

## RESOLUTION NO. 24684

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ISSUING A CONFORMITY REPORT TO THE AGUA CALIENTE BAND OF CAHUILLA INDIANS, FOR THE PALM SPRINGS ARENA PROJECT, A 252,000 SQUARE FOOT MULTI-SPORT AND ENTERTAINMENT ARENA, TO BE LOCATED ON A 14.74-ACRE SITE AT THE NORTHEAST CORNER OF NORTH CALLE ENCILIA AND EAST AMADO ROAD IN SECTION 14.

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

- A. On December 15, 1998, the City Council of the City of Palm Springs ("City") and the Tribal Council of the Agua Caliente Band of Cahuilla Indians ("Tribe") entered into a Land Use Coordination Agreement which provides for City review and comment on projects outside of the Land Use Agreement of 1977, while retaining the Tribe's final approval and authority over projects on Tribal land.
- B. On February 3, 1999, the City and the Tribe amended the Land Use Agreement of 1977, which exempted all Tribal lands from the land Use Agreement of 1977 subject to the aforementioned Land Use Coordination Agreement ("Agreement").
- C. On October 17, 2018, the City and the Tribe adopted an Amended and Restated Land Use Contract ("Contract"), superseding all prior agreements relative to Allotted Trust Lands, and reaffirming the authority of the Tribe to establish, impose and enforce land use controls relative to Tribal Trust Lands.
- D. On November 4, 2019, the Tribe submitted a Project Report and Preliminary Environmental Project Review to the City for the Palm Springs Arena Project ("Project") on a 14.74-acre consolidated site.
- E. The Project Report was transmitted to the City for review and comment under the terms of the Agreement. In order to adhere to the review timeline specified by the Agreement, the City and the Tribe have agreed to a combined Administrative Review and Conformity Report in accordance with Section 7 of the Agreement.
- F. On December 5, 2019, the City Council conducted a public hearing and considered the matter, including the Project Report, the Preliminary Environmental Project Review, the Administrative Review, the Conformity Report, related exhibits and studies, and public testimony.
- G. The City Council has concluded that based on the information presented, the following issues merit further discussion: cost implications for the City's provision of public safety services to the Project; cost implications for the City's provision of general public services associated with the Project in the absence of traditional tax revenue directly generated by projects otherwise requiring those services; traffic impacts and the

associated costs of mitigating the traffic impacts; and the inadequacy of required on-site parking spaces for the Project.

H. The City Council finds that the project will have significant unmitigated impacts, and recommends that the Tribe implement the recommendations as identified in the City staff report dated December 5, 2019.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the Administrative Review and Conformity Report, dated December 5, 2019, including the suggested Conditions of Approval contained in Exhibit A and made a part thereto, is hereby issued to the Tribe, and staff is directed to transmit the Administrative Review and Conformity Report to the Tribe.

SECTION 2. Pursuant to Section 7 of Agreement #1324A, the City Council hereby agrees to waive the Joint Meeting with the Tribal Council to discuss the Administrative Review and Conformity Report.

SECTION 3. The City Council urges the Tribe to incorporate construction of additional required on-site parking, pursuant to the Section 14 Specific Plan development standards, in its approval of the Project.

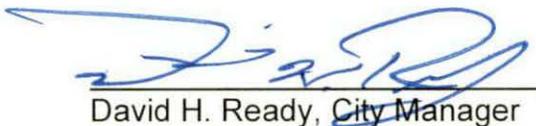
SECTION 4. The City Council recommends continued coordination with the Tribe to discuss partnering in the mitigation of impacts associated with the Project, including negotiation on revenue sharing agreements or other forms of generating continued and sustaining revenues to offset the City's increasing costs for providing general and public safety services that benefit the Tribe's developments within Section 14, and in particular the Project.

SECTION 5. Pending approval of the Project by the Tribal Council, City staff shall work in concert with Tribal staff to implement the Parking Management Plan and the Transportation Management Plan as a means to mitigate the impacts of the Project.

ADOPTED THIS 5<sup>TH</sup> DAY OF DECEMBER, 2019.

