



CITY COUNCIL STAFF REPORT

DATE: September 2, 2009 CONSENT CALENDAR
SUBJECT: CONDITIONAL USE PERMIT 5.0909 – VICEROY HOTEL; 415 S. BELARDO ROAD; DETERMINATION OF COMPLIANCE
FROM: David H. Ready, City Manager
BY: Department of Planning Services

SUMMARY

The City Council will receive and file an update of the conditions of approval for the Viceroy Hotel (Conditional Use Permit 5.0909), and the determination that the posted bond is in substantial compliance with City Council Resolution No. 22569.

RECOMMENDATION:

Receive and file.

STAFF ANALYSIS

On July 22, 2009, the City Council established a schedule of actions to assure completion of certain street improvements for the Viceroy Hotel. The first requirement was to be completed within 30 days of the Council's action (by August 21, 2009), and included obtaining a construction permit from the Public Works Department and submitting a completion bond to the City for \$250,000.

The construction permit was issued by Public Works on August 13, 2009. On August 5, 2009, the Viceroy notified the City that a completion bond for \$171,909 was presented to the City in 2002, and has asked that it be considered satisfaction of the Council's bonding requirement. Staff has determined that the bond remains valid and the City Attorney has prepared an updated improvement agreement to go with the bond.

The Director of Public Works has reviewed the approved street improvement plans and estimated the hardscape costs at \$166,726. Landscaping would be an additional

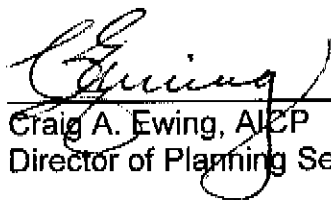
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25,000 to \$40,000. If the City Council has no objection, the bond in the amount of \$171,909 may be deemed satisfactory compliance with the Council's condition of approval for bonding. No further action would be required.


All other conditions of approval remain in effect. The next milestone is the initiation of construction of the Belardo and Cahuilla Roads street and landscape improvements by October 20, 2009; the Cahuilla Road improvements are required to be completed by January 31, 2010.

FISCAL IMPACT:

None



Craig A. Ewing, AICP
Director of Planning Services



Thomas J. Wilson, Assistant City Manager



David H. Ready, City Manager



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August 24, 2009

City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Bond #8690271
Bond Amount \$171,909
Principal: Casa Real Estate, a Calif Limited Partnership
Surety: Fidelity and Deposit Company of Maryland
Description: Performance bond – Estrella Inn Case No 5.0909

To Whom It May Concern:

The premiums for the above bond are all up to date and the bond is in full force and effect until released by the City of Palm Springs.

Should you have any questions or need additional information, please do not hesitate to call.

Sincerely,

Zurich American Insurance Company
Fidelity and Deposit Company of Maryland

Michael Holmes
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Zurich Surety, Credit & Political Risk
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