



Planning Commission Staff Report

DATE: September 14, 2016 Consent Calendar

SUBJECT: CDI VENTURES, LLC, REQUESTING FOR A ONE-YEAR EXTENSION OF TIME FOR A PREVIOUSLY-APPROVED PLANNED DEVELOPMENT DISTRICT (PDD 333) AND TENTATIVE TRACT MAP 35236 FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, (CASE 5.1132-PD 333) (ER).

FROM: Department of Planning Services

SUMMARY

The Planning Commission to consider a request by CDI Ventures, LLC, for a one-year extension of time for a previously-approved Planned Development District (PDD 333) and Tentative Parcel Map 35236 for the construction of a 200-room hotel, 50 high-end residential units and a parking structure on a 10.47-acre parcel located at the northwest corner of Avenida Caballeros and Amado Road. The project site is within the Section 14 Master Plan Area.

RECOMMENDATION:

The Planning Commission grant a one-year time extension from November 19, 2016, to November 18, 2017, for Planned Development District 333, and recommend approval of an extension of time for Tentative Tract Map 35236 to the City Council subject to the attached conditions of approval.

ISSUES:

- On July 13, 2016, the City Council approved the "Deed Restriction language" for the project.
- In the agreement with City Council, the applicant is required to be prepared to obtain building permits by May 30, 2017, and commence construction by November 30, 2017.
- Purchase of the property for the development was completed on August 31, 2016.
- The project has been granted three previous extensions of time by the Planning Commission in 2011, 2012 and 2015.
- The project has been amended twice; first in 2009, and then again in 2013.

BACKGROUND INFORMATION:

<i>Related Relevant Prior City Actions</i>	
11.20.06	The Architectural Advisory Committee (AAC) reviewed a hotel and condominium project and recommended approval, with changes made by the applicant to the Planning Commission.
06.13.07	The Planning Commission approved Planned Development District 333 for a hotel and condominium project, and also recommended approval of the associated tentative tract map to the City Council.
07.18.07	The City Council approved Planned Development District (PDD 333) for a 200-room hotel, a 143-unit condominium development and Tentative Tract Map 35236.
11.10.08	An application was submitted by the Oasi Group for the Mondrian Hotel to amend the previously approved PDD 333.
11.24.08	The AAC reviewed the architecture and landscaping of the proposed project amendment and recommended a restudy with comments.
03.09.09	The AAC reviewed a revised the building exterior and landscaping based on comments from the previous meeting.
05.22.09	Following incorporation of the AAC recommendations, the Planning Commission reviewed the proposed amendment and approved the project as submitted.
06.03.09	The City Council approved the amendment to reconfigure portions of the site plan and building elevations, and allow development of the project in phases.
04.27.11	The Planning Commission granted a one-year extension to the Planned Development District (PDD 333). The tentative map is valid for five years from its original approval date.
05.23.12	The Planning Commission granted another one-year extension to the Planned Development District (PDD 333, expiring April 21, 2013).
02.25.13	At the request of the project development team, a preliminary meeting with the AAC was held to introduce the proposed project; comments provided.
03.06.13	The Planning Commission conducted a preliminary meeting on the future amendment to PDD 333 and provided comments.
04.11.13	An application was submitted by CDI Ventures, LLC, to amend the previously approved Mondrian Hotel.
04.22.13	The AAC reviewed the proposed preliminary PDD amendment and recommended approval to the Planning Commission with comments.
11.13.13	The Planning Commission approved an amendment to preliminary PDD 333.
11.20.13	The City Council approved an amendment to preliminary PDD 333.
12.09.15	The Planning Commission granted a one-year extension of time to Planned Development District (PDD 333).
<i>Most Recent Change of Ownership</i>	
08.31.16	A purchase agreement between the City and CDI Ventures, LLC, was executed. The purchase agreement was most amended by City Council on 11/04/15. The sale was completed on August 31, 2016.
<i>Related Building Permits/Business Licenses</i>	
N/A	None
<i>Neighborhood Meeting</i>	
N/A	None
<i>Field Check</i>	
08.31.16	Staff visited the site to observe current conditions of the property.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	10.47 acres

BACKGROUND AND SETTING:

The previously-approved project, commonly known as the Dolce Hotel (now called "Dream"), allowed for the development of a hotel-condo project. In 2007, the Planning Commission and City Council approved the project for a five-story 200-room hotel, with 143 condominium units and an associated parking structure. On April 22, 2009, the Planning Commission approved a proposal to amend that entitlement for a 200-room hotel, 50 condominium hotel units and a parking structure to be constructed in three phases. A second amendment with significant changes to the design was approved by the Planning Commission on November 13, 2013, and by the City Council on November 20, 2013; however, the number of hotel rooms and condominium units remained the same. The project site is L-shaped, and is bounded on three sides by City streets: Avenida Caballeros on the east, Amado Road on the south, and Calle Alvarado on the west. The northern portion of the L-shape is bounded on the north by vacant land and on the east by existing residential development. Two-thirds of the site is currently developed as the Palm Springs Convention Center's north parking lot. The area is generally flat, with no significant physical features. The project includes a Tentative Tract Map (TTM 35236) which divided the site into different lots for residential condominium purposes, the hotel and banquet areas, and the parking structure.

ANALYSIS:

According to Section 94.03.00(H) of the Palm Springs Zoning Code, extensions of time for a PD may be allowed by demonstration of good cause. No specific findings or determinations are required to grant time extensions for previously approved Planned Development District projects. The associated tentative tract map (TTM 35236) for the project is valid until November 19, 2016 as the State automatic extensions granted to active Tentative Tract Maps during the recession comes to an end this year. In the letter of extension request dated August 26, 2016, the applicant provided a brief background of steps taken recently relative to moving the project forward. In addition to extending the PDD, the Planning Commission will also make a recommendation of an extension of time for the tract map to the City Council. Staff evaluated the status of the entitlement since the last extension and provided an analysis of the time extension request. The analyses below are intended to assist the Planning Commission determine the appropriateness of the extension of time request.

1. *Any changes to project's overall plan and site configuration.*

At this time, there are no changes to the project's overall plan and site configuration to warrant reconsideration of the approval of PD-333 and TTM 35236. The subject property is surrounded by established residential developments and the Convention Center to the south. However, the applicant has indicated that modifications to the site configuration and overall size and scope of the project are under preliminary development.

2. *Specific steps taken by applicant over the past year to advance the project.*

The purchase of the property for the project was completed on August 26, 2016. The City has approved an agreement with the applicant regarding provisions for parking replacement. The applicant is currently working on the parking plan for both the hotel and condominium units and required City parking spaces.

3. *Recent developments and uses within the surrounding area.*

The last phase of the Palomino Condominium Complex to the north and easterly portions of the project site which was approved by the Planning Commission on January 14, 2015, is currently under construction. The final phase of Sol development is also currently under construction.

4. *The applicable policies of the General Plan, zoning ordinance and other regulations.*

Staff has reviewed the project, surrounding area and underlying zoning regulations and determined that no significant changes have occurred that would suggest that the project is no longer in keeping with the neighborhood or the City's development policies and standards. If the time extension request is granted, architectural plans for the final development are still required to be submitted for review by the AAC and the Planning Commission.

5. *Any off-site improvements, installation of infrastructure and other changes within 400 feet radius of project site.*

No permits have been issued for installation of any infrastructure at the project site. The subject site is surrounded by existing City streets and sidewalks; Calle Alvarado to the west, Avenida Caballeros to the east, Amado Road to the south and Alejo Road to the north. The City's surface parking structure located southeasterly portion of the project was recently completed.

ENVIRONMENTAL ASSESSMENT:

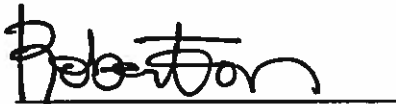
A Mitigated Negative Declaration (MND No. 200700845), which was previously adopted by the City Council on July 8, 2007, and a subsequent environmental assessment adopted in 2013, is the controlling environmental document for the project. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, the preparation of a Subsequent MND, Addendum to the MND or further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The extension of time request would not result in any new environmental impacts beyond those already assessed in the adopted Mitigated Negative Declaration.

NOTIFICATION:

The Midtown, Movie Colony, Movie Colony East, Baristo and Old Las Palmas neighborhood organizations were all notified of the time extension hearing.

CONCLUSION:

Previously, this entitlement has been granted three (3) one-year extensions of time and has been amended twice; however, the applicant indicated to staff that the problem with the acquisition of the property from the City has been one of the primary causes for delay. The issues were recently resolved and the project will proceed; staff is therefore recommending that the Planning Commission grant a one-year extension of time for Planned Development District 333 (PDD 333) as requested and recommend an extension of time for the associated Tentative Tract Map 35236 subject to the attached conditions of approval.