ATTEST:

  
\_\_\_\_\_  
John Paul Maier, MMC  
Chief Deputy City Clerk

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

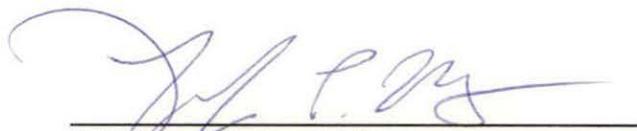
CERTIFICATION

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

I, ANTHONY J. MEJIA, City Clerk of the City of Palm Springs, hereby certify that Resolution No. 24684 is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on the 5<sup>th</sup> day of December, 2019, by the following vote:

AYES: Councilmembers Garner, Middleton, Woods, Mayor Pro Tem Holstege, and Mayor Kors  
NOES: None  
ABSENT: None  
ABSTAIN: None

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Palm Springs, California, this 11<sup>th</sup> day of December, 2019.

  
\_\_\_\_\_  
John Paul Maier, MMC  
Chief Deputy City Clerk

RESOLUTION NO. 24684

**EXHIBIT A**

Case 5.1496 – Conformity Report  
Palm Springs Arena

NEC of N. Calle Encilia and E. Amado Road

December 5, 2019

**CONDITIONS OF APPROVAL**

The recommended conditions below are provided by 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.

**PLANNING DEPARTMENT CONDITIONS**

- PLN 1. Project Description. These recommended conditions are for the Palm Springs Arena project, as described per Case 5.1496.
- PLN 2. Reference Documents. These conditions have been developed based on the Project Report and Preliminary Environmental Project Review, date stamped 11/04/19, including site plans, floor plans, architectural elevations, exterior materials and colors, and landscaping, on file in the Department of Planning Services, except as modified by conditions below.
- PLN 3. Parking. The number of on-site parking spaces proposed in the Project Report does not conform to the requirements of the Section 14 Specific Plan. It is recommended that the Applicant provide all required parking on-site consistent with the parking standards identified in the Section 14 Specific Plan. It is further recommended that the Applicant implement the Parking Management Plan, as described in Condition ENG 52, and the Section 14 Angled Parking Conceptual Design, as described in Condition ENG 4, to address direct and indirect impacts to the City's existing public parking facilities that may be caused by the project.
- PLN 4. Open Space Requirement. The open space as proposed in the Project Report does not meet the Section 14 Specific Plan requirement; it is recommended that the Tribal Council make specific findings to justify the decrease in open space, and that comparable open space be provided elsewhere within the boundaries of the Section 14 Specific Plan area.
- PLN 5. Streetscape Standards. The proposed development shall conform to the streetscape standards as listed in Chapter 5 of the Section 14 Specific Plan, unless otherwise modified herein.

- PLN 6. Design Guidelines. It is recommended that the following aspects of the proposed design for the arena be evaluated in accordance with Chapter 7 of the Section 14 Specific Plan as follows:
- Provide additional building articulation on the north and east facades of the building in accordance with Section 7.1.3.
  - Design the parking lot in accordance with green parking lot design principles, in accordance with Section 7.2.3.
  - Provide additional articulation or material variation for the screen wall on the east side of the site in accordance with Section 7.2.5.
  - Provide a four-foot high screen wall at the perimeter of the parking lot in accordance with Section 7.3.2.
- PLN 7. Outdoor Lighting Conformance. Exterior lighting should conform to the requirements of PSZC Section 93.21.00 (Outdoor Lighting Standards). All lighting should be shielded from adjacent residential properties. If lights are proposed to be mounted on buildings, down-lights shall be utilized.
- PLN 8. Water Efficient Landscaping Conformance. The project should adhere to the Water Efficient Landscape Ordinance (PSMC Chapter 8.60.00) and any other applicable water efficient landscape ordinances.
- PLN 9. Screen Roof-mounted Equipment. All roof mounted mechanical equipment should be screened pursuant to the requirements of PSZC Section 93.03.00.
- PLN 10. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization should be permitted, except approved alarm systems.
- PLN 11. Bicycle Parking. The project should provide secure bicycle parking facilities on site for use by patrons and employees of the facility.
- PLN 12. Impacts to Adjacent Residential Projects. It is recommended that the Applicant shall work with area residents (Movie Colony Neighborhood, Villa Alejo, St. Tropez Villas, Deauville Condominiums, Plaza Villas) to mitigate impacts to those properties related to traffic and parking issues of the arena facility.
- PLN 13. Environmental Mitigation Measures. It is recommended that the environmental mitigation measures, as suggested in the "Environmental Determination" section of the staff report, be considered in addition to any other applicable Tribal or Federal environmental requirements.

