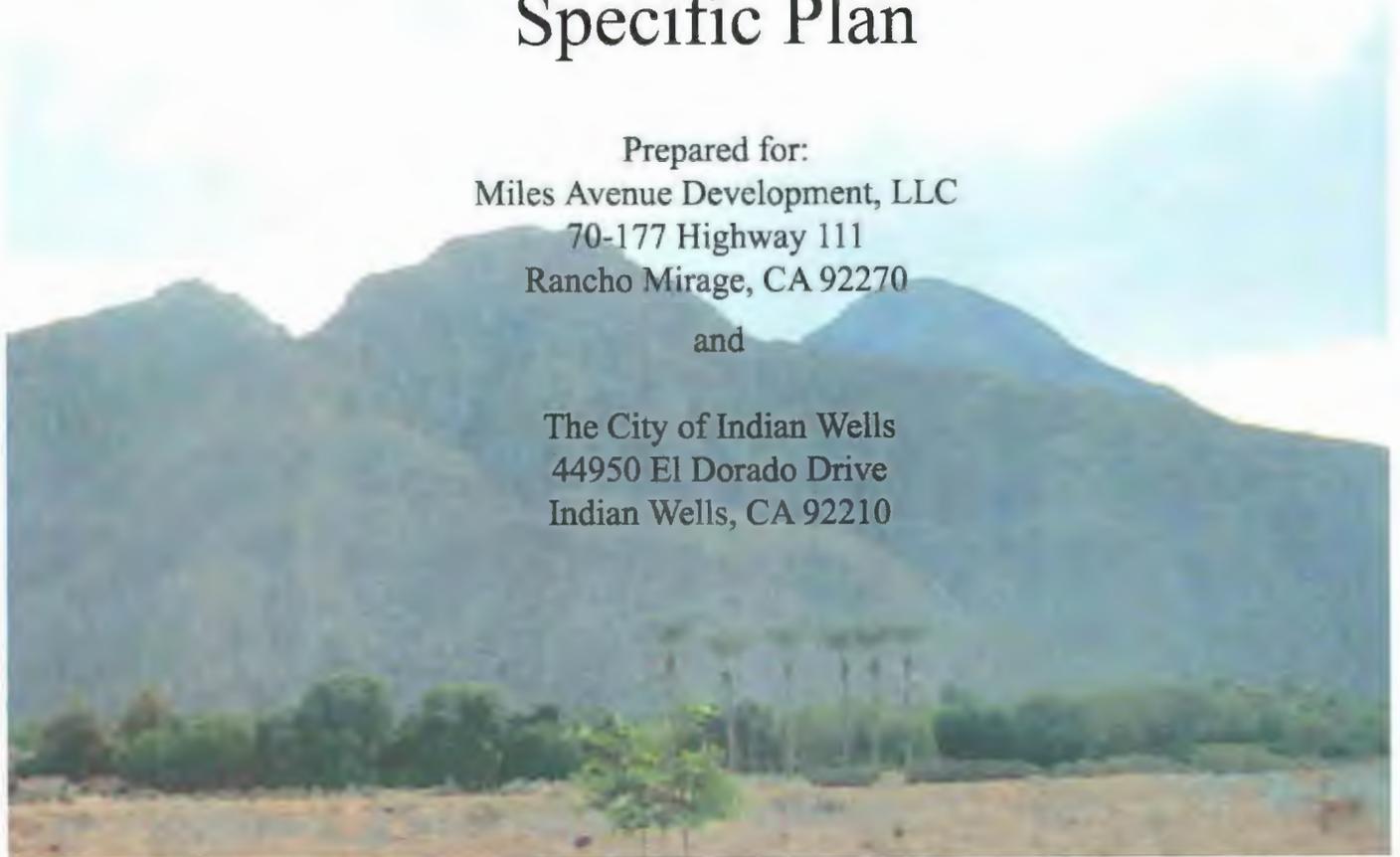


## Specific Plan

Prepared for:  
Miles Avenue Development, LLC  
70-177 Highway 111  
Rancho Mirage, CA 92270

and

The City of Indian Wells  
44950 El Dorado Drive  
Indian Wells, CA 92210



**MSA CONSULTING, INC.**

**MAINIERO, SMITH & ASSOCIATES, INC.**  
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*Miles Crossing*  
CITY OF INDIAN WELLS

**Specific Plan**

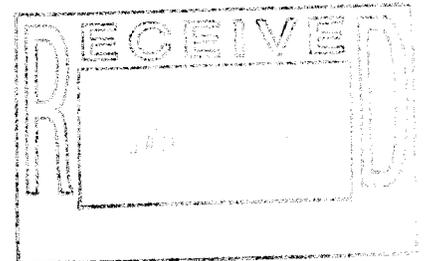
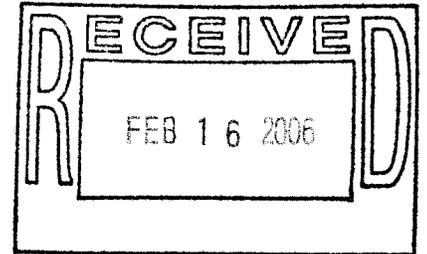
January 2006

Prepared For:  
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and

The City of Indian Wells  
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Prepared By:  
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**MILES CROSSING SPECIFIC PLAN  
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## SECTION 1 INTRODUCTION

### PURPOSE

The purpose of this Specific Plan is to set forth the detailed development principles, guidelines, and programs to facilitate the development of a 32+/- acre site located at the northeast and northwest corners of Miles Avenue and Highway 111, and within a portion of the Whitewater Channel south of Miles Avenue, east and west of Warner Trail, in the City of Indian Wells, California (Exhibit 1 – Vicinity Map).