Edward Robertson
Principal City Planner



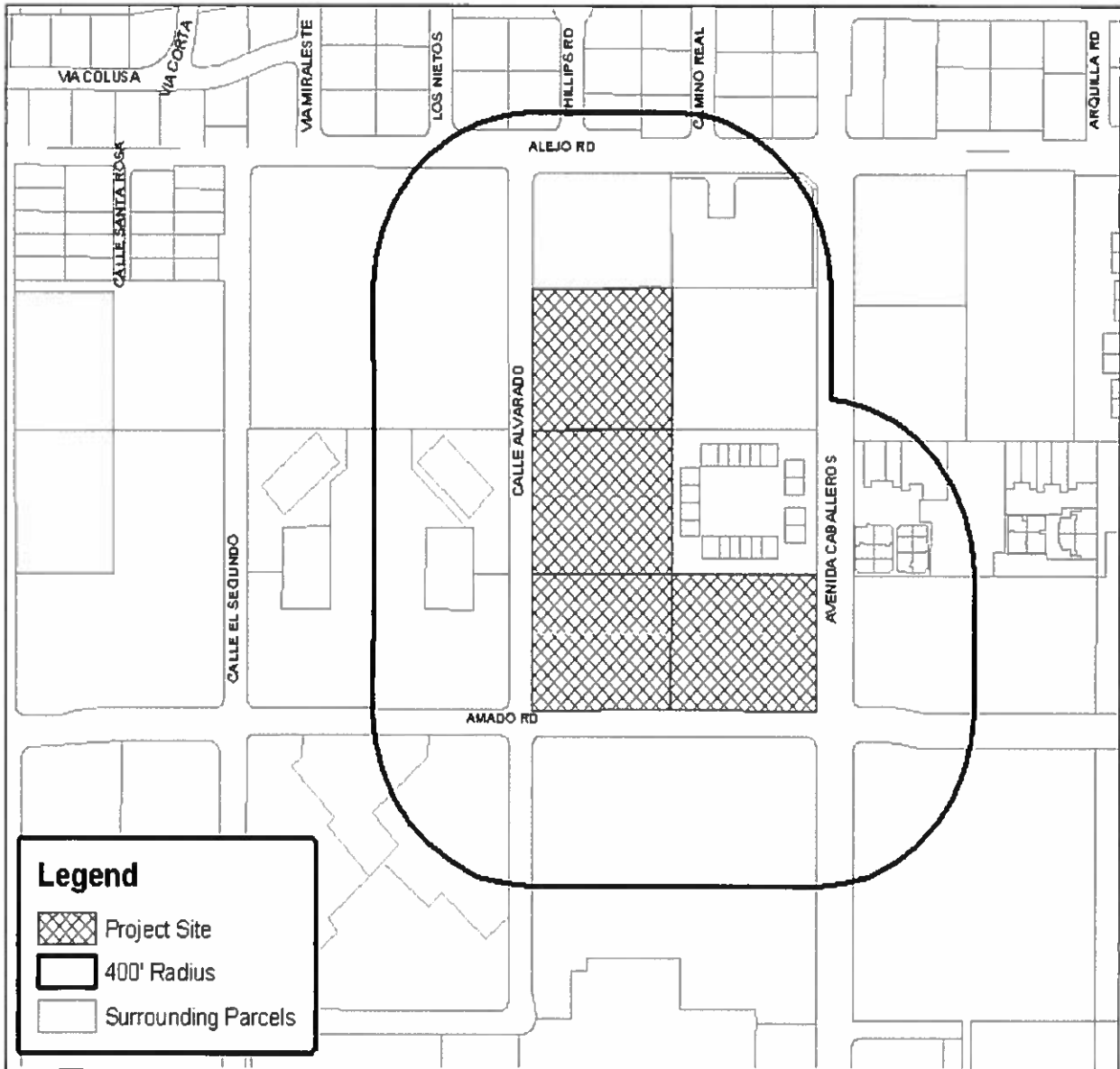
Filnn Fagg, AICP
Director of Planning Services

ATTACHMENTS:

1. Vicinity Map
2. Draft Resolution.
3. Conditions of Approval.
4. Planning Commission Minutes from the meeting of December 9, 2015.
5. Letter of extension request from the applicant received August 26, 2016.
6. Staff Report from the amended project in 2013.
7. Reduced copy of site plan and elevations.



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A ONE-YEAR EXTENSION OF TIME FOR PLANNED DEVELOPMENT DISTRICT 333 FROM NOVEMBER 19, 2016 TO NOVEMBER 18, 2017; AND RECOMMENDING APPROVAL OF A ONE-YEAR EXTENSION OF TIME FOR THE ASSOCIATED TENTATIVE TRACT MAP 35236 FOR CDI VENTURES, LLC; CASE NO. 5.1132-PD 333 / TTM 35236 FOR A 200-UNIT HOTEL AND A 50-UNIT CONDOMINIUM COMPLEX ON A 10.47-ACRE SITE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, SECTION 14.

A. CDI Ventures, LLC, ("Applicant") has filed an application with the City pursuant to Section 94.04.00(H) and 94.04.00(I)(1) of the Palm Springs Zoning Code and Chapter 9.63.110 of the Palm Springs Municipal Code for a one-year extension of time to commence construction for PD 333 and Tentative Tract Map 35236 located at the northwest corner of Avenida Caballeros and Amado Road; and

B. On September 14, 2016, a public meeting on the application was held by the Planning Commission in accordance with applicable law; and

C. The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA), and has determined that an extension of time request is considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA).

D. A Mitigated Negative Declaration (MND No. 200700845) was previously adopted by the City Council on July 18, 2007, and November 20, 2013, for the project. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, the preparation of a Subsequent MND, Addendum to the MND or further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The time extension request would not result in any new environmental impacts beyond those already assessed in the certified environmental impact report and;

E. 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.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby:

1. Approves a one-year extension of time for PD 333, from November 19, 2016, to November 18, 2017.
2. Recommends approval of a one-year extension of time for Tentative Tract Map 35236 to the City Council.

ADOPTED this 14th day of September 2016.

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

EXHIBIT A

Case No. 5.1132 – PD 333 & Tentative Tract Map 35236 AMND
CDI VENTURES, LLC

Northwest corner of Avenida Caballeros and Amado Road
(Selene Palm Springs Hotel)

CONDITIONS OF APPROVAL

September 14, 2016

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 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

Administrative

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.
2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1132-PD 333 and Tentative Tract Map 35236 AMND. 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.

3. That the property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation sidewalks, bikeways, parkways, 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.
4. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial or industrial projects, 1/4% for new residential subdivisions, or 1/4% for new individual single-family residential units constructed on a lot located in an existing subdivision 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 Services 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.
5. Pursuant to Park Fee Ordinance No. 1632 and in accordance with Government Code Section 66477 (Quimby Act), all residential development shall be required to contribute to mitigate park and recreation impacts such that, prior to issuance of residential building permits, a parkland fee or dedication shall be made. Accordingly, all residential development shall be subject to parkland dedication requirements and/or park improvement fees. The parkland mitigation amount shall be based upon the cost to acquire and fully improve parkland. The applicant shall submit a property appraisal to the Planning Services Department for the purposes of calculating the Park Fee. The Park Fee payment and/or parkland dedication shall be completed prior to the issuance of building permits.

Environmental Assessment

6. The mitigation measures of the Initial Study shall apply to the proposed project. The applicant shall submit a signed agreement that the mitigation measures will be included in the Planning Commission consideration of the environmental assessment. Mitigation measures are included in the Initial Study, and hereby incorporated into these conditions by reference.
7. The developer shall reimburse the City for the City's costs incurred in monitoring the developer's compliance with the conditions of approval and mitigation monitoring program, including, but not limited to inspections and review of developers operations and activities for compliance with all applicable dust and noise operations, and cultural resource mitigation. This condition of approval is

supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Palm Springs Municipal Code.

CC&R's

9. The applicant prior to issuance of building permits shall submit three (3) sets of a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning Services for approval in a form to be approved by the City Attorney, to be recorded prior to certificate of occupancy. The CC&Rs shall be submitted with a list of the adopted conditions of approval and an indication of where applicable conditions are addressed in the CC&Rs. The CC&R's shall be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances.
10. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A filing fee, in accordance with the fee schedule adopted by the City Council, shall also be paid to the City Planning Services Department for administrative review purposes.

Final Design

11. Final landscaping, irrigation, exterior lighting, and fencing plans shall be submitted for approval by the Department of Planning Services, prior to issuance of a building permit. Landscape plans shall be approved by the Riverside County Agricultural Commissioner's Office prior to submittal. All landscaping located within the public right of way or within community facilities districts must be approved by the Public Works Director and the Director of Parks and Recreation.
12. An exterior lighting plan in accordance with Zoning Ordinance Section 93.21.00, Outdoor Lighting Standards, shall be submitted for review and approval by the Director of Planning Services prior to the issuance of building permits. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be submitted for approval prior to issuance of a building permit. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of the hillside is permitted.

General Conditions/Code Requirements

13. The project is subject to the City of Palm Springs Water Efficient Landscape Ordinance. The applicant shall submit an application for Final Landscape Document Package to the Director of Planning Services for review and approval prior to the issuance of a building permit. Refer to Chapter 8.60 of the Municipal Code for specific requirements.

14. Prior to issuance of a grading permit, a Fugitive Dust and Erosion Control Plan shall be submitted and approved by the Building Official. Refer to Chapter 8.50 of the Municipal Code for specific requirements.
15. The grading plan shall show the disposition of all cut and fill materials. Limits of site disturbance shall be shown and all disturbed areas shall be fully restored or landscaped.
16. Separate architectural approval and permits shall be required for all signs. A detailed sign program shall be submitted for review and approval by the Planning Commission prior to issuance of building permits.
17. All materials on the flat portions of the roofs shall be earth tone in color, **unless landscaped.**
18. All roof mounted mechanical equipment shall be screened from all possible vantage points both existing and future per Section 93.03.00 of the Zoning Ordinance. The screening shall be considered as an element of the overall design and must blend with the architectural design of the building(s). The exterior elevations and roof plans of the buildings shall indicate any fixtures or equipment to be located on the roof of the building, the equipment heights, and type of screening. Parapets shall be at least 6" above the equipment for the purpose of screening.
19. No exterior downspouts shall be permitted on any facade on the proposed building(s) which are visible from adjacent streets or residential and commercial areas.
20. Perimeter walls shall be designed, installed and maintained in compliance with the corner cutback requirements as required in Section 93.02.00.D.
21. The design, height, texture and color of building(s), fences and walls shall be submitted for review and approval prior to issuance of building permits.
22. The street address numbering/lettering shall not exceed eight inches in height.
23. Construction of any residential unit shall meet minimum soundproofing requirements prescribed pursuant to Section 1092 and related sections of Title 25 of the California Administrative Code. Compliance shall be demonstrated to the satisfaction of the Director of Building and Safety.
24. Prior to the issuance of building permits, locations of all telephone and electrical boxes must be indicated on the building plans and must be completely screened or located in the interior of the building.