***Conditions added by City Council:***

- PLN 14. The Applicant and staff shall hold regular meetings to coordinate the development and implementation of the Project Operation Plan, the Transportation Management Plan, and the Parking Management Plan.

- PLN 15. The Applicant, with assistance of City staff, shall schedule and hold regular stakeholder meetings with area Neighborhood Organizations, adjacent HOA's, and downtown merchants to address issues relative to the development and operation of the arena facility.
- PLN 16. The Applicant shall establish a policy for local hiring preference in the construction and staffing of the arena facility, and shall establish a policy for the use of local vendors and businesses.
- PLN 17. The data used as the basis for the Transportation and Parking Management Plans shall be updated to include data collected during the peak tourist season (November through April).
- PLN 18. The Parking Management Plan shall be amended to include transit options as a component of the plan. The plan shall also identify locations adjacent to the arena facility for transit stops and rideshare pick-up/drop-off locations.
- PLN 19. The Project Operation Plan shall coordinate arena events with events held at the Convention Center and general City-wide special events and parades; the Project Operation Plan shall be updated on an annual basis.
- PLN 20. The costs necessary to provide the additional police and fire services for arena events shall be provided at the expense of the Applicant; General Fund monies shall not be used for the additional public safety costs necessary to service arena events.
- PLN 21. The Transportation Management Plan and the Parking Management plan shall address pedestrian safety issues, including adequate lighting for pedestrians, crosswalk improvements, and traffic control at intersections and crosswalks.
- PLN 22. Staff shall evaluate the project for noise impacts, both during construction and operations, and shall work with the Applicant to mitigate any noise impacts.
- PLN 23. The Parking Management Plan shall evaluate options to exempt local residents from the costs of on-street parking.
- PLN 24. The Project shall incorporate solar energy systems into the design and be compliant with the City's sustainability programs.

## ENGINEERING DEPARTMENT CONDITIONS

The Department of Engineering Services recommends that the Tribal Council require its Developer (Oak View Group) to satisfy the following conditions related to the Arena Project:

### STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit. All improvements are subject to inspection and a 24 to 48 hour inspection notification is required.
- ENG 2. Submit street improvement plans for any street improvements located within public right-of-way prepared by a registered California civil engineer to the City Engineer for review. The plans shall be approved by the City Engineer prior to issuance of any encroachment permits.
- ENG 3. Master planned roadways (Amado Road, Calle El Segundo, and Calle Encilia) should 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 approved by the Tribal Council.
- ENG 4. The Developer should create additional on-street parking through completing the design and construction of the Tribe's proposed Section 14 Angled Parking Conceptual Design, to add angled parking along various streets within Section 14, generally described as: Calle Encilia (east side from Alejo Road to Amado Road, both sides from Tahquitz Canyon Way to Arenas Road); Calle El Segundo (both sides from Alejo Road to Arenas Road); Amado Road (both sides from Calle El Segundo to Avenida Caballeros); and Andreas Road (both sides from Calle El Segundo to Calle Alvarado). Curb pop-outs and improved pedestrian crossings should be included at all intersections as shown on the Conceptual Design. Provisions for future irrigation and landscaping of planters should be included in the final design. Existing Class 2 bike lane traffic striping and signage should be replaced with Class 3 bike route "sharrows" striping and signage, where required by the City Engineer.
- ENG 5. Upon completion of required improvements by the Developer, the Developer should prepare and submit to the Bureau of Indian Affairs an Affidavit of Completion in accordance with Section 169.16, Title 25, of the Code of Federal Regulations, for the Public Improvements constructed by the applicant. A copy of the Affidavit of Completion should be provided to the City Engineer prior to the Tribal Council's final acceptance of the project, including its issuance of a final certificate of occupancy. The Developer should be responsible for obtaining the necessary form for the Affidavit of Completion from the Palm Springs Agency of the Bureau of Indian Affairs, and for having it completed as necessary by the Developer's Engineer of Record.
- ENG 6. Landscaping and related improvements located within existing and future public right-of-way of the streets adjacent to the Arena Project should be maintained by the Developer.