This Specific Plan is intended to meet the requirements for a Specific Plan as set forth by State law. The State authorizes cities and counties to adopt Specific Plans as an appropriate tool in implementing their General Plans. Such a plan is to include the detailed regulations, conditions, programs, and any proposed legislation that is necessary for the systematic implementation of the General Plan. The Specific Plan provides the linkage between the General Plan, the general goals and policies of the County, and the detailed implementation of that plan with tools such as zoning ordinances, subdivision ordinances, and the like. The Government Code (Section 65451) sets forth the minimum requirements of a Specific Plan and states:

"A Specific Plan shall include a text and diagram or diagrams which specify all of the following in detail:

- 1). The distribution, location, and extent of the uses of land, including any open space, within the area covered by the plan.
- 2). The proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described by the plan.
- 3). Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- 4). A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3)."

The Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan. The establishment of specific performance, design, and development standards is set forth to guide the development of the subject property in such a way as to implement the General Plan while maintaining some flexibility to respond to changing conditions which may be a factor in any long term development program.

### **PROJECT SUMMARY**

Miles Crossing is a three component project encompassing approximately 32 acres of undeveloped land (Exhibit 2 – Aerial). The development is comprised of approximately 121,000 square feet of commercial (Planning Area 1), a 129 unit condominium hotel (Planning Area 2), and 26 residential condominium units, known herein as Accent Homes, with a density of 6 d.u./acre (Planning Area 3). The proposed project would contain a mixture of uses designed to allow residents, guests, and residents of nearby existing developments to meet many service, employment, and recreational needs.

### **PROJECT SETTING**

The project site is surrounded by views of the San Jacinto Mountains and the Santa Rosa Mountains. Miles Crossing is surrounded in all directions by residential and golf course uses. Adjacent landmarks include The Golf Resort at Indian Wells to the northwest, The Indian Wells Country Club to the south, and the Indian Wells Tennis Garden to the northeast (see Exhibit 3 - USGS Topographic Map).

### **THE PROCESS**

The purpose of a Specific Plan is to provide a detailed plan for a selected area within the City for the purpose of implementing the General Plan. This Specific Plan outlines and directs all facets of development for this site. The land use designation on the City's General Plan is a combination of RMD – Residential Medium Density and WC – Watercourse. The Zoning designation is identical to the General Plan land use designation, with the only exception being that Planning Areas 1 and 2 (both RMD) have a Senior Housing Overlay and Special Study Area Overlay respectively. The Senior Housing Overlay Zone permits the development of what

the City Zoning Ordinance refers to as active retirement communities, independent living units, and congregate housing as additional uses to what is permitted within the base zoning designation of RMD. The purpose of a Special Study Area Overlay Zone is to provide a procedure for the Indian Wells City Council to review alternative land uses on selected properties that offer unique planning and economic opportunities, while maintaining the underlying development potential consistent with the base zoning of the subject property.

Miles Crossing is approximately 121,000 square feet of commercial space and a 129 unit condominium resort hotel (uses proposed for Planning Areas 1 and 2 respectively). Development of the project is allowed through an adoption of a General Plan Amendment and Change of Zone (see Exhibits 4a and 4b) to Community Commercial (CC) from Residential Medium Density (RMD) in Planning Area 1; to Resort Commercial (RC) from Residential Medium Density (RMD) in Planning Area 2; and to Residential Medium Density (RMD) from Watercourse (WC) for Planning Area 3. A Conditional Use Permit is required for the development of the Commercial site. The overlay zones associated with Planning Areas 1 and 2, described above, will be removed once the change of zone is adopted. Approval of the Miles Crossing Specific Plan and approval of three Tentative Tract Maps numbered 34256, 34257, and 34258 (Exhibits 4c, 4d and 4e) are also required to allow development of the proposed project.

The proposed density of 5.9 dwelling units/acre for Planning Area 3 is consistent with the maximum permitted density of 7 dwelling units per acre on RMD zoned land. The 26 units proposed are well below the overall allowable number of units.

### **Environmental**

The City of Indian Wells, as Lead Agency for the project, prepared an Environmental Initial Study pursuant to the California Environmental Quality Act (CEQA). A mitigated Negative Declaration with appropriate mitigation measures is recommended for the proposed development.

### **Relationship to Other Plans**

The Miles Crossing Specific Plan provides regulations, guidelines and standards that are consistent with the goals and policies of the City's General Plan. The proposed Specific Plan

contains development standards and regulations to guide all facets of the project. Adopted by ordinance, the Specific Plan will provide the zoning regulations for all three sites.