25. Parking for the hotel shall be valet-only. Such a requirement shall be recorded concurrent with the recordation of the Final Map on lots 1 and 2 as depicted on Tentative Tract Map 35236.
26. Parking for condominium guests shall meet Zoning Ordinance requirements. The parking, if gated, shall include an intercom system to the units, and adequate turn-around area for guests unable to contact the resident they are seeking.
27. Avenida Caballeros shall have minimum 8' sidewalks with shade trees on private property pursuant to Fig. 5-7 in Section 14 Specific Plan. (Added by PC on 6.12.13)
28. Amado Road shall have a minimum 5' sidewalk, 4' parkway and shade trees spacing out 30' or less per Section Specific Plan. (Added by PC on 6.12.13)
29. On Amado Road and Avenida Caballeros, the planting materials along the street frontages shall be pursuant to Tables 5-5 and 5-6 of Section 14 Specific Plan. (Added by PC on 6.12.13)
30. Streetscape furniture shall be provided along Avenida Caballeros subject to the approval of Director of Public Works pursuant to Section 14 Specific Plan. (Added by PC on 6.12.13)
31. Crosswalks at Avenida Caballeros and Calle Alvarado shall meet paving requirements of Section 14 Specific Plan. (Added by PC on 6.12.13)

Engineering Department

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 plans shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. Master planned roadways (Avenida Caballeros, Amado Road, and Calle Alvarado) shall be improved to the *Final Section 14 Master Development Plan/Specific Plan* design standards on and adjacent to the site, as generally identified herein, or to alternative design standards proposed by the applicant and approved by the City.

AVENIDA CABALLEROS

- ENG 4. Remove the existing driveway approach and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.

- ENG 5. Remove the existing street improvements as necessary to construct a minimum 24 feet wide driveway approach located approximately 160 feet north of the centerline of Amado Road. The driveway approach shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205.
- ENG 6. Construct a Type A curb ramp meeting current California State Accessibility standards on either side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
- ENG 7. Avenida Caballeros street improvements shall be installed consistent with the streetscape standards and guidelines in the *Section 14 Master Development Plan/Specific Plan (November 2004)*, which includes a landscaped private setback of variable width and an 8 feet wide pedestrian sidewalk with double palm trees planted approximately 60 feet apart. The specific street improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 8. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

AMADO ROAD

- ENG 9. Dedicate additional right-of-way of 15 feet to provide the ultimate half street right-of-way width of 40 feet along the entire frontage, together with a property line - corner cut-back at the northwest corner of the intersection of Amado Road and Avenida Caballeros, and at the northeast corner of the intersection of Amado Road and Calle Alvarado, in accordance with City of Palm Springs Standard Drawing No. 105.
- ENG 10. Dedicate additional right-of-way concentric with the back of the proposed vehicle turn-out bay, with the back of right-of-way located at the back of sidewalk.
- ENG 11. Remove the existing driveway approach and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.
- ENG 12. Remove the existing street improvements as necessary to construct the proposed driveway approach to and from the proposed turn-out bay at a minimum of 24 feet wide in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 270 feet east of the centerline of Calle Alvarado. Access limitations, configuration, width, and location of the driveway approach to and from the proposed turn-out bay are subject to further evaluation by the City Engineer.

- ENG 13. Construct a Type A curb ramp meeting current California State Accessibility standards on either side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
- ENG 14. Construct the proposed vehicle turn-out bay in accordance with applicable City standards. The vehicle turn-out bay shall be a minimum of 12 feet wide where there is no parallel parking allowed and a minimum of 20 feet wide when there is one traffic lane with parallel parking on the north side of the turn-out. The vehicle turn-out bay shall be constructed with new curb, gutter, and sidewalk to match existing improvements, in accordance with applicable City standards.
- ENG 15. Amado Road street improvements shall be installed consistent with the streetscape standards and guidelines in the *Section 14 Master Development Plan/Specific Plan (November 2004)*, which includes a 4 feet wide landscaped parkway that includes shade trees in an informal pattern at a spacing of 30 feet or less and a 4 feet wide pedestrian sidewalk. The specific street improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 16. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

CALLE ALVARADO

- ENG 17. Dedicate additional right-of-way concentric with the back of the existing vehicle turn-out bay, with the back of right-of-way located at the back of sidewalk.
- ENG 18. Remove the existing driveway approaches as necessary and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.
- ENG 19. Remove the existing street improvements as necessary to construct two minimum 24 feet wide driveway approaches located approximately 415 feet north and 960 feet north of the centerline of Amado Road, respectively. The driveway approaches shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205. Note that the most southern driveway is shown as being only 20 feet wide on the current site plan.
- ENG 20. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approaches in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of

travel, meeting ADA guidelines, is provided across the driveways, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

- ENG 21. Construct an 8 feet wide sidewalk behind the curb along the entire frontage (where not already existing) in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 22. Calle Alvarado street improvements shall be installed consistent with the streetscape standards and guidelines in the *Section 14 Master Development Plan/Specific Plan (November 2004)*, which includes a 5 feet wide landscaped parkway and a 5 feet wide pedestrian sidewalk. The specific street improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 23. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ON-SITE

- ENG 24. A reciprocal access easement shall be reserved on the Final Map or shall be done by separate instrument prepared in a form acceptable to the City Engineer providing unlimited and unrestricted access across all of the lots for access through the on-site private street. The reciprocal access easement shall be executed by the appropriate parties prior to issuance of a building permit, and shall be recorded, and copy of same provided to the City Engineer, prior to issuance of a certificate of occupancy.
- ENG 25. The applicant shall provide a copy of an executed and recorded reciprocal parking agreement for all lots, prior to approval of a grading plan.
- ENG 26. The on-site private street shall have a minimum travel way width of 24 feet, and shall be constructed with standard 6 inch curb and gutter, a wedge curb, or other approved curbs along both sides of the street, as necessary to accept and convey on-site stormwater runoff to the on-site drainage system, in accordance with applicable City standards. Note that one-way sections of the roadway (including ramps) shall be a minimum of 16 feet wide.
- ENG 27. The on-site private street shall have a minimum centerline radius of 50 feet.
- ENG 28. The on-site private street and service loading dock intersection shall be subject to further evaluation by the City Engineer. Detailed analysis shall be provided in final design to demonstrate that sufficient maneuvering area is provided for delivery trucks accessing the loading dock.
- ENG 29. The minimum pavement section for all on-site pavement shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative

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

- ENG 30. Parking shall be restricted along the two-way drive aisle as necessary to maintain a 24 feet wide clear two-way travel way. Regulatory Type R26 "No Parking" signs or red curb shall be installed along the drive aisle as necessary to enforce parking restrictions. A Home Owners Association shall be responsible for regulating and maintaining required no parking restrictions, which shall be included in Covenants, Conditions, and Restrictions required for the development.
- ENG 31. An accessible pedestrian path of travel shall be provided throughout the development, as may be required by applicable state and federal laws. An accessible path of travel shall be constructed of Portland cement concrete, unless alternative materials meeting state and federal accessibility standards is approved by the City Engineer.

SANITARY SEWER

- ENG 32. All sanitary facilities shall be connected to the public sewer system via the on-site private sewer system. Existing sewer service laterals to the property may be used for new sanitary facilities. New laterals shall not be connected at manholes.
- ENG 33. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 34. The project is subject to the Section 14 Sewer Impact Fee. The sewer impact fee at the present time is \$696.00 per acre. The fee shall be paid prior to, or concurrently with issuance of building permits.

GRADING

- ENG 35. Submit a Precise Grading & Paving Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading & Paving 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 Tentative Tract Map; 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 36. Prior to approval of a Grading Plan or issuance of any 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 37. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 38. 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 39. 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 40. Prior to issuance of grading permit, the applicant shall provide verification to the City that the Tribal Habitat Conservation Plan (THCP) fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the THCP.

- ENG 41. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 42. 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 43. This project requires the preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 44. 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 45. 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 46. 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. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 47. 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 48. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles

Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 49. 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&Rs) required for the development.
- ENG 50. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the **adjacent property or public streets** is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 51. 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&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.
- ENG 52. Prior to issuance of certificate of occupancy or final City approvals, the applicant shall:
- (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications;

- (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and
- (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

- ENG 53. 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 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. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. 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 54. Submit storm drain improvement plans for all on-site storm drainage system facilities for review and approval by the City Engineer.
- ENG 55. Construct storm drain improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site private street and **underground parking garages** into the on-site underground retention system, as described in the Preliminary Drainage Study for Tentative Tract Map No. 35236, prepared by Fomotor Engineering, dated December 2006. The hydrology study for Tentative Tract Map 35236 shall be amended to include catch basin sizing, storm drain pipe sizing, and underground retention system sizing calculations and other specifications for construction of required on-site storm drainage improvements.
- ENG 56. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&Rs) required for this project.
- ENG 57. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

- ENG 58. 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 59. All proposed utility lines shall be installed underground.
- ENG 60. All existing utilities shall be shown on the improvement plans for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 61. 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 by the City Engineer.
- ENG 62. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 63. 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 64. 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.

MAP

- ENG 65. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.
- ENG 66. A copy of draft Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&Rs shall be approved by the City Attorney prior to approval of the Final Map, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.
- ENG 67. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

- ENG 68. As determined by the Westin Hotel and Residences Traffic Impact Study prepared by Endo Engineering (as revised March 5, 2007), the following mitigation measures will be required:
- a) Pay a fair share contribution determined as 6.71% (or \$11,742.50) for the future installation of a traffic signal, as well as the striping of a northbound, southbound, westbound, and eastbound left-turn lane at the intersection of Calle El Segundo and Amado Road. The applicant shall pay the fair share contribution prior to approval of a final map.
 - b) Pay a fair share contribution determined as 13.91% (or \$20,865) for the future installation of a traffic signal at the intersection of Avenida Caballeros and Amado Road. The applicant shall pay the fair share contribution prior to approval of a final map.