#### ALEJO ROAD

- ENG 7. The Tribal Council should dedicate to the City public right-of-way and sidewalk easements extending over the public street improvements generally located beyond the existing 40-foot wide right-of-way line along the south side of Alejo Road between Calle Encilia and Calle El Segundo.
- ENG 8. The proposed driveway access into the new surface parking lot located on Alejo Road between Calle Encilia and Calle El Segundo should be eliminated to avoid traffic congestion on Alejo Road. Access to the proposed surface parking lot should be limited to Calle Encilia and Calle El Segundo.
- ENG 9. Westbound left-turn lanes on Alejo Road at Calle Encilia and Calle El Segundo should be added to improve traffic circulation to the project. The Developer should widen the south side of Alejo Road generally located west of Calle Encilia and east of Via Miraleste as necessary to provide one 14-foot wide westbound lane, one 12-foot wide center turn lane, and one 14-foot wide eastbound lane, as approved by the City Engineer. Widening may reduce existing sidewalks to 5-foot width to fit within the existing 50-foot wide right-of-way line along the south side of Alejo Road located west of Calle Encilia and east of Calle El Segundo.
- ENG 10. Remove existing street improvements, and construct a new curb and gutter located 40 feet south of the existing northerly edge of pavement along Alejo Road between Calle Encilia and Calle El Segundo, with a 6-foot wide sidewalk, and new curb ramps located at the southeast corner of Calle Encilia / Alejo Road and southwest corner of Calle El Segundo / Alejo Road, in accordance with applicable City standards, as shown on approved street improvement plans.

#### AMADO ROAD

- ENG 11. The Tribal Council should dedicate to the City public right-of-way and sidewalk easements extending over the public street improvements generally located beyond the existing 25-foot wide right-of-way line along the north side of Amado Road between Calle Encilia and Calle El Segundo.
- ENG 12. Remove existing improvements along the north side of Amado Road between Calle Encilia and Calle El Segundo, construct new meandering sidewalk improvements, and new curb ramps located at the northeast corner of Calle Encilia / Amado Road and northwest corner of Calle El Segundo / Amado Road, in accordance with applicable City standards, as shown on approved street improvement plans.

#### CALLE ENCILIA

- ENG 13. The Tribal Council should dedicate to the City public right-of-way and sidewalk easements extending over the public street improvements generally located beyond the existing 25-foot wide right-of-way line along the east side of Calle Encilia between Alejo Road and Amado Road. The City Engineer notes that existing curb and sidewalk improvements are located outside of public right-of-way.

- ENG 14. Construct a new curb and gutter located 32 feet east of centerline from Alejo Road extending approximately 300 feet south, with an adjacent 6-foot wide sidewalk, to connect with existing curb and sidewalk, in accordance with applicable City standards, as shown on approved street improvement plans.
- ENG 15. Remove existing driveway approaches and sidewalk improvements where required to construct new street and sidewalk improvements, as shown on approved street improvement plans.
- ENG 16. Construct two commercial driveway approaches to the new surface parking lot in accordance with City of Palm Springs Standard Drawing No. 205, as shown on approved street improvement plans.
- ENG 17. Construct new curb ramps on either side of the commercial driveway approaches in accordance with applicable City standards, as shown on approved street improvement plans.