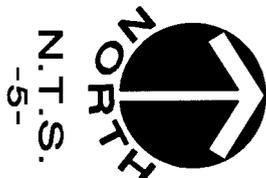
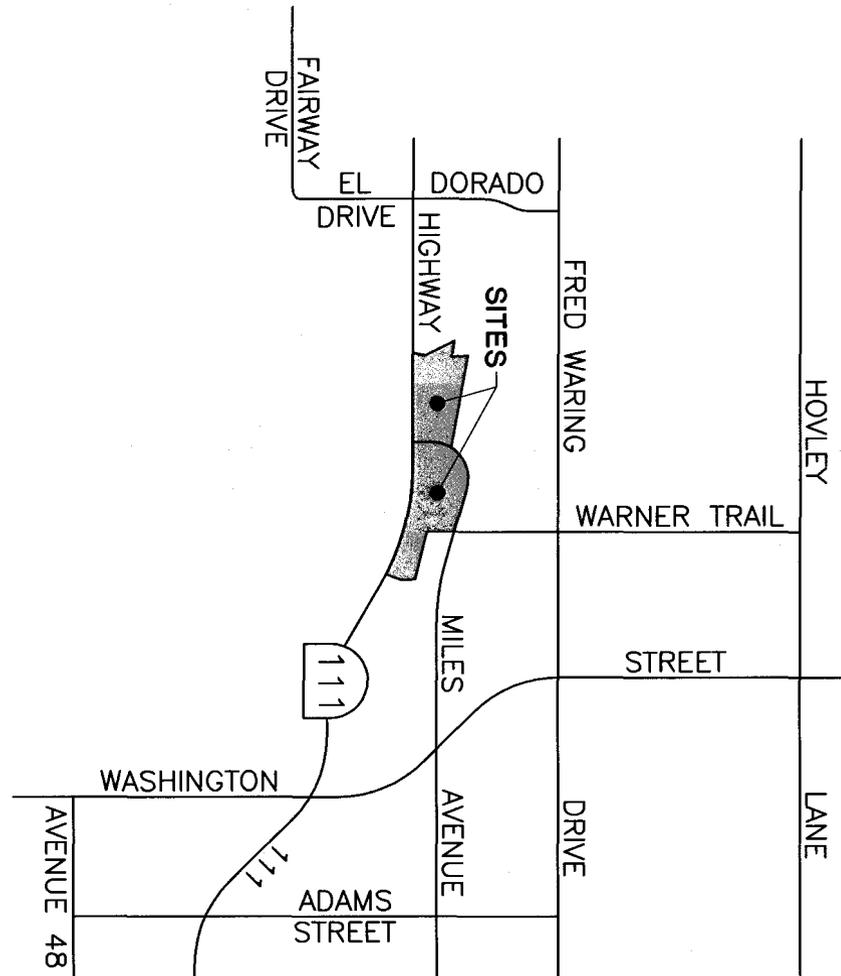
**Relationship to Other Agencies**

In addition to City approvals, permits will be required by the Coachella Valley Water District (CVWD) for improvements to the water and sewer lines, or any development that falls within the Whitewater Channel right-of-way. The development of condominiums within the Whitewater Channel must also be assessed and approved by CVWD. Other infrastructure improvements will be required by Southern California Edison (electrical), Verizon for telephone service and Time Warner for cable TV service.

**AMENDMENTS TO THE SPECIFIC PLAN**

Any major amendments to the Specific Plan shall be made in accordance with the adopting provisions of the original Specific Plan and Section 21.06.030 of the City of Indian Wells Municipal Code, i.e., hearings before the Planning Commission and City Council.

According to Section 21.06.030(f) of the City of Indian Wells Municipal Code, a revision to a Specific Plan which is determined by the Director of Community Development to be major shall be approved by the City Council. A major revision to a Master Development Plan or Specific Plan constitutes re-approval, and the time limits noted in Section 21.06.030(e) shall apply. All other revisions shall be approved by the Director of Community Development. (Ord. 387 §1, 1996)



# EXHIBIT 1

Date: 11/14/2005



**MSA CONSULTING, INC.**  
**MAINIERO, SMITH & ASSOCIATES, INC.**  
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 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Vicinity Map**  
**MILES CROSSING**  
**SPECIFIC PLAN**



