemphill, Counsel for WESSMAN DEVELOPMENT COMPANY, INC.

1504 Marsh Street
San Luis Obispo
California 93401

ph: 805.593.0926
fax: 805.593.0946

babaknaficy@sbcglobal.net

PS RESORTS

Promoting Palm Springs Tourism Through Events

December 16, 2015

Mr. John Wessman
Wessman Development
555 Sunrise Way, #200
Palm Springs, CA 92262

RE: AGREEMENT FOR SUPPORT of the Wessman Development and/or Palm Springs Promenade, LLC.

Dear Mr. Wessman:

This letter will confirm the agreement reached between John Wessman, Wessman Development and/or Palm Springs Promenade, LLC. (individually as well as any and all other Wessman related entities existing or created in the future that have some involvement, ownership, or connection to the Downtown Development project currently being erected by Wessman Development and/or PS Promenade, LLC in downtown Palm Springs, California.)

This letter agreement intends to confirm the discussions that have taken place and to memorialize the agreement that has been reached between PS RESORTS and John Wessman, Wessman Development Company, PS Promenade, LLC or any entity existing or created that is controlled, owned, or directed by John Wessman or any of his agents as it relates to the downtown Palm Springs development, but specifically as it relates to the construction of the new Park Hotel (or similar product) as well as the A/C Marriott Hotel (or similar product) that Wessman or his related entities are seeking approval from the City of Palm Springs.

Wessman has approached PS RESORTS and requested support for the Park Hotel, which is planned as a second or third hotel to be built on the downtown project site. PS RESORTS has voiced serious concerns relative to the number of hotel rooms planned in the Palm Springs market, and specifically the downtown corridor. PS RESORTS notes that several new hotel projects are currently under construction or are planned for the near future and the addition of those rooms will be difficult for the City to absorb effectively and economically. By way of example, the Andaz hotel project has broken ground while Wessman/PS Promenade is building two other hotel properties on the downtown project site, including the Kimpton Hotel

PS. RESORTS

Promoting Palm Springs Tourism Through Events

currently under construction as well as the Park Hotel, a luxury hotel that contemplates at least 175 additional rooms.

The addition of these hotel rooms will create over supply of rooms in our market, and both PS RESORTS and Wessman/PS Promenade, LLC agree that it will take time for the market to mature and have the ability to absorb all of these new rooms and properties. Accordingly, Wessman/PS Promenade and PS RESORTS have come to an agreement that would enable PS RESORTS to publicly support the new Park Hotel (or any hotel representing either the second or third hotel in that development) with the Planning Commission as well as with the City Council for the City of Palm Springs. The agreement is fairly simple and both parties want to memorialize and be bound by the terms and conditions of that agreement.

Wessman, Palm Springs Promenade, LLC and/or any of their related, controlled, or owned entities agree that if the Park Hotel is approved now and built (for approximately 175 rooms) then the currently approved 2nd hotel (at this point named as the A/C Hotel or similar product) would be postponed from 2016 to 2021. The postponement of the second hotel to 2021 could be shortened to an earlier time frame depending on the occupancy rate for hotels in the City of Palm Springs. Specifically, once the occupancy rate for the City of Palm Springs stabilizes, as per the STR Report covering the hotels of PS Resorts at or above 62% for two consecutive years the second hotel (now the third hotel if the Park Hotel is built) will be allowed to open for business no matter what year this occupancy limit should be reached.

In addition, PS Resorts is in support to increase the current height limit for residential buildings from 60 feet to up to 75 feet for any proposed residential building within the specific plan area. A residential building is defined as retail and or residential amenities use on the ground floor and all remaining floors above to be residential.

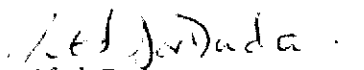
Based upon this agreement as outlined above, PS RESORTS agrees to publicly support the addition of the Park Hotel before the applicable city commissions and the City Council itself.

Page -2-

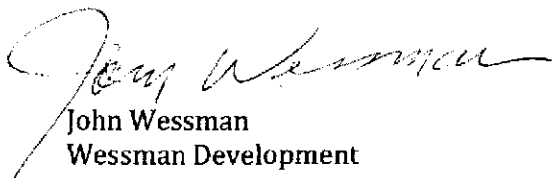
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AGREED TO


Aftab Dada
PS Resorts Chairman
Hilton Palm Springs Resort


Tim Ellis
PS Resorts Vice-Chairman
Palm Mountain Resort

 12/15/15
John Wessman
Wessman Development

PS Resorts Board of Directors

Tim Anctil, Ace Hotel
Robert Hunt, Alcazar Palm Springs
Dan Burgess, Colony Palms
Scott White, Greater Palm Springs CVB
Paul Tolette, Goldenvoice
Stan Kantowski, Hard Rock Hotel
Vincent Bucci, Hyatt Regency Palm Springs
Keith McCormick, McCormick Car Auctions

Jamey Canfield, PS Convention Center
Hector Moreno, Riviera Resort
Rick Gaede, Renaissance Palm Springs
Juan Pineda, Saguaro
Sarah Blatsiotis, Avalon PS
Harold Matzner, Spencer's
Marie-Helene Morowati, The V



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SEP 23 2015

PLANNING SERVICES
DEPARTMENT

September 22, 2015

Palm Springs City Hall
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mayor Pougnet, Palm Springs City Councilmembers, Planning Commission and Architectural Commission Members:

Re: Proposed Park Hotel, Palm Springs

As the regional destination marketing organization, the primary goal of the Greater Palm Springs Convention & Visitors Bureau is to generate positive economic impact for the Coachella Valley. Tourism supports more than 46,000 jobs and produces over \$5.8 billion in business sales for the region. Our research indicates the destination must be relevant to the modern traveler with unique and authentic experiences. Travelers today expect a destination to deliver the latest in amenities and experiences.

The Greater Palm Springs Convention & Visitors Bureau supports the newly proposed Park Hotel in Downtown Palm Springs. The proposed hotel complements our destination perfectly and reflects the needs and expectations of today's discerning traveler. We feel building the Park Hotel "first" is in the best interest of the local stakeholders, city leaders and the overall brand of Palm Springs. The new hotel will definitely create international awareness and demand. This type of brand will supplement the existing hotels and enhance the tourism experience for the entire region.

The CVB is very excited about this opportunity and how it can positively shape our future as a destination that is modern, sophisticated and desirable.

Thank you for your consideration and please do not hesitate to call me with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott White". The signature is stylized with a large loop at the end.

Scott White
President & CEO, Greater Palm Springs Convention & Visitors Bureau

Jay Thompson

From: Roxann Ploss <riploss@gmail.com>
Sent: Monday, September 21, 2015 1:57 PM
To: Jay Thompson
Subject: For AAC meeting

I'm sorry about the tardiness, Jay, but everyday is a challenge as to whether I am allowed to drive or not. Today, is a "no" due to the overcast. Is it possible to give this to the board members? I kept it short.

3 . 3 9 0 8
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Re: the third hotel for the "Museum Plaza"

SEP 21 2015

Dear Members,

PLANNING SERVICES
DEPARTMENT

We are seriously in danger of losing the renowned "walkability" of the Palm Springs Downtown area. Whereas we have always had stellar views, lots of light and walkways lined with buildings set back enough to enhance visibility, we are changing that quite rapidly. The superstructure of the Pardo-designed building, tall, dense, no setbacks and an overhang which visually diminishes the breadth of Palm Canyon is the new exemplar.

The third hotel, with a request to move it "closer to the action" will complete the cement and glass wall....half of a man-made canyon. The fact that the Marriott will be delayed for some time would seem to suggest that the so-called crushing need for more rooms downtown is not as "crushing" as we'd been led to believe.

You and the Planning Commission have the opportunity to scale back this canyon-in-progress and to save the very thing that draws

so many tourists here.....the incredible views that are available from any location in town (INCLUDING downtown).

An added thought: this will further increase the gridlock caused by lack of adequate parking in the central area.

Thank you for your time,

Roxann Ploss
Palm Springs, Ca.