#### CALLE EL SEGUNDO

- ENG 18. The Tribal Council should dedicate to the City public right-of-way and sidewalk easements extending over the public street improvements generally located beyond the existing 25-foot wide right-of-way line along the west side of Calle El Segundo between Alejo Road and Amado Road. The City Engineer notes that existing curb and sidewalk improvements are located outside of public right-of-way.
- ENG 19. Construct a new curb and gutter located 32 feet west of centerline from Alejo Road extending approximately 300 feet south, with an adjacent 6-foot wide sidewalk, to connect with existing curb and sidewalk, in accordance with applicable City standards, as shown on approved street improvement plans.
- ENG 20. Remove existing driveway approaches and sidewalk improvements where required to construct new street and meandering sidewalk improvements, as shown on approved street improvement plans.
- ENG 21. Construct one commercial driveway approach to the new surface parking lot in accordance with City of Palm Springs Standard Drawing No. 205, as shown on approved street improvement plans.
- ENG 22. Construct new curb ramps on either side of the commercial driveway approach in accordance with applicable City standards, as shown on approved street improvement plans.
- ENG 23. Construct two driveway approaches for the VIP Drop Off Lane in accordance with applicable City standards, as shown on approved street improvement plans.
- ENG 24. Construct a minimum 8-foot wide sidewalk adjacent to the westerly side of the VIP Drop Off Lane and extending along the east side of the Arena to Amado Road.

#### CALLE SANTA ROSA (VACATED)

- ENG 25. Pursuant to Section 4 of Resolution No. 24645 adopted by the City Council on July 24, 2019, the Tribal Council will be required to apply for the vacation and abandonment of the public utility easement reserved within Calle Santa Rosa. The City Engineer recommends that, following removal of all existing public utilities within the vacated portion of Calle Santa Rosa, that an application be filed with the Department of Engineering Services for abandonment of the reserved public utility easement.

#### SANITARY SEWER

- ENG 26. The Developer should prepare and submit to the City Engineer for review and approval a sewer study to demonstrate the capacity of the City's existing public sewer system to accommodate sewage generated by the Arena Project. To the extent the sewer study identifies deficiencies in the existing public sewer system, the Developer should implement the recommendations of the sewer study necessary to accommodate sewage generated by the Arena Project, including removal, replacement, or upsizing of existing sewers.
- ENG 27. All sanitary facilities should be connected to the public sewer system. New laterals should not be connected at sewer manholes.
- ENG 28. Submit sewer improvement plans prepared by a California registered civil engineer to the City Engineer for review and approval. The plans shall be approved by the City Engineer prior to issuance of an encroachment permit to accommodate installation of sewer connections for the Arena Project.
- ENG 29. The project site is subject to a Section 14 Sewer Impact Fee of \$696 per acre to recover certain costs associated with construction of existing public sewer improvements. The fee should be paid to the City prior to the City's issuance of an encroachment permit to accommodate installation of sewer connections for the Arena Project.
- ENG 30. Connection to the City's public sewer system will require the Developer's payment to the City of applicable sewer connection fees. The Developer should submit to the City its final construction plans approved and permitted by the Tribal Council for the Arena Project (i.e. plumbing and related plans) sufficient for the City's Building Official to identify the total number and type of plumbing fixtures generating wastewater to be conveyed to the public sewer system. The sewer connection fee is currently \$306 per fixture unit, and should be paid to the City prior to issuance of an encroachment permit to accommodate installation of sewer connections for the Arena Project.
- ENG 31. Connection to the City's public sewer system will require the Developer's payment to the City of applicable sewer service charges following completion and opening of the Arena Project. The monthly sewer service charge is currently \$20 plus \$1.98 per fixture unit. Prior to the Tribal Council's issuance of a certificate of occupancy, the Developer will be required to apply for sewer service with the City's wastewater operator (Veolia), and establish a billing account for payment of applicable monthly sewer service charges.