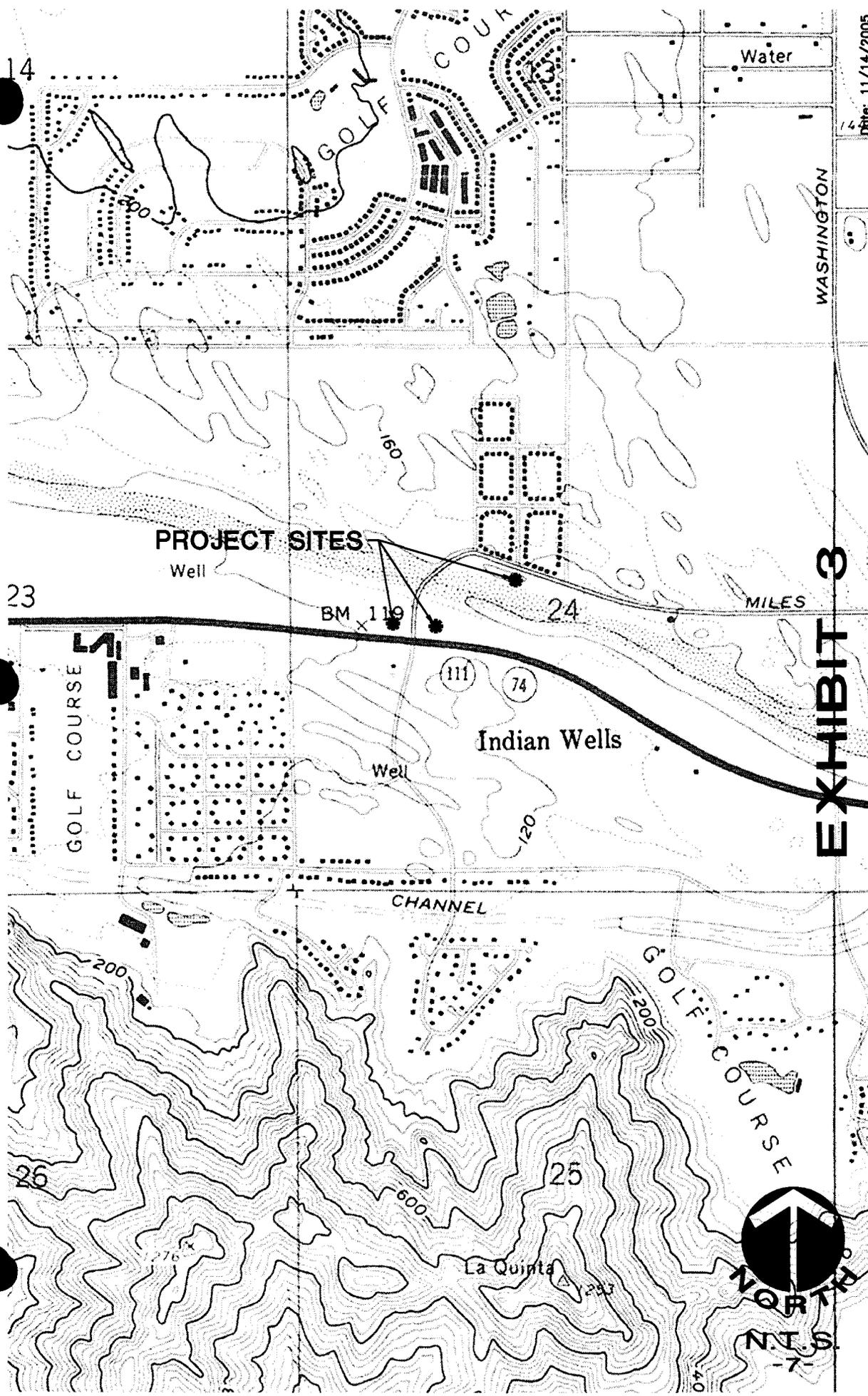
# EXHIBIT 2

Date: 1/18/2006



**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
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## Aerial Photograph MILES CROSSING SPECIFIC PLAN



Date: 11/14/2005

**EXHIBIT 3**

**US Geological Survey  
MILES CROSSING  
SPECIFIC PLAN**

**MSA CONSULTING, INC.**  
 MAINIERO, SMITH & ASSOCIATES, INC.  
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R:\ACAD\1702 Miles AVE ILC\Planning\Specific Plan\1702-03 USGS.dwg, 1/25/2006 10:23:08 AM, cwner, MSA Consulting, Inc.

EXISTING GENERAL PLAN



PROPOSED GENERAL PLAN



**RESIDENTIAL**

- Residential Very Low Density
- Residential Low Density
- Residential Medium Density

**COMMERCIAL**

- Professional Office

**OPEN SPACE**

- Golf and Recreation
- Watercourse

**CIVIC / OTHER**

- Public Facility
- Senior Housing Overlay
- Special Study Area Overlay

**RESIDENTIAL**

- Residential Very Low Density
- Residential Low Density
- Residential Medium Density

**COMMERCIAL**

- Community Commercial
- Professional Office
- Resort Commercial

**OPEN SPACE**

- Golf and Recreation
- Watercourse

**CIVIC / OTHER**

- Public Facility
- Senior Housing Overlay

Source: County of Riverside TLMA 2005  
Draft Specific Plan Miles Crossing

NOT TO SCALE

**EXHIBIT 4a**



**General Plan Amendment**  
**MILES CROSSING**  
**SPECIFIC PLAN**

**MSA CONSULTING, INC.**  
 MAINIERO, SMITH & ASSOCIATES, INC.  
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 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893



### EXISTING ZONING



### PROPOSED ZONING



#### RESIDENTIAL

- Residential Very Low Density
- Residential Low Density
- Residential Medium Density

#### COMMERCIAL

- Professional Office

#### OPEN SPACE

- Golf and Recreation
- Watercourse

#### CIVIC / OTHER

- Public Facility
- Senior Housing Overlay
- Special Study Area Overlay

#### RESIDENTIAL

- Residential Very Low Density
- Residential Low Density
- Residential Medium Density

#### COMMERCIAL

- Community Commercial
- Professional Office
- Resort Commercial

#### OPEN SPACE

- Golf and Recreation
- Watercourse

#### CIVIC / OTHER

- Public Facility
- Senior Housing Overlay

Source: County of Riverside TLMA 2005  
Draft Specific Plan Miles Crossing

NOT TO SCALE

## EXHIBIT 4b



# Change Of Zone Exhibit

## MILES CROSSING

### SPECIFIC PLAN

**MSA CONSULTING, INC.**  
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 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893