"You cannot maintain a soul of a community if you detach it from history." Dani Dayan

Judy Deertrack
1333 South Belardo Road, Apt 510
Palm Springs, CA 92264

Monday, September 21, 2015

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SEP 21 2015

PLANNING SERVICES
DEPARTMENT

To the Architectural Advisory Committee:
Palm Springs, California

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

To the Honorable Architectural Advisory Committee:

For several reasons, I am asking the City to delay the review of the Architectural Review Committee until the matter is properly brought forward with all relevant information for a recommendation to be made to the Planning Commission and City Council, certainly including the fact the environmental assessment has been segregated and removed from the body of the permit:

1. Ordinance 94.04.00 Architectural Review Requirements, at 94.04.00 E (5) (b) appears to address architectural review of the environmental assessment. Although the language of section (b) specifically mentions the Planning Commission as the reviewing body of the environmental assessment (given their ability to make findings), it is also natural to assume that any board or commission that is advising them on the scope, nature, and impact of the project would likewise require access to the environmental assessment information to make meaningful recommendations. Accordingly, I advise the AAC to remand this matter for inclusion of the environmental review.
2. The transfer of density to Block B appears to exceed 15% threshold. Under Chapter III-12 of the Specific Plan, density transfers that exceed 15% are prohibited under the plan. At the least, the staff report does not give the AAC enough information to determine whether this proposed amendment complies with the Specific Plan requirements.
3. Under Chapter V-1 of the Specific Plan, any review of modifications to the plan require Progressive Calculations. No such table is attached for the AAC review. Since AAC scope of review addresses the subject matter of building square footage and mass, location, and other matters – it appears the AAC needs the data of where this plan stands in terms of its progressive use of density, space, hotel rooms, and other criteria. The absence of this data makes review premature.
4. Lastly, this review should encompass review of a land entitlement, or specific project, not a legislative action. It is premature to review the project when the Specific Plan Amendment that would allow this project has not been reviewed by the Planning Commission or City Council.

Thank you for your kind attention.

With regard,

Judy Deertrack

V. ADMINISTRATION AND IMPLEMENTATION**B. Application Review Process**

The implementation tools for the Specific Plan will be Major Architectural Reviews, Conditional Use Permits and subdivision maps. Under certain conditions, Planned Development Permits may be required, if the condition meets the standards of section V-B, below.

The successful implementation of the Museum Market Plaza Specific Plan is critical to the long-term health of downtown Palm Springs. In order to assure an efficient and streamlined entitlement process, applications for areas within the Specific Plan will require special handling. This Specific Plan establishes a permit streamlining process which will assure the thorough review of Major Architectural Review, Conditional Use Permit and subdivision applications.

1. Application Requirements and Process

Major Architectural Review applications will include the following in addition to the materials required as part of a standard Major Architectural Review application:

- a. A progressive calculation of building square footage and mass, provided on the site plan. The analysis shall include square footage and mass permitted for the applicable Block under the Specific Plan (Table III-3); square footage and mass approved to date; and square footage and mass proposed with the application.
- b. If the project is for hotel or residential use, a progressive calculation of the number of hotel rooms or residential units provided on the site. The analysis shall include rooms or units permitted for the Specific Plan area approved to date and roomr or units proposed with the application.
- c. If the project is for retail or office use, a progressive calculation of the square footage provided on the site. The analysis shall include square footage permitted for the Specific Plan area approved to date and square footage proposed with the application.
- d. A calculation of parking required, parking provided within the applicable Block, and parking provided elsewhere in the Specific Plan area.
- e. If parking is proposed to be located outside the boundaries of the Block where the use is to occur, the application shall include a demonstration that sufficient parking occurs elsewhere in the Specific Plan area, and shall be constructed prior to occupancy of the use, to accommodate the use.
- f. If parking is proposed to be reduced for shared uses, a parking study, completed by a qualified traffic engineer or parking professional, utilizing recognized sources of data.

When found complete by the Planning Department, a meeting for the Major Architectural Application shall be held within 30 days by the Architectural Advisory Committee, and a public

**Table III-3
Maximum Allowable Square Footage and Building Mass**

| Location | Allowed in Specific Plan Area | Allowed in CBD Zone* |
|---|-------------------------------|----------------------|
| Maximum Potential Square Footage | | |
| Block A | 220,000 | 475,675 |
| Block B | 3,000 | 214,315 |
| Block C | 245,000 | 504,425 |
| Block D & F | 455,000 | 823,285 |
| Block E, G & H | 520,000 | 1,027,145 |
| Block K1 | 181,000 | 174,240 |
| Block K2 | 151,000 | 155,075 |
| Total Potential Square Footage | 1,775,000 | 3,374,160 |
| Maximum Building Mass (Cubic Feet) | | |
| Block A | 2,000,000 | 4,058,320 |
| Block B | 27,000 | 588,000 |
| Block C | 2,100,000 | 4,200,280 |
| Block D & F | 3,800,000 | 8,314,280 |
| Block E, G & H | 5,000,000 | 10,067,400 |
| Block K | 2,500,000 | 3,960,675 |
| Total Building Mass (cubic feet) | 15,427,000 | 31,188,955 |
| *Assumes 100% building coverage, and 6 stories (60 feet). | | |



A transfer of permitted building square footage or mass from one Block to another Block will be permitted, as long as the transfer does not increase building square footage or mass by more than 15% in the receiving Block, and that the overall build out total for the Specific Plan area is not exceeded. All other development standards within this Specific Plan must be met with implementation of a transfer.

At build out of the Specific Plan, building square footage and mass shall not be permitted to exceed the total shown in the "Allowed in Specific Plan Area" column of Table III-3.

3. Projections Above Maximum Building Height

Projections above maximum building heights are allowed for elevator shafts, heating and cooling equipment, and non-habitable towers or architectural features, to a maximum of 15 feet above the building height. Projections above the building height cannot exceed 15% of the building roof area.

PS. RESORTS

Promoting Palm Springs Tourism Through Events

Mayor, City Council, City of Palm Springs, Planning Commission & Architectural Commission:

We are writing to present the consensus of PS Resorts on the subject of newly proposed "*Park Hotel*" in regards to the Downtown Palm Springs project. We wish to unanimously voice our unequivocal support of the specific Plan amendment featuring the new "*Park Hotel*" on Block 81.

As an organization our primary responsibility is to ensure that our city maintains the highest standards of quality services, tourist appeal, and responsible growth opportunities for our marketing area and the businesses that serve it. Although the actual brand embodied by the "*Park Hotel*" cannot publicly be disclosed at this time, its prestige and reputation equates to those of companies like Apple & Google and will surely raise both national and international interest in Palm Springs as a destination city.

This property blends perfectly with the persona of our special city given its roots in the design, music, and entertainment industries that reverberate throughout the Coachella Valley. An announcement that this brand is calling Palm Springs home in 2017, well before other projected openings in L.A., San Francisco, and potentially San Diego, will set our city apart, and open up new segments of tourism from all over the world seeking a destination epitomizing "first class" in every sense of the word.

The City Council's recently approved plans for 7 new hotels (700 rooms) in Palm Springs did indeed cause our organization some concerns about market saturation if all seven were to open concurrently. At this point, however, only 26% (the Kimpton & Arrive) are now under construction while the Palm Springs Promenade, LLC and its affiliates have agreed to delay possible startup of a third hotel until January of 2021. Given the Kimpton's opening is scheduled for October of 2016, the "*Park Hotel's*" proposed completion date of late 2017 fits comfortably within the growth and business maximization calendar for our great city.

In our educated judgment as experts in the hospitality industry we believe unanimously that the "*Park Hotel*" will not compete with current hotel stock in Palm Springs. We strongly believe that this well-known brand will potentially tap into an entirely new customer base for our whole area. The enhanced travel experience it promises coupled with its stimulating

Aftab Dada
CHAIRMAN OF
THE BOARD

Tim Ellis
VICE CHAIRMAN

Robert Hunt
SECRETARY

Stan Kantowski
TREASURER

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SEP 21 2015

PLANNING SERVICES
DEPARTMENT

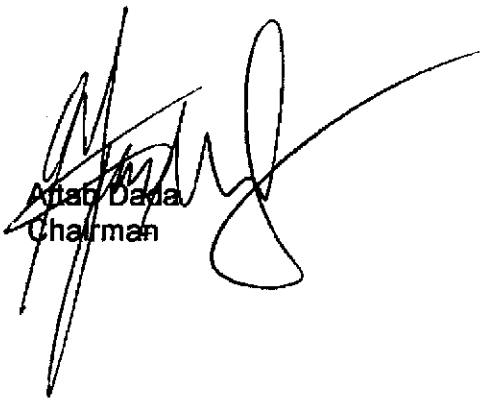
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PS. RESORTS

Promoting Palm Springs Tourism Through Events

amenities should ultimately contribute to increased tourism resulting in a significant boost to our local economy overall. That's a win for our businesses from greater and new traffic; a win for our community through new tax revenue; and a win for our residents who will benefit from the services that increasing tax base will provide.

Thank you for your consideration and please do not hesitate to call us with any questions you may have.



Aftab Dada
Chairman



Tim Ellis
Vice-Chairman

Aftab Dada
CHAIRMAN OF
THE BOARD

Tim Ellis
VICE CHAIRMAN

Robert Hunt
SECRETARY

Stan Kantowski
TREASURER

ATTACHMENT #6

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 3.3607 MAJ AMEND, FOR A ONE- AND TWO-STORY BUILDING LOCATED ON BLOCK C OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE SOUTHWEST CORNER OF PALM CANYON DRIVE AND MAIN STREET, ZONE CBD.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

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

B. Palm Springs Promenade, LLC, ("Applicant") filed an application with the City, pursuant to the Specific Plan and Section 94.04.00 of the Zoning Code, for an amendment to Major Architectural Application (Case No. 3.3607-MAJ AMEND) for the easterly half of Block C to include a one and two-story building.