- c) Install a 24 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at all project egress points, in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
- d) A clear unobstructed sight distance shall be provided at all project access points; a clear sight triangle inside the property measuring 8 feet by 8 feet shall be provided at each access driveway, with screening fences or landscaping restricted to maintain the require sight distance.

ENG 69. Submit traffic striping plans for Amado 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 70. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks or pedestrian paths of travel shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Avenida Caballeros, Amado Road, and Calle Alvarado frontages of the subject property.

ENG 71. 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 72. 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 73. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

Waste Disposal

1. Trash cans shall be screened from view and kept within fifty (50) feet of the street.

Police Department

1. Developer shall comply with Article II of Chapter 8.04 of the Palm Springs Municipal Code.

Building Department

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

Fire Department

1. **Premises Identification:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. (901.4.4 CFC) Show location of address on plan elevation view. Show requirement and dimensions of numbers in plan notes. Numbers shall be a minimum 4 inches, and of contrasting color to the background.
2. **Public Safety CFD:** The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 et seq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.
3. **Plot Plan:** Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.
4. **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.
5. **Fire Alarm System:** Fire Alarm System required. Installation shall comply with the requirements of NFPA 72.

6. **Automatic Fire Sprinklers:** An approved, automatic Fire Sprinkler System is required.
7. **Audible water flow alarms:** An approved audible sprinkler flow alarm shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. (904.3.2 CBC)
8. **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.\
9. **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.
10. **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
425
S. SUNRISE WAY
ALL BLDGS. IN COMPLEX

11. **Valve and water-flow monitoring:** All valves controlling the fire sprinkler system water supply, and all water-flow switches, shall be electrically monitored where the number of sprinklers is one hundred or more. (Twenty or more in Group I, Divisions 1.1 and 1.2 occupancies.) All control valves shall be locked in the open position. Valve and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station. (1003.3.1 CFC)

12. **Trash Container Protection:** If trash container space is within 5 feet of a building wall provide information on the type and size of trash container to be stored there. If it is a dumpster with a capacity of 1.5 cubic yards or greater, then the container must be protected by an approved automatic fire sprinkler. (1103.2.2 CFC)
13. **Class 1 Standpipe:** A Class 1 Standpipe system is required and shall be installed in accordance with the 98 CFC, Art. 10, Sec. 1004, and 98 CBC, Ch. 9, Std. 9-2 and Sec. 903. Standpipes will be required at every level in the stairwells.
14. **Residential Smoke Detector Installation With Fire Sprinklers:** Provide Residential Smoke Detectors (FIREX # 0498 accessory module connected to multi-station FIREX smoke detectors or equal per dwelling and fire sprinkler flow switch). Detectors shall receive their primary power from the building wiring, and shall be equipped with a battery backup. (310.9.1.3 CBC) In new construction, detectors shall be interconnected so that operation of any smoke detector causes the alarm in all smoke detectors within the dwelling to sound. (2-2.2.1 NFPA 72) Provide a note on the plans showing this requirement.
15. **Fire Department Access:** Fire Department Access Roads shall be provided and maintained in accordance with Sections 901 and 902 CFC. (902.1 CFC)

Minimum Access Road Dimensions:

Private streets shall have a minimum width of at least 20 feet, pursuant to California Fire Code 902.1 **however**, a greater width for private streets may be required by the City engineer to address traffic engineering, parking, and other issues. The **Palm Springs Fire Department requirements** for two-way private streets, is a **minimum width of 24 feet**, unless otherwise allowed by the City engineer. No parking shall be allowed in either side of the roadway.

16. **Access:** Fire department access roads shall be provided so that no portion of the exterior wall of the first floor of any building will be more than 150 feet from such roads. CFC 902.2.1 Applicant must add required access routes to the existing plans to meet code requirements and submit changes to the fire department for approval.
17. **Road Design:** Fire apparatus access roads shall be designed and constructed as all weather capable and able to support a fire truck weighing 73,000 pounds GVW. (902.2.2.2 CFC) The minimum inside turning radius is 30 feet, with an outside radius of 45 feet.
18. **Turn-Around Requirements:** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. (902.2.2.4 CFC) The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 45

feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.

19. **Reduced Roadway Width:** Areas with reduced roadway width (such as entry and exit gates, entry and exit approach roads, traffic calming areas) that are under 36 feet wide require red painted curb to maintain minimum 24 foot clear width. Red curb shall be stenciled "NO PARKING" and "FIRE LANE" with white paint. (901.4 CFC)
20. **Access Gates:** Fire/Police/Ambulance access gates shall be at least 14' in width when in the open position and equipped with a Knox (emergency access) key switch. A Knox key operated switch shall be installed at every automatic gate. Show location of switch on plan. Show requirement in plan notes.
21. **Vertical Fire Apparatus Clearances:** Palm Springs fire apparatus require an unobstructed vertical clearance of not less than 13 feet 6 inches. (902.2.2.1 CFC)
22. **Vertical Clearance for Underground Parking:** Palm Springs fire apparatus require an unobstructed vertical clearance of not less than 8 feet 6 inches. (902.2.2.1 CFC)
23. **Secondary Access:** A secondary access shall be provided for all developments with 25 or more dwelling units. (Appendix III-D 2.1 CFC)
24. **Mid Rise/High Rise:** High-rise and mid-rise buildings shall be accessible on a minimum of two sides. Roadways shall not be less than 10 feet (3048 mm) or more than 35 feet (10 668 mm) from the building. Landscaping or other obstructions shall not be placed or maintained around structures in a manner so as to impair or impede accessibility for fire fighting and rescue operations.
25. **Fire Extinguisher Requirements:** 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. (1002.1 CFC) Extinguishers shall be mounted in a visible, accessible location no more than 5 feet above floor level. Preferred location is in the path of exit travel near an exit door.
26. **Water Supply:** The water supply and location/s of fire hydrants must be approved prior to any work being performed on the job site. (903.1 CFC)
27. **Water Systems and Hydrants:** Underground water 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 1995 edition. Prior to final approval of the installation, contractor shall submit a completed Contractor's Material and Test Certificate to the Fire Department. (9-2.1 NFPA 24 1995 edition)

- 28. Rapid Entry System Approval:** The Knox Fire/Police/Ambulance Rapid Entry System is the only Key Box, Lock Vault, Key Cabinet, Key Switch, Padlock, FDC Cap, or Decal approved for use by the City of Palm Springs Fire Department.
- 29. Building or Complex Gate Locking Devices:** Locked gate(s) shall be equipped with a Knox key switch device or Key box. Boxes shall be mounted at 6 feet above grade. Contact the Fire Department at 760-323-8186 for a Knox application form. (902.4 CFC)
- 30. Underground Parking:** A Class III Standpipe system is required and shall be installed in accordance with the 98 CFC, Art. 10, Sec. 1004, and 98 CBC, Ch. 9, Std. 9-2 and Sec. 903. Hose will not be required.
- 31. Turn-Around Requirements for Subterranean/Ground Parking:** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. (902.2.2.4 CFC)
- 32. Elevator Stretcher Requirement:** Elevator(s) 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 76 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. (3003.5a CBC)
- 33. Commercial Cooking Hood & Duct Systems** shall meet all CFC, NFPA and CMC requirements.
- 34. Hood & Duct Fire Protection System Plan Review Procedure:** Plans must be submitted directly to a Fire Department approved engineer for review and recommendation of approval. The contractor should submit fire extinguishing system plans as soon as possible. Submittal shall include manufacturer's data/cut sheets and listings with expiration dates on all equipment and materials used.
- 35. Fire Suppression Systems Testing:** The hood and duct fire extinguishing system shall be function tested prior to final acceptance. Call the fire prevention secretary at 760-323-8186 for an inspection appointment.

Construction Requirements:

- 36. Access During Construction:** 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. (Sec. 902 CFC).

37. Fencing Required: 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. (8.04.260 PSMC)

Gates

38. Fire Apparatus Access Gates: Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock. (8.04.260 PSMC)

39. Access Gate Obstructions: Entrances to roads, trails or other access ways, which have been closed with gates and barriers, shall be maintained clear at all times. (902.2.4.1 CFC).

END OF CONDITIONS

~~Commissioner Weremiuk said she was the biggest proponent the last time the Commission reviewed this but with the lack of action this year she feels this has gone on long enough. She withdrew her motion.~~

ACTION: To deny.

Motion: Commissioner Weremiuk, seconded by Commissioner Lowe and carried 4-2-0 on a roll call vote.

AYES: Commissioner Donenfeld, Commissioner Lowe, Commissioner Weremiuk, Chair Klatchko

~~**NOES:** Commissioner Calerdine, Commissioner Middleton~~

3C. CDI VENTURES, LLC, REQUESTING A ONE-YEAR EXTENSION OF TIME FOR A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT (PDD 333) FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 HIGH-END RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, (CASE 5.1132-PD 333) (ER).

Commissioner Calerdine noted a property-related conflict of interest and would not be participating in the discussion or vote.

Principal Planner Robertson presented the request for a one-year time extension.

Commissioner Weremiuk noted that there has been delay because of the land transfer from the Redevelopment Agency and questioned if there is a reclaim provision for the City if this project does not move forward.

Commissioner Lowe concurred that this is a valid reason and supports the time extension.

ACTION: Approve the one-year time extension.

Motion: Commissioner Weremiuk, seconded by Commissioner Donenfeld and carried 5-0-1 on a roll call vote.

AYES: Commissioner Donenfeld, Commissioner Lowe, Commissioner Middleton, Commissioner Weremiuk, Chair Klatchko

ABSTAIN: Commissioner Calerdine.

~~**3D. RECOVERY INNOVATIONS, INC., REQUESTING A MODIFICATION TO THE CONDITIONS OF APPROVAL FOR AN OUTPATIENT BEHAVIORAL HEALTH**~~

August 26, 2016

Mr. Edward Robertson
City of Palm Springs, Planning Department
3200 E. Tahquitz Canyon Way
Palm Springs, C 92263-2743

RE: Extension of Entitlements

Dear Mr. Robertson:

We are requesting an extension to our entitlement for the Dream Hotel Project, which is coming up in November of this year. Given the current schedule discussed with your office on August 26th, we are concerned that we might not be able to complete the Final Planned Development process in remaining time left on our entitlement and thus kindly ask your consideration in granting an extension.