Date: 11/14/2005

NO.	REVISIONS	APPROVED	DATE

MARCH 2005  
 IN THE CITY OF INDIAN WELLS  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
**TENTATIVE TRACT  
 MAP NO. 34256**

**LEGAL DESCRIPTION**  
 PORTIONS OF SECTIONS 24 AND THE EAST HALF OF SECTION 23, TOWNSHIP 8 SOUTH,  
 RANGE 8 EAST, SAN BERNARDINO BASE AND MERIDIAN

OWNER / DEVELOPER	ASSESSORS PARCEL NUMBERS
CITY OF INDIAN WELLS 44860 BL. DORADO DRIVE INDIAN WELLS, CA 92270 TELEPHONE: (760) 778-0225 FAX: (760) 348-0407	633-310-008
COACHELLA VALLEY WATER DISTRICT 75828 EAST HOVLEY LANE PALM DESERT, CA 92260 TELEPHONE: (760) 388-2581 FAX: (760) 391-9838	633-410-022
ALBERT LIBSOY 18241 SANTA CECELIA FOUNTAIN VALLEY, CA 92708	633-410-026

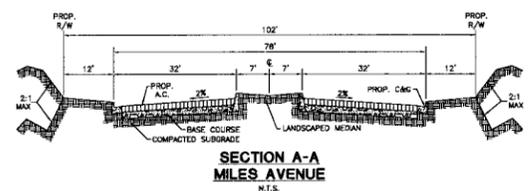
**ENGINEER**  
 MSA CONSULTING, INC.  
 34200 BOB HOPE DRIVE  
 RANCHO MIRAGE, CALIFORNIA 92270  
 TELEPHONE: (760) 388-2581  
 FAX: (760) 325-7893  
 ROBERT S. SMITH, PCE 28401

**GENERAL NOTES**  
 EXISTING ZONING: WC (WATERCOURSE)  
 PROPOSED ZONING: RLD (RESIDENTIAL LOW DENSITY)  
 EXISTING GENERAL PLAN: WC (WATERCOURSE)  
 PROPOSED GENERAL PLAN: RLD (RESIDENTIAL LOW DENSITY)  
 EXISTING LAND USE: VACANT / WHITE WATER CHANNEL  
 PROPOSED LAND USE: RESIDENTIAL - CONDOMINIUMS  
 PRIVATE RESIDENTIAL LOT: LOT 1 (4.38 ACRES)  
 GROSS ACREAGE: 28.87 ACRES  
 NET ACREAGE: 4.38 ACRES  
 LOT 1<sup>st</sup> TO BE SUBDIVIDED PER TTM #34257

**EASEMENT NOTES**  
 AN EASEMENT FOR PUBLIC ROADWAY, PUBLIC UTILITY AND INCIDENTAL PURPOSES, IN FAVOR OF COUNTY OF RIVERSIDE, IN INSTRUMENT RECORDED MARCH 27, 1934 IN BOOK 182 PAGE 634 OF OFFICIAL RECORDS.  
 AN EASEMENT FOR UNDERGROUND PIPELINE AND INCIDENTAL PURPOSES, IN FAVOR OF COACHELLA VALLEY COUNTY WATER DISTRICT IN INSTRUMENT RECORDED AUGUST 9, 1982 AS INSTRUMENT NO. 158578 OF OFFICIAL RECORDS.  
 AN EASEMENT FOR UNDERGROUND PIPELINE AND INCIDENTAL PURPOSES, IN FAVOR OF COACHELLA VALLEY COUNTY WATER DISTRICT IN INSTRUMENT RECORDED SEPTEMBER 20, 1982 AS INSTRUMENT NO. 161854 OF OFFICIAL RECORDS.  
 AN EASEMENT FOR UNDERGROUND PIPELINE AND INCIDENTAL PURPOSES, IN FAVOR OF COACHELLA VALLEY COUNTY WATER DISTRICT IN INSTRUMENT RECORDED FEBRUARY 14, 1988 AS INSTRUMENT NO. 27744 OF OFFICIAL RECORDS.  
 AN EASEMENT FOR UNDERGROUND PIPELINE AND INCIDENTAL PURPOSES, IN FAVOR OF COACHELLA VALLEY COUNTY WATER DISTRICT IN INSTRUMENT RECORDED FEBRUARY 14, 1988 AS INSTRUMENT NO. 27722 OF OFFICIAL RECORDS.  
 AN EASEMENT IN FAVOR OF COACHELLA VALLEY COUNTY WATER DISTRICT O.R. 84/84840

**UTILITIES**

ELECTRIC:	SOUTHERN CALIFORNIA Edison	(760) 202-4248
GAS:	THE GAS COMPANY	(608) 335-7826
TELEPHONE:	VERIZON COMPANY	(760) 778-9808
WATER:	COACHELLA VALLEY WATER DISTRICT	(760) 388-2581
CABLE:	TIME WARNER CABLE	(760) 340-1912
SEWER:	COACHELLA VALLEY WATER DISTRICT	(760) 388-2581
USA:	UNDERGROUND SERVICE ALERT	(800) 227-2600