C. On April 20, 2016, the Architectural Advisory Committee voted to recommend approval of Case 3.3607 MAJ AMEND to the Planning Commission.

D. On April 20, 2016, a public hearing to consider Case 3.3607 MAJ AMEND was held by the Planning Commission in accordance with applicable law.

E. This proposed project is part of a larger project ("Museum Market Plaza Specific Plan") evaluated and analyzed under the California Environmental Quality Act ("CEQA"). The City certified and Environmental Impact Report (EIR) which analyzed impacts related to the Museum Market Plaza Specific Plan in 2009. Subsequent addenda have been prepared to analyze project changes within the Specific Plan area. The approved application was consistent with the environmental analysis prepared, and the amended application includes a reduction in scope as described in a staff report. The intensity and density of the project will be consistent with the impacts identified in the EIR and Addenda. No changed circumstances, changes in the environment or changes in regulations have occurred since the certification of the EIR or the adoption of the Addenda. Based on the requirements of the Public Resources Code and the CEQA Guidelines, no additional environmental analysis is required for this project and the mitigation measures previously imposed within the EIR will apply.

F. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

G. Pursuant to Section I.C. of the Downtown Palm Springs Specific Plan, the City Council finds that the project complies with the Specific Plan's guiding principles **941**

follows:

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*

The proposed building will enhance the experience of those living, working and shopping within the Specific Plan area. Street-lined retail is proposed consistent with the requirements and general vision of the Specific Plan. The use of high-quality materials and contemporary building design will create a vibrant, exciting and safe experience for all.

2. *Connections from the Palm Springs Art Museum to the Resort/Convention Center.*

In order to achieve connections between the Art Museum and Resort/Convention Center, the Specific Plan sets development standards for new developments. The proposed building incorporates large sidewalk areas and building separation space consistent with the Specific Plan. Thus, the project meets the connection requirements envisioned by this finding.

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.*

The development will allow commercial retail stores on both of its street frontages. Such retail may include national and regional chain stores, as well as local businesses.

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.*

As noted above, the project includes retail street frontages. While residential is not permitted on the ground floor, it is allowed on floors above the first floor. The project proposes 6,500-square feet of second floor space, which may be used as residential and increase the number of homes in downtown. Further, there are other locations within the Specific Plan area where residential can still occur. Thus, the project aids in the balance of commercial and residential development and assists in the success of the area.

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.*

The proposed residential, if constructed on the second floor, will relate to the surrounding commercial. Outdoor balconies are proposed and create synergy

between the ground floor pedestrian experience and the residential outdoor space above.

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

The proposed retail space will support shopping and dining activities for visitors staying at hotel properties within the Specific Plan area and elsewhere in the city.

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.*

View corridors of the mountains are provided with building separation on Main Street and the proposed low-rise building fronting Palm Canyon Drive. Eighty feet of building separation between the subject building and the building located on Block B will create a view corridor down Main Street. The views will be enhanced by the 26-ft. height of the building adjacent to Palm Canyon Drive.

8. *The 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, thereby avoiding the creation of overwhelming and impenetrable mega-blocks.*

The proposed project provides adequate pedestrian space and is sensitively designed to the human scale. The pedestrian experience is provided between the building and street curb in an area ranging from 12 to 70-feet in width, which enables sufficient space for circulation, planters and outdoor dining. The proposed building ranges in height between 23 to 34 feet, and is massed/scaled appropriately for reducing its visual dominance.

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

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

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;*

The amended project proposes a multi-tenant, mixed-use building with ground floor commercial and upper floor space that may be office, residential or other uses as permitted by the Specific Plan. The portion of the building fronting Palm Canyon Drive is one-story with height variations between 23 and 26-feet. Pedestrian pathways will be separated from vehicular streets with curbs and landscape treatment. Pavers, landscaping and sidewalk furniture will provide an enhanced experience on the site. Sidewalks and other walkways are provided to accommodate the change in topography across the site. Underground parking can be accessed from nearby stairways and elevators via public sidewalks.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The buildings are constrained in size by the street grid and proposed courtyard and hotel development so that they remain in scale with the surrounding area. The heights of the building range from approximately 23 to 34 feet and are generally consistent with the development character of the surrounding area, which includes one-, two- and multiple-story buildings.

The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials, including patterned block, stumpled brick and stucco walls, exposed steel beams, louvers, board-formed concrete, anodized aluminum and steel storefronts. The selection of design elements differs from those of the adjacent blocks within the Museum Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The proposed building's overall height will range from 23 to 34-feet. Exterior elevations show projections at building edges. Mass is divided with exterior building articulation and height variation. Rooftop mechanical will be concealed from view.

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

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

6. *Consistency of composition and treatment;*

The building design uses consistent forms and treatments across each elevation, yet differentiates the design and materials for the different tenants along Palm Canyon. The contemporary elements interact with each other in a consistent and rhythmic manner where appropriate.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

An overall landscape plan was reviewed and approved for the Museum Market Plaza Specific Plan and no changes or new landscape is proposed under this proposed amendment.

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

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

THE PLANNING COMMISSION RESOLVES:

Based upon the foregoing, the Planning Commission hereby approves Case 3.3607 MAJ AMEND, for the construction of a one and two-story building on Block C of the Downtown Palm Springs Specific Plan, located at the southwest corner of Palm Canyon Drive and Main Street, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 20th day of April, 2016.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

RESOLUTION NO.

EXHIBIT A

Case 3.3607 MAJ AMEND
Downtown Palm Springs Specific Plan / Block C

April 20, 2016

CONDITIONS OF APPROVAL

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

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

PROJECT SPECIFIC CONDITIONS

1. This approval is not valid until the effective date of Ordinance 1889.
2. Excluded from this approval is the sidewalk design as it relates to landscape, hardscape, furniture, etc. These items shall be submitted for review as outlined in the conditions below.
3. The sidewalk design for the project as it relates to hardscape, landscape, lighting and furniture fixtures shall be consistent with the plans conditionally approved by the Planning Commission on November 12, 2015. Should substantial changes be proposed, the AAC and Planning Commission approval is required.
4. A Land Use Permit shall be obtained for outdoor dining, in accordance with Subsection III.C.1 of the Museum Market Plaza Specific Plan.
5. Review by the AAC of exterior elevations for all individual tenancies, if proposed differences are significant in the opinion of the Director of Planning Services.
6. A sign program shall be submitted for review by AAC and Planning Commission.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 3.3607 – MAJ AMEND, except as modified by these conditions.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plan, architectural elevations and exterior materials and colors on file in the Planning Division,

except as modified by the conditions below.

- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3607-MAJ AMEND. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains' the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being ½% for commercial projects or ¼% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
- ADM 10. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code.

ENVIRONMENTAL ASSESSMENT CONDITIONS

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

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning or designee for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. (See condition No. 6 above.)
- PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar

reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.

- PLN 4. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 5. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 6. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 7. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

POLICE DEPARTMENT CONDITIONS

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

BUILDING DEPARTMENT CONDITIONS

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

ENGINEERING DEPARTMENT CONDITIONS

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

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

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. The public street improvements outlined in these conditions of approval are intended to convey to the applicant an accurate scope of required

improvements, however, the City Engineer reserves the right to require reasonable additional improvements as may be determined in the course of the review and approval of street improvement plans required by these conditions.

- ENG 4. All proposed decorative pavement shall vary from location to location, but shall be the same type as approved by the City Engineer.

NEW MAIN STREET

- ENG 5. Dedicate full street right-of-way width of 41 feet as shown on the approved version of the site plan for Tentative Parcel Map No. 36446, together with a property line - corner cut-back at the southwest corner of the intersection of New Main Street and Belardo Road.
- ENG 6. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match proposed sidewalk) for those portions of sidewalk located outside of the public right-of-way.
- ENG 7. Main Street shall have one eastbound and one westbound lane, as well as parking on both sides of New Main Street (except at curb returns and curb pop-outs) to Belardo Road as shown on approved site plan.
- ENG 8. Zero curb face curb shall be constructed on the south side of New Main Street from the east property line of the project to proposed Belardo Road in conjunction with the Downtown Palm Springs project.
- ENG 9. Construct sidewalk ranging in width from 8 feet to 15 feet wide along both sides of New Main Street as shown on approved improvement plans, in accordance with City of Palm Springs Standard Drawing No. 210 and the Museum Market Plaza Specific Plan.
- ENG 10. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the New Main Street, in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 11. The intersection of New Main Street, with Belardo Road, shall be constructed with enhanced or decorative paving.