As background, my group, Selene Palm Springs, completed the purchase of the property for the Dream Hotel project on Friday, August 26, 2016. Due to ongoing discussions with the City, the intended June 30th closing date was moved to allow us to complete agreements with the City regarding provisions for City replacement parking, the subsequent finance plan, and a process for determining final City direction. This delayed our closing until the end of August.

Based on recent discussions with the Planning Department, the process for moving forward, requires us to:

1. Create a parking plan incorporating both hotel, condo and city parking (a process we are currently undergoing).
2. Present this plan to City staff and obtain approval and/or direction if not approved.
3. Determine the construction cost of a tentatively agreed to plan.
4. Work with the underwriter for the Statewide Community Infrastructure Program (SCIP), at Royal Bank of Canada, to determine if the cost of the structure can be underwritten based on the forward looking value of the project. We have guidelines and don't expect the process to take more than one iteration.

Once we have determined that the cost of the garage will underwrite, we will then able to start the final design process and start the Final PD review. We have targeted October to have approval on the garage and to restart the design process.

Our current thinking, for the above work, estimates that we will be able to begin the Amended Architectural Design and Final Planned Development process with the Architectural Review Committee in December. We expect that we will be completed no later than April 2017 as requested by the City in our Purchase and Sale Agreement.

We would appreciate your submitting our request for extension.

Thank you,



Lauri Kibby for
CDI Ventures, LLC, Managing Member of Selene Palm Springs, LLC



Planning Commission Staff Report

DATE: NOVEMBER 13, 2013

SUBJECT: PRAETOR INVESTMENT, LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 (PDD 333) AND TENTATIVE PARCEL MAP (TPM 35236) FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD.

FROM: DEPARTMENT OF PLANNING SERVICES

SUMMARY

On October 23, 2013, the Planning Commission considered a proposed amendment to the Dolce Hotel project and continued the hearing to a date certain of November 13, 2013. The Commission also directed that the applicant consider options of mitigating view impact issues associated with the project design. On October 6, 2013, the proposal was on the City Council's agenda but was continued with the direction to take it back to the Planning Commission for an action at the hearing of November 13, 2013. The previously approved Planned Development District (PD 333) and Tentative Parcel Map 35236 are for the construction of a 200-room hotel, 50 residential units and a parking structure on approximately 10.47 acres located at the northwest corner of Avenida Caballeros and Amado Road. As previously determined, the amendment will not affect the intent of the previously established Planned Development District design standards but will modify the site plan and configuration of Tentative Tract Map 35236. The project site is within the boundaries of the Section 14 Master Plan Area.

RECOMMENDATION:

Find the previously adopted Mitigated Negative Declaration (MND No. 200700845) sufficient; approve the proposed amendment and recommend approval of the amended Tentative Parcel Map to the City Council.

ISSUES:

At the hearing of November 6, 2013, the City Council directed staff to bring the project back to the Planning Commission for an action at the November 13, 2013 meeting.

BACKGROUND:

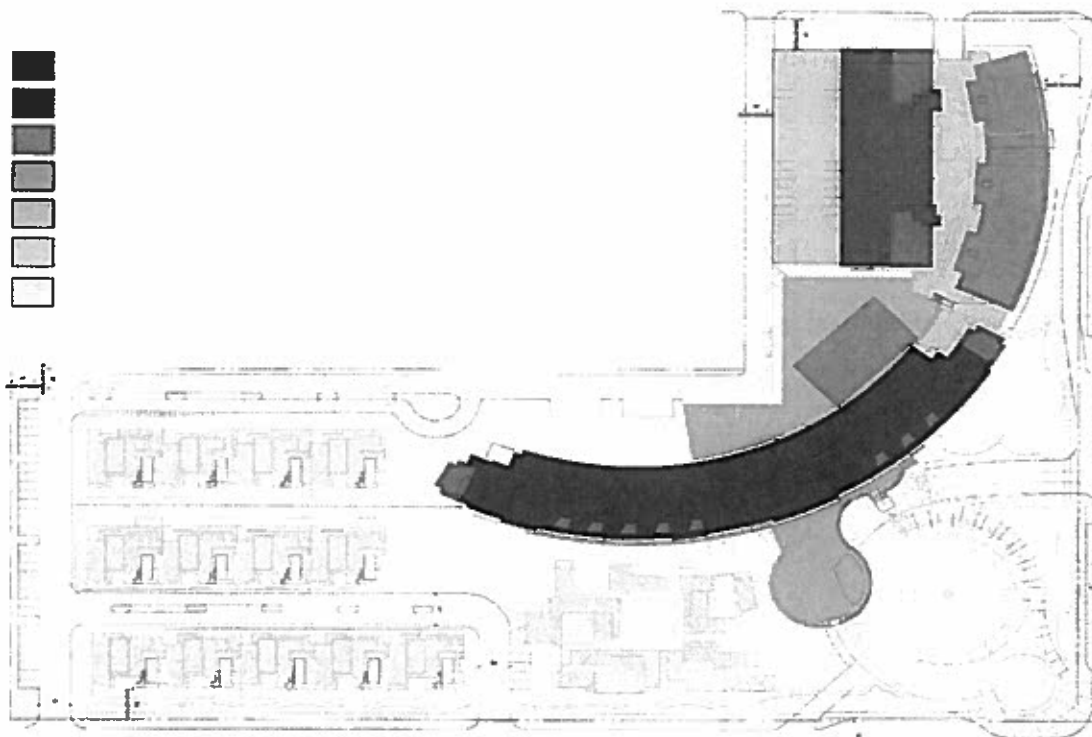
Since the last time the Commission considered the proposed amendment, the applicant has made some changes to the project. Some of the changes are as a result of inputs of the Planning Commission. Below are some of the actions and changes that have taken place since the Commission last saw this project.

Meetings:

On November 5, 2013, the applicant met with the pro Measure J group; on November 6, 2013, and November 7, 2013, the applicant met with the Center Court Community for a presentation of the revised project. There were five community residents in attendance at the November 6, 2013, meeting. Updates of the November 7, 2013, will be provided at the public hearing of November 13, 2013. Exhibits and submittals are on the website.

Changes Made to the Project:

- The main hotel building has been shifted diagonally to the south west creating more setbacks on the east face of the arc. This shift creates a setback from the east property line of 80 feet at the buildings northern most corner and 107 feet at center of the arc.
- The hotel guest rooms mix and placement in the main building has been modified in order to reduce the overall length by 30'. This coupled with the additional setback has shortened the overall building length by 40 feet, all taken from the north end.
- The parking garage has been modified to reduce its height by one level. This in turn reduced the overall height of the north facing condo building by 10 feet which is 14 feet below the height of the hotel and setback 90 feet from the north property line. The south facing condo building has also been reduced in height by 10 feet.



Revised Site Plan

Building Height:

The project site is located within the boundaries of the Section 14 Master Plan; per Section 6.2.5.1 (High-rise Buildings) of Section Specific Plan *"the maximum height of high-rise buildings shall be 100 feet including all appurtenances on the buildings, as measured from any point of natural elevation of the ground at the building line, before grading, to the maximum projection on top of the building above the same point"* The maximum height of the hotel is 56 feet; the height of the condominium unit to the northeast is 42 feet and the height of the condominium units to southeast is 25 feet.

ENVIRONMENTAL DETERMINATION ANALYSIS:

On July 18, 2007, the City Council of the City of Palm Springs adopted a Mitigated Negative Declaration (MND No. 200700845), and approved Case No. 5.1132-PDD 333, a Planned Development District application and Tentative Tract Map 35236. The approval also included a parking structure on the approximately 10.47 acres located at the northwest corner of Avenida Caballeros and Amado Road.

The proposed project will result in the construction of a 200 room hotel and 145 condominium units with a gross density of 33 units per acre. The project site is located in the High Density Residential land use designation under the Section 14 Master Plan. This designation allows development to a density of up to 43 units per acre. The proposed project occurs on lands totaling approximately 10.47 acres.

The project consists of the following components:

1. A mixed-use development consisting of a 200-room hotel to include an 8,000 square foot ballroom, a restaurant (2,760 sq. ft.), bar (4,260 sq. ft.), 8,400 square foot spa, and gourmet market 2,035 sq. ft.); with primary access from Amado Road. The structure will be 5 stories in height.
2. 145 condominium units, on 3, 4 and 5 stories with underground parking, and primary access from Calle Alvarado.
3. A 511 space parking structure, with a maximum height of 29 feet above grade.

On April 11, 2013, the owner of the previously approved Mondrian project submitted an application to modify the previously approved project. The modified project calls for a 200-room hotel, 50 residential units and associated parking structure. On June 12, 2013, the Planning Commission at its regularly scheduled public hearing meeting reviewed and unanimously approved the proposed Planned Development District amendment for the construction of 200-room hotel and 50 residential units. The project also includes a Tentative Tract Map (TTM 35236) to subdivide the approximately 10.7-acre property. As proposed, the amendment will not affect the intent of the previously established Planned Development District design standards but will modify site configuration and Tentative Parcel Map 35236.

Staff conducted an environmental analysis of the modified project under CEQA and made a finding that "Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, the preparation of a Subsequent MND, Addendum to the MND or

further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The modified development, a proposal for 200-room hotel and 50 residential units would not result in any new environmental impacts beyond those already assessed in the previously adopted Mitigated Negative Declaration. (MND No. 200700845).

The Table below compares the previously approved PDD 333 and the modified proposal, PDD 333.