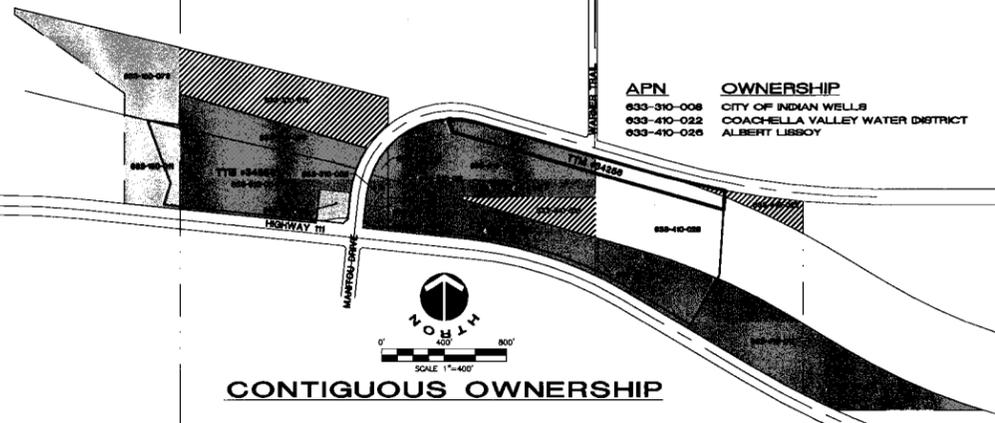
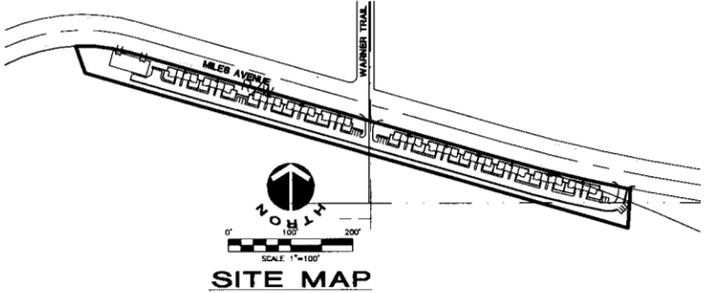
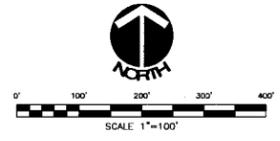
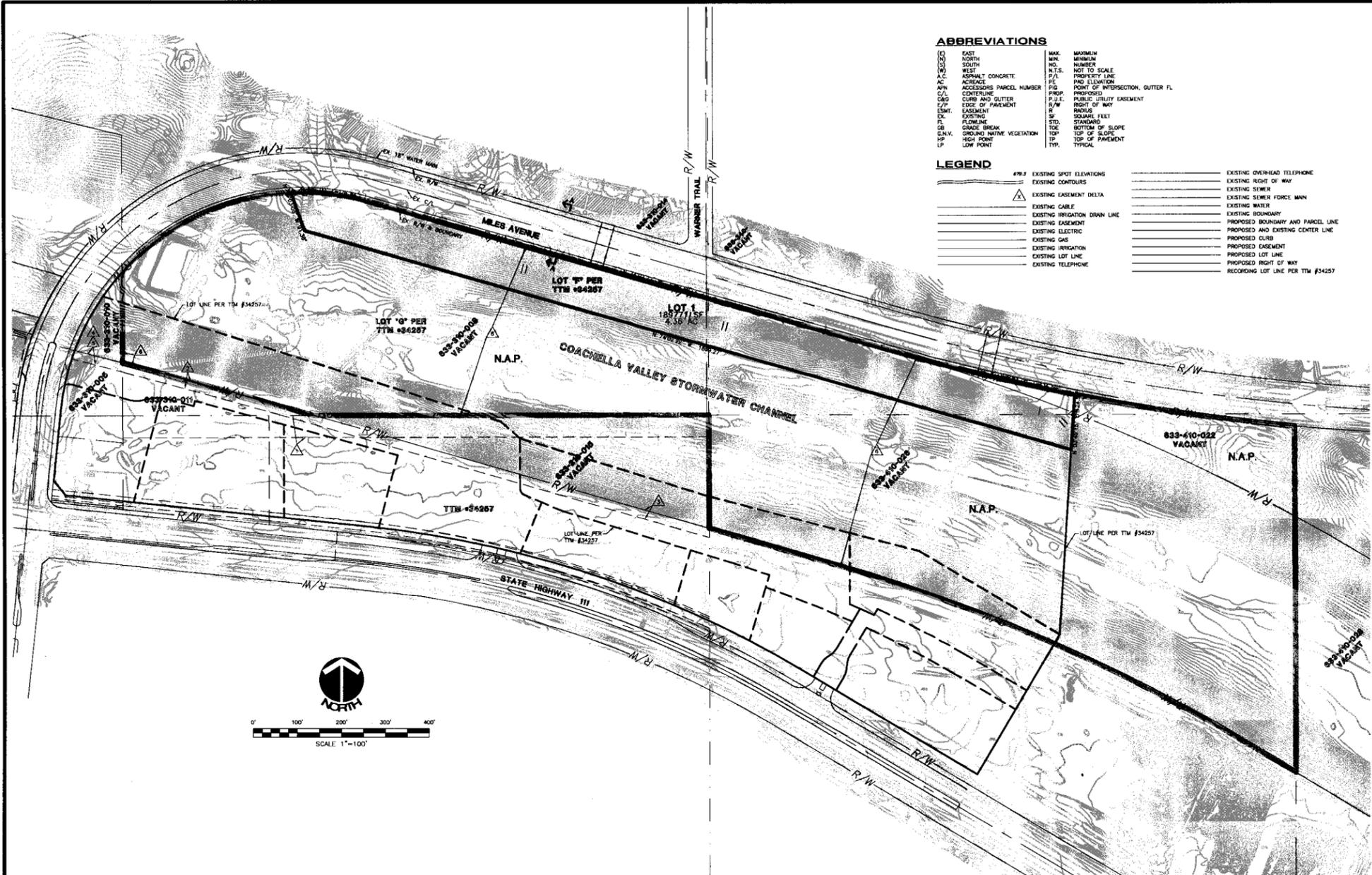