BELARDO ROAD

- ENG 12. Dedicate full street right-of-way width of 41 feet as shown on the approved version of the site plan for Tentative Parcel Map No. 36446, together with a property line - corner cut-back at the southwest corner of the intersection of Main Street and Belardo Road as required by the City Engineer.
- ENG 13. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match proposed sidewalk) for those portions of sidewalk located outside of the public right-of-way.
- ENG 14. Belardo Road shall have one northbound and one southbound lane, as well as parking on both sides of Belardo Road (except at curb returns) along the Hotel project frontage.
- ENG 15. Construct a 25 feet radius curb return at the southwest corner of the intersection of Belardo Road with Main Street in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 16. Construct a Type A curb ramp meeting current California State Accessibility standards at the southwest corners of the intersection of Belardo Road and Main Street, in accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 17. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the Belardo Road frontage, in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 18. The intersection of Belardo Road and Main Street shall be constructed with enhanced or decorative paving (such as decorative pavers).

SANITARY SEWER

- ENG 19. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
- ENG 20. All on-site sewer systems (not located in public streets) shall be privately maintained.
- ENG 21. Submit sewer improvement plans prepared by a California registered civil

engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.

- ENG 22. Construct an 8 inch V.C.P. sewer main across the proposed Belardo Road frontage, located 5 feet from centerline (or as required by the City Engineer), including a sewer lateral for future connection of the on-site sewer system to the public sewer, as required by the City Engineer. The new sewer line shall connect to the manhole located in Tahquitz Canyon Way at the intersection of the proposed Belardo Road.
- ENG 23. Construct an 8 inch V.C.P. sewer main across the proposed New Main Street frontage and west to Museum Drive, located 5 feet from centerline (or as required by the City Engineer), including a sewer lateral for future connection of the on-site sewer system to the public sewer, as required by the City Engineer. The new sewer line shall connect to the proposed manhole located at the intersection of Belardo Road and New Main Street.
- ENG 24. All sewer mains constructed by the developer and to become part of the City sewer system shall be digitally video recorded by the City prior to acceptance of the sewer system for maintenance by the City. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.
- ENG 25. Any sewer connection fees shall be paid at the Building Department counter at time of building permit issuance.
- ENG 26. Upon completion of the construction of public sewer lines, an as-built drawing in digital format shall be provided to the City as required by the City Engineer, if the sewer was not constructed in accordance with the original approved sewer plans.

GRADING

- ENG 27. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.
- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control

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

- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan or Tentative Parcel Map No. 36446; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report; and a copy of the project-specific Final Water Quality Management Plan

ENG 28. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 29. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color or be decorative in nature; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 30. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

ENG 31. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs

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

- ENG 32. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 33. Projects causing soil disturbance of one acre or more, must comply with the General Permit for Stormwater Discharges Associated with Construction Activity, and shall prepare and implement a stormwater pollution prevention plan (SWPPP) for all Blocks of the Downtown Palm Springs project. As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the project applicant shall cause the approved final project-specific Water Quality Management Plan to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 34. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 35. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 36. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.

- ENG 37. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 38. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 39. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 40. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading Plan.
- ENG 41. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other

instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.

- ENG 42. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

- ENG 43. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a single hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.
- ENG 44. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to proposed Main Street, and proposed Belardo Road. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains. Much of the drainage shall go into the existing public storm drain line in Tahquitz Canyon Way.

- ENG 45. Construct all necessary on-site storm drain improvements, including but not limited to catch basins and storm drain lines, for drainage of site into the on-site underground detention system(s) and other specifications for construction of required on-site storm drainage improvements, as described in a final Hydrology Study for the Downtown Palm Springs project (Tentative Parcel Map No. 36446), reviewed and approved by the City Engineer.
- ENG 46. All on-site storm drain systems shall be privately maintained.
- ENG 47. The underground stormwater detention system(s) shall be sized to have sufficient capacity equal to the volume of increased stormwater runoff due to development of the site, as identified in a final hydrology study approved by the City Engineer. A decrease to the required detention volume may be allowed for percolation of the stormwater runoff into the underlying gravel and soil, not to exceed 2 inches per hour. Maintenance of the underground stormwater detention systems are the sole responsibility of the development owner(s); maintenance and/or replacement of the system(s), will be at the sole expense of the development owner(s). The Final Project-Specific Water Quality Management Plan *Covenant and Agreement* shall reserve the right of the City to inspect and ensure that the underground detention system(s) are operable, and in the event of its failure, shall provide the City the right to advise the owner(s) of the development and require its repair or replacement within 30 days notice, to the satisfaction of the City Engineer.
- ENG 48. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit unless developer can provide evidence that fee or a partial fee was paid by the Desert Fashion Plaza in previous years.

GENERAL

- ENG 49. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected

off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

- ENG 50. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.
- ENG 51. All proposed utility lines shall be installed underground.
- ENG 52. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 53. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 54. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 55. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers

installed in accordance with City of Palm Springs Standard Drawing No. 904.

- ENG 56. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.
- ENG 57. If there are any lights from Lighting District No. 1, existing on Tahquitz Canyon Way along the Tentative Parcel Map (TPM) 36446 frontage, those lights shall be removed in conjunction with this project.

MAP

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

TRAFFIC

- ENG 59. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 60. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 61. Submit traffic striping and signage plans for Main Street and Belardo Road prepared by a California registered civil engineer, for review and approval by the City Engineer. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 62. Install street name signs at all corners of all intersections that are a part of the Downtown Palm Springs project, in accordance with City of Palm Springs Standard Drawing Nos. 620 through 625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.

- ENG 63. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 “Temporary Traffic Control” of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 64. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

- FID 1. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated_____. The submitted plans do not provide enough detail. Additional requirements may be required at that time based on revisions to site plans.
- FID 2. Fire Department Conditions were based on the 2010 California Fire Code as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.
- FID 3. **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- FID 4. **Aerial Fire Access Roads (CFC Appendix D105.1):** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
- FID 5. **Aerial Fire Access Road Width (CFC Appendix D105.2):** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.

- FID 6. **Aerial Access Proximity to Building (CFC Appendix D105.3):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.
- FID 7. **Fencing Requirements (8.04.260 PSMC):** Construction site fencing with 20 foot wide access gates is required for all combustible construction over 5,000 square feet. Fencing shall remain intact until buildings are stuccoed or covered and secured with lockable doors and windows.
- FID 8. **Access during Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 9. **Fire Apparatus Access Gates (8.04.260 PSMC):** Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock.
- FID 10. **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities. Decomposed granite (DG), grass, dirt, sand and other materials that can wash away, develop ruts or be dug up shall not be used. Interlocking pavers, turf block or other similar materials may be allowed, subject to the provision of proper base material and compliance with City Engineering Department compaction requirements. Prior to permit sign-off, compaction test results shall be submitted to the City Engineering Department for approval.
- FID 11. **Turning radius (CFC 503.2.4):** Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet. Radius must be concentric.
- FID 12. **Dead Ends (CFC 503.2.5):** Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 43 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs

Public Works and Engineering Department standard dated 9-4-02.

- FID 13. **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

Gate arms securing parking lots and parking structures shall be equipped with a fire department approved dual-keyed Knox key electric switch. When activated, the arm or arms shall open to allow fire and law enforcement access.

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

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

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

- FID 14. **Plot Plan:** Prior to completion of the project, an 8.5"x11" plot plan or drawing, and an electronic version in an industry standard file format capable of being used in a geographical information system (GIS) preferably an ESRI shape file(s) shall be provided to the fire department. The GIS file shall be projected in the California State Plane Zone VI coordinate system and capable of being re-projected into the North American Datum 1983 coordinate system. PDF files by themselves will not meet this requirement. The GIS and ESRI shape file(s) shall clearly show all access points, fire hydrants, KNOX™ box locations, fire department connections, dwelling unit or suite identifiers, main electrical panel location(s), sprinkler riser and fire alarm locations. Industry standard symbols used in emergency management and pre-fire planning are encouraged. Large projects may require more than one page. AutoCAD files

will be accepted but must be approved prior to acceptance.

- FID 15. **Premises Identification (CFC 505.1):** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.
- FID 16. **Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.
- FID 17. **Key Box Contents (CFC 506.1):** The Knox key box shall contain keys to all areas of ingress/egress, alarm rooms, fire sprinkler riser/equipment rooms, mechanical rooms, elevator rooms, elevator controls, plus a card containing the emergency contact people and phone numbers for the building/complex.
- FID 18. **Water Agency Construction Specifications:** All public water mains, fire hydrants and double check detector assemblies must be installed in accordance with DWA specifications and standards. Private fire hydrants shall be painted OSHA safety red. Public fire hydrants shall be painted equipment yellow.
- FID 19. **Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.
- FID 20. **Required Water Supply (CFC 507.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
- FID 21. **Fire Hydrant Flow (CFC 507.3):** Fire flow requirements for buildings or portions of buildings and facilities are shall be determined by Appendix B.
- FID 22. **Fire Hydrant Systems (CFC 507.5):** Fire hydrant systems shall comply with

Sections 507.5.1 through 507.5.6 and Appendix C.