## GRADING

- ENG 32. The Developer should comply with USEPA's Construction General Permit CAR050001 requirements including implementing a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES to reduce erosion on and off site. The SWPPP should include best management practices (BMPs) that would be employed to prevent erosion and siltation during the Arena Project's construction phase. A copy of the SWPPP approved by the Tribal Council should be filed with the Department of Engineering Services.
- ENG 33. The Developer should comply with the grading requirements identified in the Tribal Building and Safety Code, implementing adequate watering and dust control measures to minimize impacts related to wind or water erosion. The Developer should have responsibility for continuous monitoring for dust control on a 24-hour/7-day per week basis, and for continuous monitoring of track-out of dirt and other debris onto adjacent City streets, requiring the Developer to provide street sweeping and other measures to remove dirt and debris from adjacent streets.
- ENG 34. The Developer should prepare a PM-10 Dust Control Plan, identifying applicable BMPs to implement to eliminate dust emissions during grading operations consistent with Chapter 8.50 of the City of Palm Springs Municipal Code, utilizing 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. A copy of the PM-10 Dust Control Plan approved by the Tribal Council should be filed with the Department of Engineering Services.
- ENG 35. Temporary dust control perimeter fencing with screen mesh to capture dust emissions should be installed along the entire perimeter prior to commencement of grading operations. The City encourages art and other graphics on perimeter fencing screen mesh, as may be approved by the Tribal Council.
- ENG 36. The Project Report identifies an excess of 36,000 cubic yards of material to be removed from the site during rough grading and excavations for the Arena Project, requiring more than 1,000 truckloads of material to be generated. Prior to commencement of grading, the Developer should submit to the City Engineer for review and approval a truck haul route and schedule. The Developer should be responsible for cleanup of, or damage to, any City streets affected by the transport of excavated materials from the project site.
- ENG 37. A copy of the final Precise Grading / Paving Plan approved by the Tribal Council for the Arena Project should be filed with the Department of Engineering Services.

## WATER QUALITY MANAGEMENT PLAN

- ENG 38. The Developer should prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP) in accordance with USEPA's NPDES Construction General Permit CAR101000, requiring the development and implementation of a site-specific SWPPP to identify an effective combination of erosion control and sediment control BMPs to minimize or eliminate the discharge of pollutants into receiving waters. In

addition, BMPs for managing sources of non-stormwater discharges and waste are required to be identified in the SWPPP. Finally, the SWPPP is required to identify post-construction BMPs, which are permanent features to be maintained by the Developer, consistent with Chapter 8.70 (Stormwater Management and Discharge Controls) of the Palm Springs Municipal Code. A copy of the SWPPP approved by the Tribal Council should be filed with the Department of Engineering Services.

#### DRAINAGE

- ENG 39. All stormwater falling onto the Arena Project site should be accepted and conveyed in an acceptable manner and released to an approved drainage system. Stormwater runoff should not be released directly to the adjacent streets without first intercepting and treating with approved post-construction Best Management Practices (BMPs) identified in the SWPPP approved by the Tribal Council.

#### GENERAL

- ENG 40. Any utility trenches or other excavations within existing asphalt concrete pavement of streets adjacent to the Arena Project should be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The Developer should be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of adjacent streets as required by and at the discretion of the City Engineer. Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of adjacent streets required by the Arena Project may require complete grinding and asphalt concrete overlay of the affected adjacent 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 Arena Project.
- ENG 41. All proposed utility lines should be installed underground; no overhead utilities.
- ENG 42. No obstructions should be constructed or planted in the corner cut-off area of any intersection or driveway that will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 43. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb should have approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

#### MAP

- ENG 44. All existing parcels of record located on the Arena Project site should be consolidated and merged to eliminate property lines extending through any part of the Arena building(s) that would otherwise violate applicable provisions of the Tribal Building and Safety Code.

## TRAFFIC

- ENG 45. A minimum of 48 inches of clearance for accessibility should be provided on public sidewalks. Minimum clearance on public sidewalks should 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 frontage of the subject property.
- ENG 46. Submit traffic striping and signage plans, prepared by a California registered civil engineer, for review and approval by the City Engineer. All required traffic striping and signage improvements should be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to the Tribal Council's issuance of a certificate of occupancy for the Arena Project.
- ENG 47. Stop signs, stop bars, and "STOP" legends should be installed for traffic exiting the Arena Project site in accordance with City of Palm Springs Standard Drawing Nos. 620-625 and the current edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD).