**ABBREVIATIONS**

(E)	EAST	(M)	MAXIMUM
(N)	NORTH	(MIN)	MINIMUM
(S)	SOUTH	(NO)	NUMBER
(W)	WEST	(N.T.S.)	NOT TO SCALE
A	ASPHALT CONCRETE	(P.L.)	PROPERTY LINE
AC	ACREAGE	(P.E.)	PAD ELEVATION
APN	ACCESSORS PARCEL NUMBER	(P.I.)	POINT OF INTERSECTION, GUTTER FL.
C/L	CENTERLINE	(PROP.)	PROPOSED
C&G	CURB AND GUTTER	(P.U.E.)	PUBLIC UTILITY EASEMENT
E/P	EDGE OF PAVEMENT	(R/W)	RIGHT OF WAY
EASMT	EASEMENT	(S)	STANDARD
EX	EXISTING	(SF)	SQUARE FEET
FL	FLOWLINE	(STD.)	STANDARD
GB	GRADE BREAK	(TOP)	TOP
G.N.V.	GROUND NATIVE VEGETATION	(T.O.S.)	TOP OF SLOPE
HP	HIGH POINT	(T.P.)	TOP OF PAVEMENT
LP	LOW POINT	(TYP.)	TYPICAL

**LEGEND**

▲	#79.3 EXISTING SPOT ELEVATIONS	—	EXISTING OVERHEAD TELEPHONE
—	EXISTING CONTOURS	—	EXISTING RIGHT OF WAY
—	EXISTING EASEMENT DELTA	—	EXISTING SEWER
—	EXISTING CABLE	—	EXISTING SEWER FORCE MAIN
—	EXISTING IRRIGATION DRAIN LINE	—	EXISTING WATER
—	EXISTING EASEMENT	—	EXISTING BOUNDARY
—	EXISTING ELECTRIC	—	PROPOSED BOUNDARY AND PARCEL LINE
—	EXISTING GAS	—	PROPOSED AND EXISTING CENTER LINE
—	EXISTING IRRIGATION	—	PROPOSED CURB
—	EXISTING LOT LINE	—	PROPOSED EASEMENT
—	EXISTING TELEPHONE	—	PROPOSED LOT LINE
—		—	PROPOSED RIGHT OF WAY
—		—	RECORDING LOT LINE PER TTM #34257



**CONTIGUOUS OWNERSHIP**



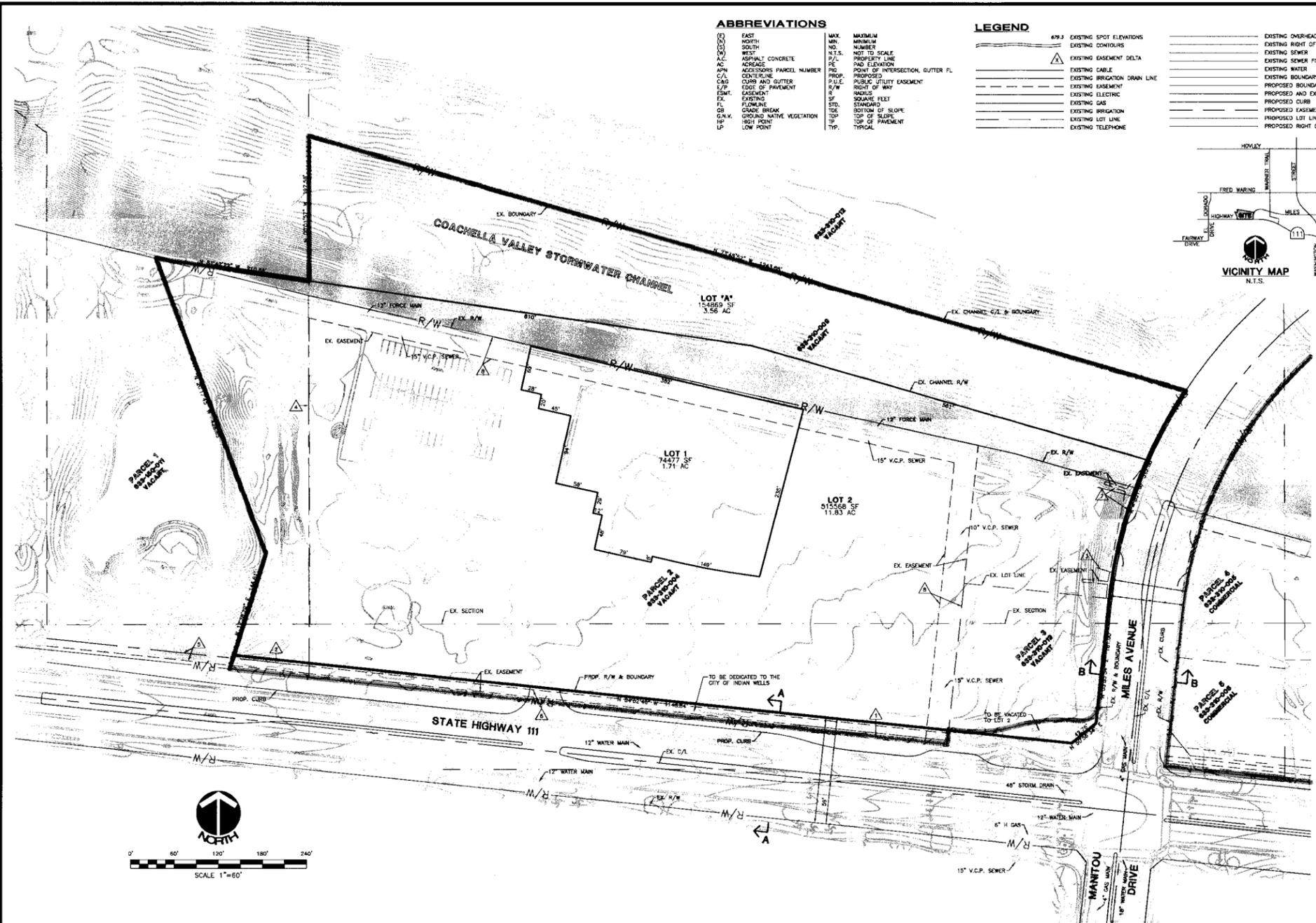
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**Tentative Tract Map #34256**  
**MILES CROSSING**  
**SPECIFIC PLAN**