- FID 23. **Operational Fire Hydrant(s) (CFC 507.1, 507.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 24. **Water Systems and Hydrants (CFC 507.1, 507.2, 507.4, 901.5 & 1412.1):** Underground private fire service mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (903 CFC) Installation, testing, and inspection will meet the requirements of NFPA 24, 2010 Edition. Prior to final approval of the installation, contractor shall submit a completed Contractors Material & Test Certificate for Underground Piping to the Fire Department. (NFPA 24: 10.10, 2010 Edition).
- FID 25. **Fire Command Center (CFC 508.1):** Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code and as amended by the Palm Springs Municipal Code for buildings between 60 to 75 feet in height to the top of the structure, a fire command center for fire department operations shall be provided. The fire command center shall be located adjacent to the main lobby and shall be accessible from fire department vehicular access or as approved by the Fire Chief.

The fire command center shall be separated from the remainder of the building by not less than a 2-hour fire barrier constructed and in accordance with section 706 of the California Building Code or horizontal assembly constructed in accordance with section 711 of the California Building Code, or both.

The room shall provide direct access from the building exterior at the lowest level of fire department access and be a minimum of 96 square feet with a minimum dimension of eight feet. A layout of the fire command center and all features required by this section to be contained therein shall be submitted for approval prior to installation. The fire command center shall comply with NFPA 72 and the applicable provisions of the Electrical Code, and shall contain the following features:

1. The emergency voice/alarm communication units shall comply with section 907.2.12.2 of the California Fire Code.
2. The fire department communication system.
3. Fire-detection and alarm system annunciator system.
4. Annunciator visually indicating the location of the elevators and whether they are operational.

5. Survivability. Interconnecting cables between the Fire Command Center and the remote control equipment within evacuation signaling zones, and notification appliance control equipment within notification zones shall be protected from attack by fire.
6. The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.
7. Controls for unlocking stairway doors simultaneously.
8. Sprinkler valve and water-flow detector display panels.
9. Emergency and standby power status indicators.
10. A telephone for fire department use with controlled access to the public telephone system.
11. Fire pump status indicators.
12. Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire protection systems, fire-fighting equipment and fire department access.
13. Work table.
14. Generator supervision devices, manual start and transfer features.
15. Public address system, where specifically required by other sections of this code.
16. Fire command centers shall not be used for the housing of any boiler, heating unit, generator, combustible storage, or similar hazardous equipment or storage.

FID 26. **Fire Command Center Identification (CFC 508.2):** The fire command center shall be identified by a permanent, easily visible sign stating "Fire Department Command Center", located on the door to the fire command center.

FID 27. **Identification (CFC 509.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

FID 28. **Radio Communications:** Must install an in-building Public Safety Radio Communications Coverage System composed of a radiating cable system or an internal multiple antenna system with FCC-certified bi-directional 800 MHz and 150 MHz (as required to meet the two indicated 150 MHz frequencies) amplifier(s), distribution system, and subcomponents shall be required for all buildings in excess of three stories, or has subterranean floors, or subterranean parking. This system must meet the City of Palm Springs Public Safety Radio System Coverage Specifications.

FID 29. **Emergency Responder Radio Coverage in Buildings (CFC 510.1):** All buildings shall have *approved* radio coverage for emergency responders

within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

- FID 30. **Radio Signal Strength (CFC 510.2):** The building shall be considered to have acceptable emergency responder radio coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements of Sections 510.2.1 and 510.2.2.
- FID 31. **Minimum Signal Strength into the Building (CFC 510.2.1):** minimum signal strength of -95 dBm shall be receivable within the building.
- FID 32. **Minimum Signal Strength Out of the Building (CFC 510.2.2):** minimum signal strength of -100 dBm shall be received by the agency's radio system when transmitted from within the building.
- FID 33. **Elevator Recall Required (CFC 607.1):** Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. **New elevators** shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1 (*California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6, Elevator Safety Orders*).
- FID 34. **Elevator Stretcher Requirement (CBC 3002.4):** Elevators shall be designed to accommodate medical emergency service. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches in the horizontal position. The elevator entrance shall have a clear opening of not less than 42 inches wide or less than 78 inches high. The elevator car shall be provided with a minimum clear distance between walls or between walls and door excluding return panels not less than 80 inches by 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42 inch side slide door.
- FID 35. **Fire Dampers (CMC 606.2):** They shall be provided where air ducts penetrate fire-rated walls or ceilings.
- FID 36. **Maintenance of Fire-Resistance-Rated Construction (CFC 703.1):** The required fire-resistance rating of fire-resistance-rated construction (including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems) shall be maintained. Such elements shall be properly repaired, restored or replaced when damaged, altered, breached or penetrated. Openings made therein for the passage of pipes,

electrical conduit, wires, ducts, air transfer openings and holes made for any reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

- FID 37. **Interior Finish, Decorative Materials and Furnishings (CFC 801.1):** The provisions of this chapter shall govern interior finish, interior trim, furniture, furnishings, decorative materials and decorative vegetation in buildings. Section 803 shall be applicable to existing buildings. Sections 804 through 808 shall be applicable to new and existing buildings.
- FID 38. **Decorative Materials Other Than Decorative Vegetation In New and Existing Buildings (CFC 807.1):** In occupancies in Groups A, E, I and R-1 and dormitories in Group R-2, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807.2 or be noncombustible. Provide samples and documentation to submit to the Palm Springs Fire Department to prove conformance with the above criteria above.
- FID 39. **Acceptance Criteria and Reports (CFC 807.2):** Where required to be flame resistant, decorative materials shall be tested by an approved agency and meet the flame propagation performance criteria of NFPA 701, or such materials shall be noncombustible. Reports of test results shall be prepared in accordance with NFPA 701 and furnished to the fire code official.
- FID 40. **NFPA 13 Fire Sprinkler System is Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA 13, 2010 Edition and using C_p of 0.74 and l/r Ratio of 200. No portion of the fire sprinkler system shall be installed prior to plan approval. Prior to final approval of the installation, contractor shall submit a completed Contractors Material and Test Certificate for Aboveground Piping to the Fire Department. (NFPA 13: Figure 24.1)
- FID 41. **Floor Control Valves (CFC903.3.8 & Ordinance 1781: Item 42):** Floor control valves and waterflow detection assemblies shall be installed at each floor in buildings three or more stories in height. Valve locations will be determined and approved by the fire code official.
- FID 42. **Fire Alarm System:** Fire alarm system shall comply with the requirements of NFPA 72, 2010 Edition.
- FID 43. **Fire Sprinkler Supervision and Alarms System (CFC 903.4/4.1):** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks,

water levels and temperatures, critical air pressures and water-flow switches on all fire sprinkler systems shall be electrically supervised by a listed Fire Alarm Control Unit (FACU). The listed FACU alarm, supervisory and trouble signals shall be distinctly different and shall be monitored at a UL listed central station service. The fire sprinkler supervision and alarms system shall comply with the requirements of NFPA 72, 2010 Edition. All control valves shall be locked in the open position.

- FID 44. **Central Station Protective Signaling Service (CFC 903.4.1):** A UL listed and certified Protective Signaling Service (Central Station Service) is required. Provide the Fire Department with proof of listing and current certificate. The Fire Department shall be notified immediately of change in service.
- FID 45. **Audible Water Flow Alarms (CFC 903.4.2 & Appendix K: 4.3):** An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be outdoor rated. A second horn/strobe shall be installed in the interior of the building in a normally occupied location. In multiple suite buildings, additional interior horn/strobes shall be installed in all suites with 50 or more occupant load. Power shall be provided from a fire alarm control unit. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.
- FID 46. **Fire Hydrant & FDC Location:** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases. A field analysis of existing hydrants has not been conducted to verify hydrant location or availability. This comment is included to make you aware that additional fire hydrants may be required.
- FID 47. **Fire Department Connections:** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 48. **Location of Fire Department Connections:** The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.