## MITIGATION OF PARKING AND TRAFFIC IMPACTS

- ENG 48. The Project Report identified and analyzed a total of 107 events to be held at the Arena, with 16 events to be scheduled on weekday evenings. The Developer should coordinate scheduling of Arena events with the City to avoid Thursday night VillageFest street closures, to eliminate compounding of traffic and parking congestion caused by competing events.
- ENG 49. The Project Report identified and analyzed a total of 107 events to be held at the Arena, with 91 events to be scheduled on Friday, Saturday, or Sunday. The Developer should coordinate scheduling of Arena events with the City to avoid major events normally held on weekends throughout the year, including, but not limited to: (1) Palm Springs International Film Festival (generally first 10 days of January); (2) Tour de Palm Springs (generally held the first weekend of February); (3) McCormick's Palm Springs Classic Car Auction (generally the third weekend of February); (4) Greater Palm Springs LGBT Pride (generally the first weekend of November); (5) McCormick's Palm Springs Classic Car Auction (generally the third weekend of November); (6) Festival of Lights Parade (generally the first Saturday of December); and other major City events, to eliminate compounding of traffic and parking congestion caused by competing events.
- ENG 50. In accordance with recommendations identified in the Project Report, the Developer should prepare and submit a Project Operation Plan to the City for review and approval, to identify the dates and types of events to be scheduled at the Arena, and to include the following: (1) Transportation Management Plan; and (2) Parking Management Plan. The Project Report should be submitted to the City annually, and incorporate changes or adjustments to the various plans as may be required by the Tribe, City or Developer after evaluating the effectiveness of the Project Operation Plan implemented in the preceding year.
- ENG 51. The Project Report identifies that traffic generated by the Arena Project will cause significant effects one hour before and/or one hour after Arena events at various

City intersections and roadway segments. The Developer should prepare and submit a Transportation Management Plan for review and approval by the City, to include, but not be limited to, the following measures:

- i. Develop and implement, at Developer's cost, traffic management and information via website and mobile applications to provide: maps of available parking locations (showing real-time available parking); maps of travel routes to available parking; bicycle parking information; bicycle lane information; ride-share drop-off and pick up locations; transit information showing lines, stops and walk routes to the Arena; pedestrian routes from parking locations, hotels and downtown locations
- ii. Develop and implement, at Developer's cost, deployment of traffic management and control officers subject to the review and approval by the Chief of Police. Officers should be provided at all key intersections prior to and after all Arena events, as determined by the Project Operation Plan approved by the City and the Level of Event (Level 1, Level 2, or Level 3).
- iii. Develop and implement, at Developer's cost, special traffic signal timing plans subject to review and approval by the City for pre-event and post-event hours at key signalized intersections, as determined by the Project Operation Plan approved by the City and the Level of Event (Level 1, Level 2, or Level 3).
- iv. Rent and deploy, at Developer's cost, electronic message boards to assist with traffic control measures prior to and after Arena events, at locations approved by the City.
- v. Develop and implement, at Developer's cost, pedestrian management and control measures for pre-event and post-event hours subject to review and approval by the City requiring installation of pedestrian barricades, designation of pedestrian routes, and traffic control officers to direct pedestrians across adjacent streets.

ENG 52. The Project Report identifies that the Arena Project requires development of 2,259 on-site parking spaces for a "peak event" to be consistent with the parking development standards of the Section 14 Specific Plan, with only 650 on-site parking spaces to be provided, resulting in a deficiency of 1,609 parking spaces. The Project Report also identifies a requirement for 3,318 parking spaces for a "Sell-Out AHL Event" resulting in a deficiency of 2,668 parking spaces, and assumes an availability of approximately 3,000 excess off-site parking spaces to provide parking for Arena events, including Tribally-owned parking lots and the Casino parking garage, and City-owned parking lots and parking garages, and existing on-street public parking spaces. In the absence of the Tribe requiring the Developer to construct all required parking spaces on-site, the Developer should prepare and submit a Parking Management Plan for review and approval by the City, to include, but not be limited to, the following measures:

- i. Redirect parking away from all existing City parking lots or parking garages;
- ii. Following the City's extensive outreach and coordination with all affected neighborhoods, implement, at Developer's cost, a Residential Permit Parking Program for all neighborhoods located within 1 mile of the Arena Project. The Residential Permit Parking Program should include: (1) installation of regulatory signage along all residential streets establishing "parking by permit only" on dates and times approved by the City; (2) production of permits or decals to be furnished to residents, tenants and property owners; (3) parking enforcement by City or its contractor to allow for citation and/or

- towing of illegally parked vehicles; and such other measures as required by the City. The boundaries of the Residential Permit Parking Program may be reduced or expanded as determined by the City.
- iii. Following the City's extensive outreach and coordination with all affected businesses and other stakeholders, implement, at Developer's cost, a Metered – Time Limited / Paid Parking Program ("Metered Parking Program") for all on-street public parking spaces located within 1 mile of the Arena Project, generally located on Palm Canyon Drive, Indian Canyon Drive, Calle Encilia, Calle El Segundo, Calle Alvarado, Avenida Caballeros, Amado Road, Andreas Road, Tahquitz Canyon Way, and Arenas Road, and such other streets as identified by the City. Subject to review and approval of Main Street, Uptown Business District merchants, affected stakeholders, and in coordination with the City's parking management consultant, the City's approved Metered Parking Program to be implemented for the Arena Project may include City-owned parking lots and/or City-owned parking garages located within 1 mile of the Arena Project. Final details on the Metered Parking Program will be coordinated by the City and Tribe and affected stakeholders prior to implementation. Developer should be responsible for all costs associated with parking enforcement by the City or its contractor to allow for citation and/or towing of illegally parked vehicles. The boundaries of the Metered Parking Program may be reduced or expanded as determined by the City.
  - iv. In coordination with the City, meet and discuss with all adjacent residential condominium developments with open surface parking lots methods for controlling access into the condominium development to prevent illegal parking by Arena patrons; develop and implement, at Developer's cost, improvements and other measures approved by the condominium development to regulate and control on-site parking within their development, including installation of electronic gates or other similar devices if requested by the condominium development.
  - v. Develop and implement, at Developer's cost, parking management and information via website and mobile applications to provide: parking procedures; maps of available parking locations (showing real-time available parking); maps of travel routes to available parking; bicycle parking information; ride-share drop-off and pick up locations; transit information
  - vi. Develop and implement, at Developer's cost, a Parking Reduction Program, by coordinating with local hotels to provide streamlined shuttle service to the Arena; and encourage and designate drop off and pick up locations by rideshare programs at City-approved locations during events. Coordinate with Sunline Transit Agency to incorporate shuttle service by the Buzz Trolley or similar service from areas throughout Uptown/Downtown Palm Springs and the Arena.
  - vii. Rent and deploy, at Developer's cost, electronic message boards at designated parking lots prior to Arena events, at locations approved by the City.
  - viii. Continuous coordination with the City on event scheduling and availability of City-owned parking lots or garages, with shared parking available upon separate agreement with the City.

ENG 53. The Developer should pay to the City, for remittance to the Coachella Valley Association of Governments (CVAG), the applicable Transportation Uniform

Mitigation Fee (TUMF) for the Arena Project, in accordance with CVAG's current TUMF Handbook.

ENG 54. The City continues its review of the transportation analysis report, through its traffic engineering peer review specialist. The Developer should be responsible for revising the transportation analysis report to address technical review comments, and for complying with any required mitigation measures identified through the peer review process.

**POLICE DEPARTMENT CONDITIONS**

POL 1. The Applicant should comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

POL 2. It is recommended that the staffing and equipment needs, identified in the memo from the Police Department dated November 18, 2019, be considered as a condition of approval of the Project.

**FIRE DEPARTMENT CONDITIONS**

FID 1. It is recommended that the staffing, equipment and facility needs, identified in the memo from the Fire Department dated November 21, 2019, be considered as a condition of approval of the Project.

**END OF CONDITIONS**