Comparison of Approved Project and Proposed PD-333 Amendment		
Type of Standard	Approved Project	Proposed PD-333 Amendment
Location	NWC of Ave Cab & Amado Rd	NWC of Ave Caballeros & Amado
Proposed Use	Mixed-use; Hotel & Residential	Mixed-Use; Hotel & Residential
Lot Size	10.47 Acres	10.47 Acres
Site Circulation	Ingress, egress, access and parking per City Standards	Ingress, egress, access and parking per City Standards
General Plan Density	43 units per acre	Same proposed
Zoning Ordinance Density	Hotel: 54 units/acre Residential: 29 units/acre	Same proposed Same proposed
Architecture	Contemporary	Mid-Century Modern / International
Phasing	3	N/A
Coverage	48%	43%
Front Setbacks	Amado Road: 30 feet Calle Alvarado: 30 feet	45 feet 32 feet
Side Setbacks	Avenida Caballeros: 30 feet	31 feet
Center Court Condos.	52 feet	80 feet
Rear Setbacks	18 feet Avenida Caballeros: 20 feet	20 feet 20 feet
Stories	5	5
Hotel Overall Length	504 feet	432 feet
Condos Overall Length	Parking Structure	210 feet
Height	64 feet	56 feet
Hotel Units	200	200
Residential Units	200	50
Fitness Facility	None	Yes
Event Spaces	Yes	Yes
Swimming Pools	1	2
Roof Top Terrace	None	Yes
Restaurant	One	Two
Parking; Hotel	Surface Parking	Below Grade Parking Structure
Parking; Residential	Surface Parking	Below Grade Parking Structure
Total Parking Spaces	238	398
Access into hotel	Street Level Entry Point	Below Grade Entry Lobby
Common Open Space	52%	47% excluding patios & balconies
Mitigation Measures	Mitigation Measures from MND No. 200700845	Same Mitigation Measures will apply to the proposed modified project

Staff evaluated the modified project and determined that its environmental effects would be the same or less than the project as evaluated in the MND. Specifically, these sections of the MND were evaluated:

Aesthetics:

The overall permitted height of the project has been reduced resulting in reduced aesthetic impacts, including reduced impacts to view corridors. The conclusions in the original MND will apply to the modified project. The original Initial Study included visual simulations of the buildings in the area. Simulations were completed to assess the impacts to surrounding development; as they show, the impacts will vary from location to location. The most noticeable change will occur on the west side of the existing Center Court project, where the back of the hotel will be located. However, with the inclusion of project landscaping, it is believed that the surfaces of the building will be softened at this location. In addition, it is important to note that the residential units in this area of Center Court have rear patios facing east, not west, and that therefore back yard views will not be affected.

Agriculture Resources:

The project site is surrounded by developed residential property and neither the site nor its adjacent uses are designated as farmland or are subject to a Williamson Act contract. The conclusions in the original MND apply to the modified project.

Air Quality:

The proposed mixed-use development consisting of hotel and residential development are not likely to create additional impacts beyond those already evaluated in the MND. Given the fact that the new project is less in size and scope, the development is likely to have less construction and operational-related emissions. The conclusions and mitigation measures in the MND apply to the modified project.

Biological Resources:

The project site is still located in a developed, urban area and the project site was previously developed and disturbed. The conclusions in the MND apply to the modified project.

Cultural Resources:

The project site is still located in a developed, urban area and the project site was previously developed and disturbed. The conclusions and mitigation measures in the MND apply to the modified project.

Geology and Soils:

The geologic conditions of the project site are unchanged. The conclusions and mitigation measures in the MND apply to the modified project.

Hazards and Hazardous Materials:

The conclusions and mitigation measures in the MND apply to the modified project.

Hydrology and Water Quality:

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

Land Use:

The proposed changes to the project have not changed the designated land use of the

subject site; moreover there are no significant changes in the surrounding land uses that could change the circumstances of the project. The surrounding land uses are predominantly residential and that has not changed since the MND was adopted. The original project was approved for a 200-unit hotel and 143 residential development; in light of this, staff made a determination that there is no conflict with the applicable land use designation. The conclusions and mitigation measures in the previously adopted MND will apply to the modified project.

Mineral Resources:

No significant mineral resources have been identified in the project area. The conclusions and mitigation measures in the MND apply to the modified project.

Noise:

As with the original project, it is not anticipated that the changed project will generate additional noise in the project area. As with all construction activities within the City, the applicant will be conditioned to comply with all construction regulations including construction hours prescribed in the City's Municipal Code. Furthermore, this use will be required to comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. The conclusions and mitigation measures in the MND apply to the modified project.

Population and Housing:

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

Public Services:

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

Recreation:

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

Traffic:

The new project is proposing to build a 200-room hotel, 50 residential units and a parking structure, this represents a decrease in size; and because the change is less than the previously approved project, it is highly unlikely that the changed project would cause an increase in traffic that will be substantial when compared to the existing traffic load and capacity of Amado Road, Avenida Caballeros and Calle Alvarado. The only change in the immediate vicinity of the project location is the construction of the 43-unit Morrison residential development north of the site and the 46-unit Sol residential development east of the Dolce site. It should be noted that back in 2007, when the original project was considered, a traffic impact analysis was prepared for the proposed project. The analysis considered the potential impacts associated with 200 hotel rooms and 200 condominiums, and therefore considers more significant potential impacts than those which will result from the development of 50 residential units. Furthermore, the Morrison project was originally approved for 85 residential units for Nexus development and Sol site was originally approved for 84-unit residential development known as Del Grano II.

The study found that although the proposed project will impact surrounding intersections to varying degrees, none of the intersections will operate at a deficient level of service, with implementation of the proposed project and surrounding proposed projects. Surrounding intersections will operate at level of service C or better at project build out (2009) for both signalized and un-signalized intersections. All the mitigation measures from the previous MND will apply to the amended project.

Utilities and Service Systems:

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

Findings:

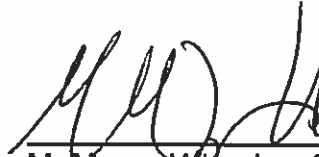
The modified development, a proposal to develop a 200-room hotel, 50 residential units on approximately 10.47-acre land, would not result in any new environmental impacts beyond those already assessed in the previously adopted Mitigated Negative Declaration. No further environmental review is required.

NOTIFICATION:

Since this hearing was continued to a date certain, a new public hearing notice was not advertised or mailed to property owners within 400 feet radius of the subject property. Staff has met with some members of the adjacent communities seeking for clarifications of the project.



Edward Robertson
Principal Planner



M. Margo Wheeler, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolutions and Conditions of Approval
3. Planning Commission Minutes from the meeting of 10.23.13
4. Letter from an adjacent property owner dated October 30, 2013
5. Adopted Initial Study MND from 2007
6. New 11"X17" Booklet containing reduced site plans and elevations



Planning Commission Staff Report

DATE: OCTOBER 23, 2013

SUBJECT: PRAETOR INVESTMENT, LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 (PDD 333) AND TENTATIVE PARCEL MAP (TPM 35236) FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD.

FROM: DEPARTMENT OF PLANNING SERVICES

SUMMARY

On June 12, 2013, the Planning Commission considered and approved the proposed amendment to the project and directed that the applicant consider incorporating the AAC's recommendations into the project design. On October 2, 2013, the proposal was on the City Council's agenda but was continued with the direction to take it back to the Planning Commission and re-noticed for public hearing. The previously approved Planned Development District (PD 333) and Tentative Parcel Map 35236, are for the construction of a 200-room hotel, 50 residential units and a parking structure on approximately 10.47 acres located at the northwest corner of Avenida Caballeros and Amado Road. As previously determined, the amendment will not affect the intent of the previously established Planned Development District design standards but will modify the configuration of Tentative Tract Map 35236. The project site is within the boundaries of the Section 14 Master Plan Area.

RECOMMENDATION:

Find the previously adopted Mitigated Negative Declaration (MND No. 200700845) sufficient; approve the proposed amendment and recommend approval of the amended Tentative Parcel Map to the City Council.

ISSUES:

The City Council directed staff to bring the project back to the Planning Commission for a public hearing consistent with the Code.

BACKGROUND:

Since the last time the Commission considered the proposed amendment, the applicant has made some changes to the project. Some of the changes include recommendations from the AAC to the Planning Commission. Other changes were made at the initiation of the applicant after meeting with surrounding property owners. Below are some of the actions that have taken place since the Commission last saw this project.

Meetings:

On September 30, 2013, the applicant held a neighborhood meeting and made a presentation on the project and discussed their concerns and issues.

The applicant is also meeting with the residents of Alejo Vista and Deauville Communities on October 16, 2013, to present the project for input.

Changes Made to the Project:

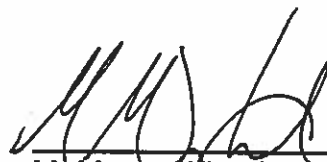
- Residential component has been fully developed.
- Service areas have now been moved into the main building.
- Hotel structure is now more compact by decreasing the length of the curvature.
- Photo simulations prepared to properly analyze concerns of the neighborhood.
- Additional walkways have been provided to the project site.
- New circulation diagrams have also been added for clarity.
- A new restaurant pad has been added to the front of the project.
- A small retail space has been created on the interior of hotel area.
- The annex building at the front has been reduced from 4 to one story.
- A stacking lane for limousines has been created along Amado Road to prevent backup on the street.
- The underground driveway has been increased from two to three lanes to allow additional traffic flow in and out at peak hours.

NOTIFICATION:

A public hearing notice was advertised and was mailed to all property owners within 400 feet radius of the subject property. As of the writing of this report, staff has received phone calls and visits from property owners to express concerns and thoughts regarding the project (attached).