The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

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

- FID 49. **Standpipe Systems Required (CFC 905.3):** Class I Standpipe system is required in addition to the automatic sprinkler system. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.10.1 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are allowed to be combined with *automatic sprinkler systems*.
- FID 50. **Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 51. **HVAC Duct Smoke Detection/Shut Down with a Fire Sprinkler Supervision & Alarm System or Fire Alarm System (CFC 907.4.1, CMC 609.0 & NFPA 72):** All HVAC systems supplying greater than 2,000 CFM shall require a duct detector and HVAC shut down when smoke is detected. HVAC shut down shall be on an individual basis, not global. These systems shall supervise the Duct Detectors and activate the notification appliances. An accessory module shall be installed for each unit, including alarm LED, pilot LED and key-operated test/reset switch.
- FID 52. **Posting of Occupant Load (CFC 1004.3):** Every room or space that is assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.
- FID 53. **Means of Egress Illumination (CFC 1006.1 & 2):** Any time a building is occupied, the means of egress shall be illuminated at an intensity of not less than 1 foot-candle at the floor level.
- FID 54. **Means of Egress Illumination Power Supply (CFC 1006.3):** The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. In the event of power supply failure, an

emergency electrical system shall automatically illuminate in defined areas listed in the CFC.

- FID 55. **Required Exit Signs (CFC 1011.1):** Exits & exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or path is not immediately visible to occupants. No point in the corridor shall be more than 100 feet or the listed viewing distance for the sign, whichever is less, from the nearest visible sign.
- FID 56. **Exit Sign Illumination (CFC 1011.2, 4 & 5):** Exit signs shall be internally or externally illuminated. When the face of an exit sign is illuminated from an external source, it shall have an intensity of not less than 5 foot-candles from either of two electric lamps. Internally illuminated signs shall provide equivalent luminance and be listed for the purpose.

END OF CONDITIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CASE 3.3908 MAJ, A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A SIX STORY RESORT HOTEL WITH 142 ROOMS WITHIN THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN LOCATED AT THE NORTHEAST CORNER OF BELARDO ROAD AND MAIN STREET, ZONE CBD.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. On December 2, 2009, the City Council made findings, adopted a Mitigation Monitoring and Reporting Program, adopted a Statement of Overriding Considerations, and certified the Museum Market Specific Plan Environmental Impact Report ("Specific Plan EIR") and adopted Ordinance 1764, thereby approving the Museum Market Plaza Specific Plan ("Specific Plan") which covers the land use, development standards and design guidelines for the Specific Plan area.
- B. On October 28, 2015, November, 12, 2015, December 9, 2015, and January 13, 2016, the Planning Commission considered amendments to the Specific Plan, including changing the document name to "Downtown Palm Springs Specific Plan", modifications of land uses within the different Blocks, adjustments to building heights and other various amendments and changes.
- C. Palm Springs Promenade, LLC, ("Applicant") has filed an application with the City, pursuant to the Specific Plan and Section 94.04.00 of the Zoning Code, for a Major Architectural Application (Case No. 3.3908-MAJ) to allow the construction of a six-story, 112,862-square foot building with 142-room resort hotel and ground floor commercial-retail on Specific Plan Block B-1 located at the northeast corner of Belardo Road and Main Street (new).
- D. On April 20, 2016, the Architectural Advisory Committee voted 4-2 to recommend conditional approval of Case 3.3908 MAJ to the Planning Commission.
- E. On October 28, 2015, November 12, 2015, December 9, 2015, January 13, 2016, and April 20, 2016 a public hearing to consider Case 3.3908 MAJ was held by the Planning Commission in accordance with applicable law.
- F. The proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA") and EIR Addendum No. 2 has been prepared to analyze impacts related to the project. The analysis shows that the project is within the scope of the original Specific Plan EIR adopted and none of the circumstances triggering further environmental review have occurred since the adoption

of the EIR and subsequent Addenda.

G. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

H. Pursuant to Section I.C. of the Downtown Palm Springs Specific Plan, the Planning Commission finds that the project complies with the Specific Plan's guiding principles as follows:

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*

The proposed building will enhance the experience of those living, working and shopping within the Specific Plan area. Amenities such as dining, meeting space and lounge areas are proposed. Commercial space provides excitement along street frontages and the pedestrian paseo, Market Street. A high-end hotel brand will operate the property. Consequently, the development will be of high-quality and provide an exciting and safe living, working and shopping experience for all.

2. *Connections from the Palm Springs Art Museum to the Resort/Convention Center.*

In order to achieve connections between the Art Museum and Resort/Convention Center, the Specific Plan sets development standards for new developments. The proposed building incorporates adequate sidewalk areas and building separation space consistent with the Specific Plan requirements. Thus, the project meets connections requirements envisioned by this finding.

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.*

The development will allow commercial retail stores on street frontages and provide overnight accommodations for tourists and visitors to the City. The hotel operator is a national brand that will enhance the development. Other commercial space within the building may be operated by regional chains or a local business.

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.*

The proposed commercial use provides overnight, short-term accommodations for tourists and visitors. Such guests are expected to increase customer base of commercial uses downtown. While no residential is proposed on this block, it may be permitted in other locations within the Specific Plan area. Thus, the project aids in the balance of commercial and residential development and assists in the success of the area.

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.*

No residential is proposed. However, the hotel will have overnight guests that relate synergistically to the surrounding commercial development. With the location in the heart of downtown, it is expected that these guests will walk to their destinations and avoid automobile use when unnecessary.

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

The proposed resort hotel will provide luxury accommodations and increase the visitors to the City's downtown. With international recognition, the operator is expected to attract greater activity to the area and would be the first location for its brand in the Coachella Valley.

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.*

View corridors of mountains are provided with building separation on Main Street and Andreas Road. With varying widths along Main Street, there will be at least 70-feet between buildings to enhance mountain views. Additionally, the 69-foot building is setback from Palm Canyon Drive, which will further preserve views.

8. *The 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, thereby avoiding the creation of overwhelming and impenetrable mega-blocks.*

The proposed project provides adequate pedestrian space and is sensitively designed to the human scale. The pedestrian experience is provided between the building and street curb in an area ranging from 12 to 28-feet in width, which

enables sufficient space for circulation, planters and outdoor dining. The proposed building reaches height of 69-feet, and is massed/scaled appropriately from Palm Canyon to ensure it does not create an overwhelming and impenetrable mega-block.

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

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

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;*

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

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

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

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The proposed building's overall height will be 69-feet. Exterior elevations show projections at building edges. Mass is divided with exterior building articulation. A large void above the second floor pool deck reduces overall building bulk. Rooftop mechanical will be concealed from view.

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

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

6. *Consistency of composition and treatment;*

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

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

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

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

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

THE PLANNING COMMISSION RESOLVES:

Based upon the foregoing, the Planning Commission hereby approves Case 3.3908 MAJ, for the construction of a six-story commercial building with 142-room resort hotel and ground floor commercial on Block B-1 of the Downtown Palm Springs Specific Plan, located at the northeast corner of Belardo Road and Main Street, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 20th day of April, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Case 3.3908 MAJ
Downtown Palm Springs / Block B-1

April 20, 2016

CONDITIONS OF APPROVAL

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

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

PROJECT CONDITIONS

1. This approval is not valid until the effective date of Ordinance 1889.
2. The project, as shown in the approved plans, is consistent with the Downtown Palm Springs Specific Plan (Case 5.1204 SP Amendment-1), including an increase in allowable height for a hotel on Block B-1.
3. A development agreement shall be approved by City Council, prior to submittal for Building Permit.
4. Excluded from this approval is the sidewalk design as it relates to landscape, hardscape, furniture, etc. These items shall be submitted for review as outlined in the conditions below.
5. The sidewalk design for the project as it relates to hardscape, landscape, lighting and furniture fixtures shall be consistent with the plans conditionally approved by the Planning Commission on November 12, 2015. Should substantial changes be proposed, the AAC and Planning Commission approval is required.
6. A Land Use Permit shall be obtained for outdoor dining, in accordance with Subsection III.C.1 of the Downtown Palm Springs Specific Plan.
7. Review by the AAC and Planning Commission of conceptual landscape plan at time of pre-construction drawing review, with AAC review of detailed plans to follow.

8. Submission and review by AAC and Planning Commission of a sign program for Block B-1.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 3.3908 – MAJ, except as modified by the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plan, architectural elevations and exterior materials and colors on file in the Planning Division, except as modified by the conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3908-MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and

property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

- ADM 7. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being ½% for commercial projects or ¼% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
- ADM 10. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code.

ENVIRONMENTAL ASSESSMENT CONDITIONS

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

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning or designee for review and approval prior to the issuance of a

building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

- PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. (See condition No. 7 above.)
- PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 4. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 5. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 6. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 7. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

POLICE DEPARTMENT CONDITIONS

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

BUILDING DEPARTMENT CONDITIONS

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

ENGINEERING DEPARTMENT CONDITIONS

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

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

STREETS

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

NEW MAIN STREET: BLOCK F (LOT 5)

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

accordance with City of Palm Springs Standard Drawing No. 210 and the Museum Market Plaza Specific Plan.

- ENG 10. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the New Main Street , in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 11. The intersection of New Main Street, with Belardo Road, shall be constructed with enhanced or decorative paving.

BELARDO ROAD

- ENG 12. Dedicate full street right-of-way width of 41 feet as shown on the approved version of the site plan for Tentative Parcel Map No. 36446, together with a property line - corner cut-back at the southwest corner of the intersection of Main Street and Belardo Road as required by the City Engineer.
- ENG 13. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match proposed sidewalk) for those portions of sidewalk located outside of the public right-of-way.
- ENG 14. Belardo Road shall have one northbound and one southbound lane, as well as parking on both sides of Belardo Road (except at curb returns) along the Hotel project frontage.
- ENG 15. Construct a 25 feet radius curb return at the southwest corner of the intersection of Belardo Road with Main Street in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 16. Construct a Type A curb ramp meeting current California State Accessibility standards at the southwest corners of the intersection of Belardo Road and Main Street, in accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 17. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the Belardo Road frontage, in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an

alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

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

SANITARY SEWER

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

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

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

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

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

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

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

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

GRADING

ENG 27. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.
- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan or Tentative Parcel Map No. 36446; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report; and a copy of the project-specific Final Water Quality Management Plan

ENG 28. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal

monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

- ENG 29. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color or be decorative in nature; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 30. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 31. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 32. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 33. Projects causing soil disturbance of one acre or more, must comply with the General Permit for Stormwater Discharges Associated with Construction Activity, and shall prepare and implement a stormwater pollution prevention plan (SWPPP) for all Blocks of the Downtown Palm Springs project. As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the project applicant shall cause the approved final project-specific Water Quality Management Plan to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 34. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for

mitigation measures for erosion/blowsand relating to this property and development.

- ENG 35. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 36. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 37. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 38. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 39. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES

Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).

ENG 40. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading Plan.

ENG 41. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.

ENG 42. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

ENG 43. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer.

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

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

ENG 48. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit unless developer can provide evidence that fee or a partial fee was paid by the Desert Fashion Plaza in previous years.

GENERAL

ENG 49. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 50. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.

ENG 51. All proposed utility lines shall be installed underground.

- ENG 52. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 53. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing “as-built” information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 54. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 55. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 56. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.
- ENG 57. If there are any lights from Lighting District No. 1, existing on Tahquitz Canyon Way along the Tentative Parcel Map (TPM) 36446 frontage, those lights shall be removed in conjunction with this project.

MAP

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

TRAFFIC

- ENG 59. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 60. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 61. Submit traffic striping and signage plans for Main Street and Belardo Road prepared by a California registered civil engineer, for review and approval by the City Engineer. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 62. Install street name signs at all corners of all intersections that are a part of the Downtown Palm Springs project, in accordance with City of Palm Springs Standard Drawing Nos. 620 through 625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
- ENG 63. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 64. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

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

1. These conditions are subject to final plan check and review. Initial fire

department conditions have been determined from the preliminary plans stamped received September 10, 2015. Additional requirements will be required at that time based on receipt of actual plans.

2. Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.
3. **Plans and Permits (CFC 105.1):**

Permits and scaled drawings are required for this project. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

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

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

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

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

4. **Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'-6". Fire Department access roads shall have an all-weather driving surface and support a minimum weight of 73,000 lbs.
5. **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to

within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

6. **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
7. **Aerial Fire Access Roads (CFC Appendix D105.1):** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
8. **Aerial Fire Access Road Width (CFC Appendix D105.2):** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.
9. **Aerial Access Proximity to Building (CFC Appendix D105.3):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.
10. **Fire Lane Marking (CFC 503.3):** Approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.
11. **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

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

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

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

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

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

13. **Premises Identification (CFC 505.1):** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.
14. **Required Water Supply (CFC 507.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

15. **Water Agency Construction Specifications:** All public water mains, fire hydrants and double check detector assemblies must be installed in accordance with DWA specifications and standards. Private fire hydrants shall be painted OSHA safety red. Public fire hydrants shall be painted equipment yellow.
16. **Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.
17. **Fire Hydrant Flow (CFC 507.3):** Fire flow requirements for buildings or portions of buildings and facilities are shall be determined by Appendix B.
18. **Fire Hydrant Systems (CFC 507.5):** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C.
19. **Operational Fire Hydrant(s) (CFC 507.1, 507.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
20. **Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.
21. **Location of Fire Department Connections:** The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.

The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

F. D. C. SERVES
123 N. P. C.

ALL BLDGS. IN COMPLEX

22. **Water Systems and Hydrants (CFC 507.1, 507.2, 507.4, 901.5 & 1412.1):** Underground private fire service mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (903 CFC) Installation, testing, and inspection will meet the requirements of NFPA 24, 2013 Edition. Prior to final approval of the installation, contractor shall submit a completed Contractors Material & Test Certificate for Underground Piping to the Fire Department. (NFPA 24: 10.10, 2013 Edition).
23. **Identification (CFC 509.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.
24. **Fire Department Connections (CFC 912.2.1 & 912.3):** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at (760) 323-8186 for a KNOX application form.
25. **Standpipe Systems Required (CFC 905.3):** Class I Standpipe system is required in addition to the automatic sprinkler system. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.10.1 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are allowed to be combined with *automatic sprinkler systems*.
26. **NFPA 13 Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13, 2013 Edition, as modified by local ordinance.
27. **NFPA 13R Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13R, 2013 Edition, as modified by local ordinance.
28. **Fire Sprinkler Supervision and Alarms System (CFC 903.4/4.1):** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all fire sprinkler systems shall be electrically supervised by a listed Fire Alarm Control Unit (FACU). The listed FACU alarm, supervisory and trouble signals

shall be distinctly different and shall be monitored at a UL listed central station service. The fire sprinkler supervision and alarms system shall comply with the requirements of NFPA 72, 2013 Edition. All control valves shall be locked in the open position.

29. **Central Station Protective Signaling Service (CFC 903.4.1):** A UL listed and certified Protective Signaling Service (Central Station Service) is required. Provide the Fire Department with proof of listing and current certificate. The Fire Department shall be notified immediately of change in service.
30. **Fire Alarm System:** Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2013 Edition.
31. **HVAC Duct Smoke Detection/Shut Down with a Fire Sprinkler Supervision & Alarm System or Fire Alarm System (CFC 907.4.1, CMC 609.0 & NFPA 72):** All HVAC systems supplying greater than 2,000 CFM shall require a duct detector and HVAC shut down when smoke is detected. HVAC shut down shall be on an individual basis, not global. These systems shall supervise the Duct Detectors and activate the notification appliances. An accessory module shall be installed for each unit, including alarm LED, pilot LED and key-operated test/reset switch.
32. **Smoke Alarm or Detector Locations - R-1 Occupancy (CFC 907.2.11.1):** Single or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:
 1. In sleeping areas.
 2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
 3. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
33. **Groups R-1 and R-2.1 Accessibility Requirements (CFC 907.6.2.3.3):** Group R-1 and R-2.1 dwelling units or sleeping units in accordance with Table 907.6.2.3.3 shall be provided with a visible alarm notification appliance, activated by both the in room smoke alarm and the building fire alarm system. Also comply with Section 1111B.4.5, Table 11B-3, and Table 11B-4 of the California Building Code.
34. **Audible Water Flow Alarms (CFC 903.4.2 & Appendix K: 4.3):** An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be outdoor rated. A second horn/strobe shall be installed

in the interior of the building in a normally occupied location. In multiple suite buildings, additional interior horn/strobes shall be installed in all suites with 50 or more occupant load. Power shall be provided from a fire alarm control unit. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

35. **Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.

Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4): In addition to the fixed system, a fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.

36. **Elevator Emergency Operation (CFC 607.1):** Existing elevators with a travel distance of 25 feet or more shall comply with the requirements in Chapter 46. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6, Elevator Safety Orders and NFPA 72.
37. **Elevator Keys (CFC 607.4):** Keys for the elevator car doors and fire-fighter service keys shall be kept in an approved location for immediate use by the fire department.
38. **Elevator System Shunt Trip (CFC 607.5):** Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, Section 21.4, Elevator Shutdown, shall be provided to disconnect automatically the main line power supply to the affected elevator prior to the application of water. This means shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply.
39. **Fire Sprinklers at Bottom of Elevator Pit (NFPA 13: 8.15.5.1):** Sidewall spray sprinklers shall be installed at the bottom of each elevator hoistway not more than 2 feet above the floor of the pit.
40. **Elevator Hoistways and Machine Rooms (NFPA 13: 8.15.5.3):** Automatic fire sprinklers shall be required in elevator machine rooms, elevator machinery spaces, control spaces, or hoistways of traction elevators.