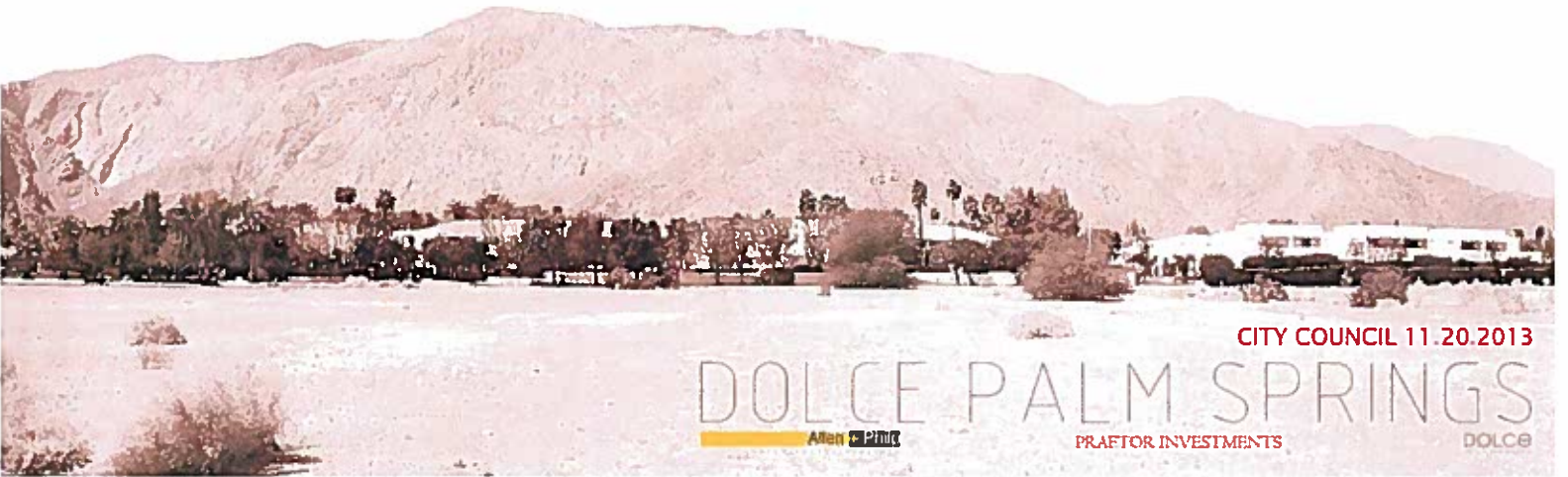
Edward Robertson
Principal Planner



M. Margo Wheeler, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolutions and Conditions of Approval
3. Planning Commission Staff Report & Minutes from the meeting of 6.12.13
4. Letters and correspondence from neighbors.
5. New 11"X17" Booklet containing reduced site plans and elevations



CITY COUNCIL 11.20.2013

DOLCE PALM SPRINGS

Allen + Phin

PRAETOR INVESTMENTS

DOLCE

Total Site Area (Ultara Proposed Property Line)
444,583 SF

BUILDINGS	146,500 SF	33%
DRIVEWAY/PARKING	48,908 SF	11%
OPEN SPACE	249,175 SF	56% (80% REQ.)
Total:		100%

Legal Description

Block 102, Lots A 108 to section 14, Township 4 south, Range 4 east, San Bernardino Meridian, City of Palm Springs, County of Riverside, State of CA

Total Residence Units
180,150 SF

LOFT			
600 SF UNIT	31%	62	
925 SF UNIT	47%	94	
1,225 SF UNIT	19%	37	
1,525 SF UNIT	3%	7	
Total:	100%	200	

Total Hotel
GUESTROOM 200

- LEGEND**
- RESIDENCE
 - HOTEL GUESTROOM
 - COMMON SPACE
 - SPA
 - FITNESS
 - FOOD/BEVERAGE
 - BANQUET/MEETING SPACE
 - COMMERCIAL/RETAIL
 - HOTEL B.U.H.
 - SUPPORT FUNCTION
 - POOL/WATER FEATURE
 - LOBBIA
 - ROOF/DECK

LOFT CONDO - B

Total: 38 Units

600 SF UNIT	7
925 SF UNIT	31

Total AREA: 34,025 SF

AREA 1	16,875 SF
AREA 2	8,000 SF
AREA 3	1,000 SF
AREA 4	1,150 SF

LOFT CONDO - C

Total: 42 Units

600 SF UNIT	8
925 SF UNIT	34

Total AREA: 42,300 SF

AREA 1	18,475 SF
AREA 2	16,000 SF
AREA 3	1,000 SF
AREA 4	1,825 SF

LOFT CONDO - D

Total: 34 Units

600 SF UNIT	4
925 SF UNIT	30

Total AREA: 30,850 SF

AREA 1	14,075 SF
AREA 2	8,000 SF
AREA 3	6,000 SF
AREA 4	2,775 SF

LOFT CONDO - A

Total: 29 Units

600 SF UNIT	11
925 SF UNIT	18

Total AREA: 28,475 SF

AREA 1	14,075 SF
AREA 2	14,400 SF

LOFT CONDO - E

Total: 60 Units

600 SF UNIT	10
925 SF UNIT	50

Total AREA: 47,450 SF

AREA 1	14,075 SF
AREA 2	14,000 SF
AREA 3	1,000 SF
AREA 4	1,375 SF

BANQUET

Total AREA: 22,007 SF

AREA 1	22,007 SF
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HOTEL

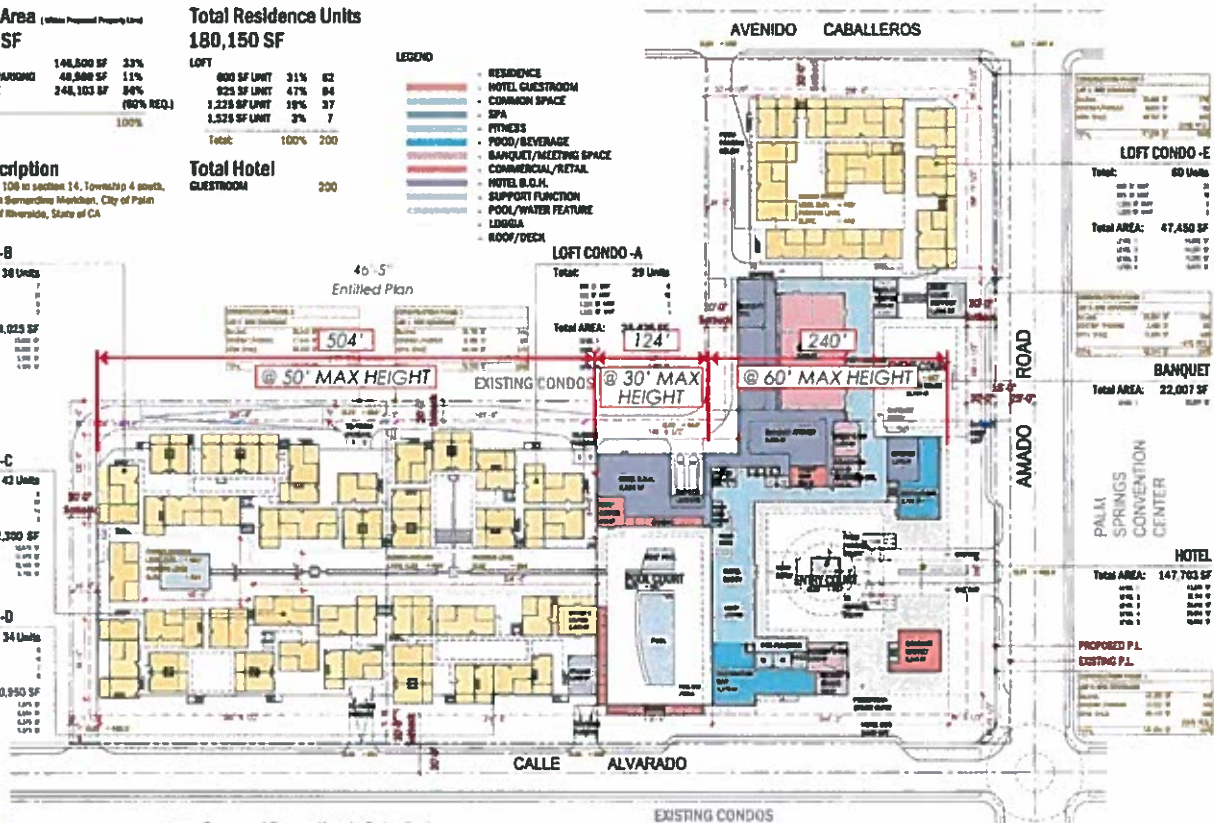
Total AREA: 147,703 SF

AREA 1	147,703 SF
AREA 2	147,703 SF
AREA 3	147,703 SF
AREA 4	147,703 SF

PROPOSED P.L.


EXISTING P.L.

AREA 1	147,703 SF
AREA 2	147,703 SF
AREA 3	147,703 SF
AREA 4	147,703 SF



ILLUSTRATIVE SITE PLAN



Afen 



CURRENT PLAN [DOLCE Palm Springs]



SITE INFORMATION

Total Area: 444,583 sf

Site Coverage:

- o Building (250 units): 164,158 sf. 37%
- o Driveway/Surface Parking: 70,630 sf. 16%
- o Open space: 209,795 sf. 47%

PROGRAM

Total Units: 250

Total Building Square Footage: 310,636 sf

- o Hotel - 200 Rooms: 179,930 sf
- o Condos, Villas and Casitas: 50 Units | 130,706 sf

PARKING PER PROGRAM

Total Spaces: 398 (traditional parking spaces)

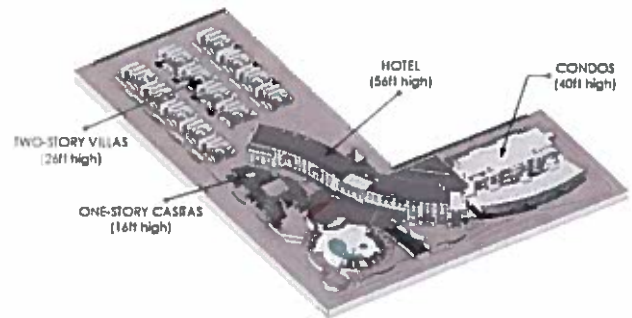
- o Main Hotel (200 rms): 258 valet spaces + 10 surface spaces
- o Condo Units (32 units): 57 self-parked garage spaces
- o Two-story Villas (13 units): 26 spaces in private garages + 29 extra spaces
- o One-story Casitas (5 units): 5 surface spaces + Hotel valet