41. **Fire Sprinklers at the Top of Elevator Hoistways (NFPA 13: 8.15.5.6):** The sprinkler required at the top of the elevator hoistway by 8.15.5.5 shall not be required where the hoistway for passenger elevators is noncombustible or limited-combustible and the car enclosure materials meet the requirements of ASME A17.1, Safety Code for Elevators and Escalators.
42. **Elevator Recall for Fire Fighters' Service with Automatic Fire Detection (NFPA 72: 21.3.3):** Unless otherwise required by the authority having jurisdiction, only the elevator lobby, elevator hoistway, and elevator machine room smoke detectors, or other automatic fire detection as permitted by 21.3.9, shall be used to recall elevators for fire fighters' service.
Exception: A water-flow switch shall be permitted to initiate elevator recall upon activation of a sprinkler installed at the bottom of the elevator hoistway (the elevator pit), provided the water-flow switch and pit sprinkler are installed on a separately valved sprinkler line dedicated solely for protecting the elevator pit, and the water-flow switch is provided without time-delay capability.
43. **Elevator Recall with Fire Sprinkler in Elevator Pit (NFPA 72: 21.3.7):** When sprinklers are installed in elevator pits, automatic fire detection shall be installed to initiate elevator recall in accordance with 2.27.3.2.1(c) of ANSI/ASME A.17.1/CSA B44, Safety Code for Elevators and Escalators, and the following shall apply:
 - (1) Where sprinklers are located above the lowest level of recall, the fire detection device shall be located at the top of the hoistway.
 - (2) Where sprinklers are located in the bottom of the hoistway (the pit), fire detection device(s) shall be installed in the pit in accordance with Chapter 17.
 - (3) Outputs to the elevator controller(s) shall comply with 21.3.14.
44. **Elevator Systems Automatic Detection (NFPA 72: 21.3.9):** If ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be permitted.
45. **Detector Annunciation at the Building Fire Alarm Control Unit (NFPA 72: 21.3.10):** When actuated, any detector that has initiated fire fighters' recall shall also be annunciated at the building fire alarm control unit, or other fire alarm control unit as described in 21.3.2, and at required remote annunciators.
46. **Elevator Stretcher Requirement (CBC 3002.4):** Elevators shall be designed to accommodate medical emergency service. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches in the horizontal position. The elevator entrance shall have

a clear opening of not less than 42 inches wide or less than 78 inches high. The elevator car shall be provided with a minimum clear distance between walls or between walls and door excluding return panels not less than 80 inches by 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42 inch side slide door.

47. **Fire Dampers (CMC 606.2):** Shall be provided where air ducts penetrate fire-rated walls or ceilings.

48. **“Exit Analysis Plan” required (CFC 104.7.2):** All assembly areas shall require an approved exit analysis plan prepared, stamped and signed by a state licensed architect in ¼” = 1’ scale. The floor plan shall address the following for a Group A-2 occupancy:

Provide *net* occupant load calculations for interior and any proposed outdoor patios. The occupant load determination shall be made by the Fire Marshal Seating/table diagram with compliant aisle widths

Minimum required egress width to accommodate occupant load

Exit access travel distance

Egress paths to public way

Means of egress illumination locations

Illuminated EXIT sign locations

Compliant exit doors/gates and door/gate hardware (panic hardware)

Elevation changes in the exit discharge

Locations of fire extinguishers (minimum rating 2A-10BC).

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

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

Pool Chemicals – dedicated, compliant storage cabinets, rooms, or areas required

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

51. **Emergency Responder Radio Coverage in Buildings (CFC 510.1):** All buildings shall have *approved* radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Radio Signal Strength (CFC 510.2): The building shall be considered to have acceptable emergency responder radio coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements of Sections 510.2.1 and 510.2.2.

Minimum Signal Strength into the Building (CFC 510.2.1): A minimum signal strength of -95 dBm shall be receivable within the building.

Minimum Signal Strength Out of the Building (CFC 510.2.2): A minimum signal strength of -100 dBm shall be received by the agency's radio system when transmitted from within the building.

52. **Stationary Storage Battery Systems Scope (CFC 608.1):** Stationary storage battery systems having an electrolyte capacity of more than 50 gallons for flooded lead-acid, nickel cadmium (Ni-Cd) and valve-regulated lead-acid (VRLA), or 1,000 pounds for lithium-ion and lithium metal polymer, used for facility standby power, emergency power or uninterrupted power supplies shall comply with this section and Table 608.1.

53. **Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement HMIS)** The HMMP and HMIS shall be submitted to and approved by Riverside County Health Department. Palm Springs Fire Department shall receive an approved copy of the above plan and statement. The HMMP shall comply with Health and Safety Code, Chapter 6.95, Sections 25500 through 25545, and Title 19, Division 2, Chapter 4. (CFC 5001.5.1) The HMIS shall comply with Health and Safety Code, Chapter 6.95, Sections 25500 through 25545, and Title 19, Division 2, Chapter 4. (CFC 5001.5.2) Palm Springs Fire Department Permits. Permits shall be required as set forth in Chapter 1, Sections 105.6 and 105.7. (CFC 5001.5)

END OF CONDITIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CASE 3.3948 MAA, A MINOR ARCHITECTURAL APPLICATION TO CONSTRUCT A 70-SPACE PARKING LOT LOCATED ON BLOCK A-1 OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT THE NORTHEAST CORNER OF BELARDO ROAD AND ANDREAS ROAD, ZONE CBD. (CASE 3.3948 MAA)

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

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

B. On October 28, 2015, November, 12, 2015, December 9, 2015, and January 13, 2016, the Planning Commission considered amendments to the Specific Plan, including changing the document name to "Downtown Palm Springs Specific Plan", modifications of land uses within the different Blocks, adjustments to building heights and other various amendments and changes.

C. Palm Springs Promenade, LLC, ("Applicant") has filed an application with the City, pursuant to the Specific Plan and Section 94.04.00 of the Zoning Code, for a Minor Architectural Application (Case No. 3.3948-MAA) to allow the construction of a 60 space temporary parking lot on Specific Plan Block A-1 located at the northeast corner of Belardo Road and Andreas Road.

D. On April 20, 2016 a public hearing to consider Case 3.3948 MAA was held by the Planning Commission in accordance with applicable law.

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

G. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

I. Pursuant to Section I.C. of the Downtown Palm Springs Specific Plan, the Planning Commission finds that the project complies with the Specific Plan's guiding principles as follows:

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*

The proposed parking lot will assist in providing a high-quality environment in that it will increase the number of parking spaces available for the development, provide convenient access to nearby stores and restaurants, and result in the installation of streetscape and landscape plantings that will provide a desirable environment for patrons.

2. *Connections from the Palm Springs Art Museum to the Resort/Convention Center.*

While the site is not in direct alignment between the Art Museum and the Convention Center, the project will result in the development of a sidewalk and streetscape along Andreas Road, one of several pedestrian connections between the two areas.

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.*

No retail development is proposed as part of this request,

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.*

The parking lot will support both commercial and residential development within the Specific Plan area.

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.*

The proposed parking lot is located towards the interior of the site, and does not interrupt the important pedestrian frontages along Palm Canyon or Main Street.

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

The proposed parking lot will serve visitors to the downtown area.

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.

As no physical structures are intended to be built upon Block A-1, views of the mountains from the Andreas Road corridor will not be impacted.

8. The 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, thereby avoiding the creation of overwhelming and impenetrable mega-blocks.

The sidewalks and landscaping that abut the proposed parking lot will enhance the pedestrian environment. The block is small in scale, and contributes to walkable environment.

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

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

1. Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;

The site layout is generally consistent with the Specific Plan and the approved landscape/hardscape plan; however, the location of the parking spaces on the east side of the lot will need to be adjusted to increase the pedestrian area on Market Street (the pedestrian paseo) for consistency with the approved landscape/hardscape plans. Definition between the pedestrian and vehicular areas is provided through paving materials, raised landscape planters, or landscape buffer areas.

2. Harmonious relationship with existing and proposed adjoining

developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;

The proposed parking lot is harmonious in its relationship with the adjacent commercial development.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment; and*

4. *Building design, materials and colors to be sympathetic with desert surroundings; and*

5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*

No physical structures or walls are proposed as part of the parking lot development.

6. *Consistency of composition and treatment;*

The landscape plantings are generally consistent as proposed for the parking lot area.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The proposed planting materials are generally consistent with the approved landscape/hardscape plan and appropriate for desert climate conditions. Minor modifications in the placement and type of proposed street trees will need to be made for consistency with the approved landscape/hardscape plan. Irrigation plans have not been provided, but will be required as part of a building permit application for the project.

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

No signage is proposed as part of this application.

THE PLANNING COMMISSION RESOLVES:

Based upon the foregoing, the Planning Commission hereby approves Case 3.3948 MAA, for the construction of a 70-space parking lot Block A-1 of the Downtown Palm

Springs Specific Plan, located at the northeast corner of Belardo Road and Andreas Road, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 20th day of April, 2016.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services