*Valet Parking will accommodate more than the total traditional parking spaces outlined

SUMMARY

- o 250 units, 310,636 sf on the entire 444,583 sf site which is 30,224 sf less than Entitled Plan
- o Less height across the entire site: only 56 ft height at Hotel
- o Less overall density: Less occupancy on more land when compared to Amended Plan or simply less occupancy when compared to Entitled Plan.
- o The arced building allows for more open space at the public southwest corner

MASSING DIAGRAM

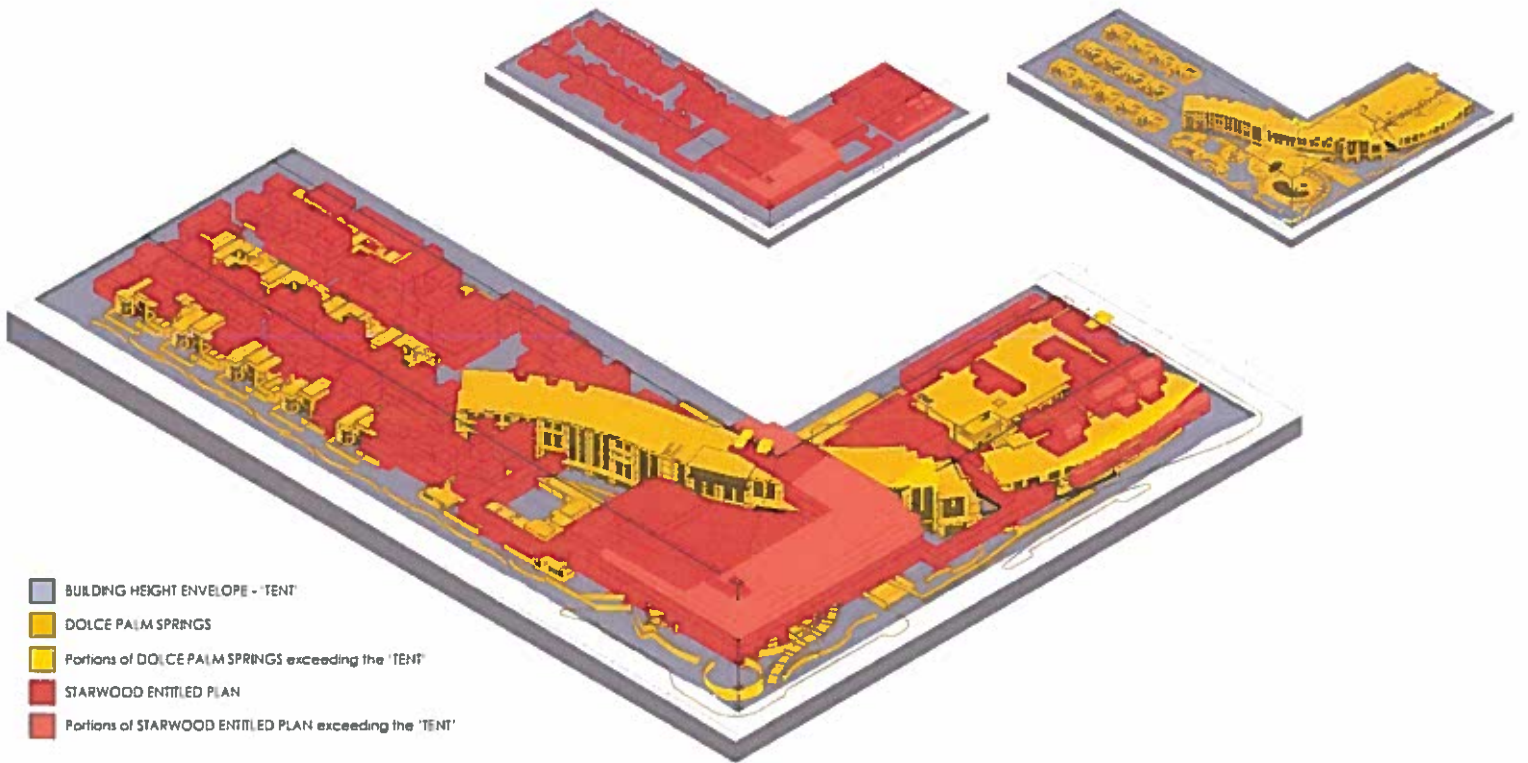


TENT DIAGRAM

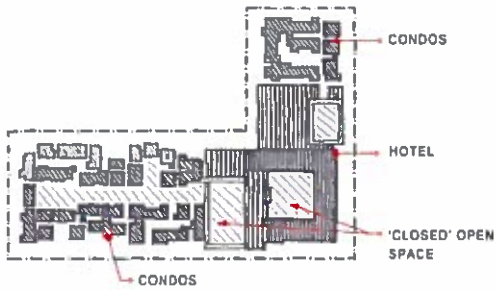
The white portions of the current scheme minimally exceed the zoning Envelope compared to the previous entitled versions.



PROJECT ENTITLEMENT COMPARISON



ENTITLED PLAN [Starwood]



SITE INFORMATION

Total Area: 444,583 sf

Site Coverage:

- o Building (400 units): 146,500 sf, 33%
- o Driveway/Surface Parking: 49,900 sf, 11%
- o Open space: 248,103 sf, 49%

PROGRAM

Total Units: 400

Total Building Square Footage: 349,860 sf

- o Hotel - 200 Rooms: 169,710 sf
- o Condos - 200 Units: 180,150 sf

PARKING PER PROGRAM

Total Spaces: 639

- o Main Hotel (200 rooms): 290 garage spaces
- o Condos (200 Units): 349 garage spaces

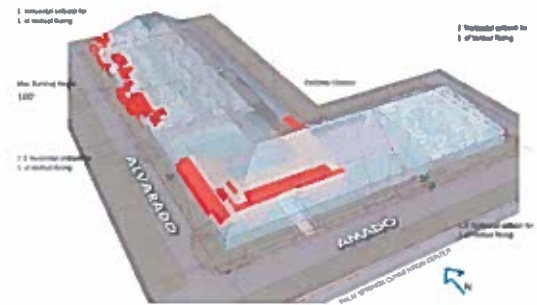
SUMMARY

- o 400 units: 340,860 sf on the full 444,583 sf site
- o Consistent 50 ft - 60 ft height across the entire site
- o Densely organized design that builds out the entire site
- o Open space is closed off in interior courtyards

MASSING DIAGRAM



TENT DIAGRAM

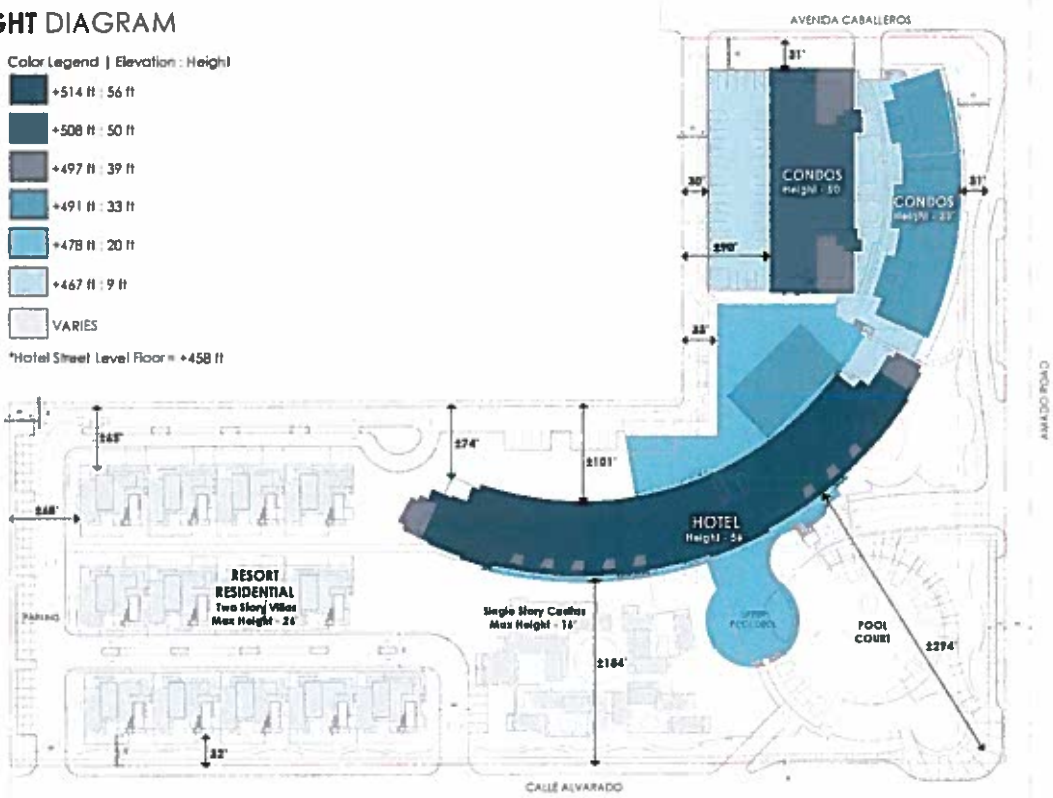


BUILDING HEIGHT DIAGRAM

Color Legend | Elevation : Height

- +514 ft : 56 ft
- +508 ft : 50 ft
- +497 ft : 39 ft
- +491 ft : 33 ft
- +478 ft : 20 ft
- +467 ft : 9 ft
- VARIES

*Hotel Street Level Floor = +458 ft



REVISED BUILDING HEIGHT DIAGRAM

Color Legend | Elevation | Height

- +514 ft - 56 ft
- +500 ft - 42 ft
- +493 ft - 35 ft
- +483 ft - 25 ft
- +472 ft - 14 ft
- VARIES

*Hotel Street Level Finish Floor = +458 ft