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**ABBREVIATIONS**

(E)	EAST	MAX.	MAXIMUM
(N)	NORTH	MIN.	MINIMUM
(S)	SOUTH	NO.	NUMBER
(W)	WEST	N.T.S.	NOT TO SCALE
AC	ASPHALT CONCRETE	P.L.	PROPERTY LINE
AD	ADIRAGE	PE	PAD ELEVATION
APN	ASSASSORS PARCEL NUMBER	P.O.I.	POINT OF INTERSECTION, OUTER FL.
C/L	CENTERLINE	PROP.	PROPOSED
C&G	CURB AND GUTTER	P.U.E.	PUBLIC UTILITY EASEMENT
L/P	EDGE OF PAVEMENT	R/W	RIGHT OF WAY
ESMT	EASEMENT	S/F	SQUARE FEET
EX.	EXISTING	STL.	STANDARD
FL	FLOODING	TIDE	TIDE
GB	GRADE BREAK	TOP	TOP OF SLOPE
C.N.V.	GROUND NATIVE VEGETATION	TP	TOP OF PAVEMENT
HP	HIGH POINT	TYP.	TYPICAL
LP	LOW POINT		

**LEGEND**

679-3	EXISTING SPOT ELEVATIONS	---	EXISTING OVERHEAD TELEPHONE
---	EXISTING CONTOURS	---	EXISTING RIGHT OF WAY
---	EXISTING EASEMENT DELTA	---	EXISTING SEWER FORCE MAIN
---	EXISTING CABLE	---	EXISTING WATER
---	EXISTING IRRIGATION DRAIN LINE	---	EXISTING BOUNDARY
---	EXISTING EASEMENT	---	PROPOSED BOUNDARY AND PARCEL LINE
---	EXISTING ELECTRIC	---	PROPOSED AND EXISTING CENTER LINE
---	EXISTING GAS	---	PROPOSED CURB
---	EXISTING IRRIGATION	---	PROPOSED EASEMENT
---	EXISTING LOT LINE	---	PROPOSED LOT LINE
---	EXISTING TELEPHONE	---	PROPOSED RIGHT OF WAY

NO.	REVISIONS	APPROVED	DATE

**JANUARY 2006  
IN THE CITY OF INDIAN WELLS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
TENTATIVE TRACT  
MAP NO. 34258**

**LEGAL DESCRIPTION**  
PORTIONS OF SECTIONS 24 AND THE EAST HALF OF SECTION 23, TOWNSHIP 8 SOUTH, RANGE 8 EAST, SAN BERNARDINO BASE AND MERIDIAN

OWNER	ASSESSORS PARCEL NUMBERS
CITY OF INDIAN WELLS 44800 EL DORADO DRIVE INDIAN WELLS, CA 92270 TELEPHONE: (760)776-0229 FAX: (760)346-0407	633-310-004 / 633-310-009

INDIAN WELLS REDEVELOPMENT AGENCY 44800 EL DORADO DRIVE INDIAN WELLS, CA 92270 TELEPHONE: (760)776-0229 FAX: (760)346-0407	633-310-013 / 633-150-011 / 633-150-073
--	---

COACHELLA VALLEY WATER DISTRICT 76268 EAST HOVELY LANE PALM DESERT, CA 92260 TELEPHONE: (760)988-2661 FAX: (760)349-9888	633-310-012
--	-------------

DEVELOPER
MILES AVENUE DEVELOPMENT, LLC. 7077 HIGHWAY 111 RANCHO MIRAGE, CA 92270 TELEPHONE: (760)324-3360 FAX: (760)324-3367

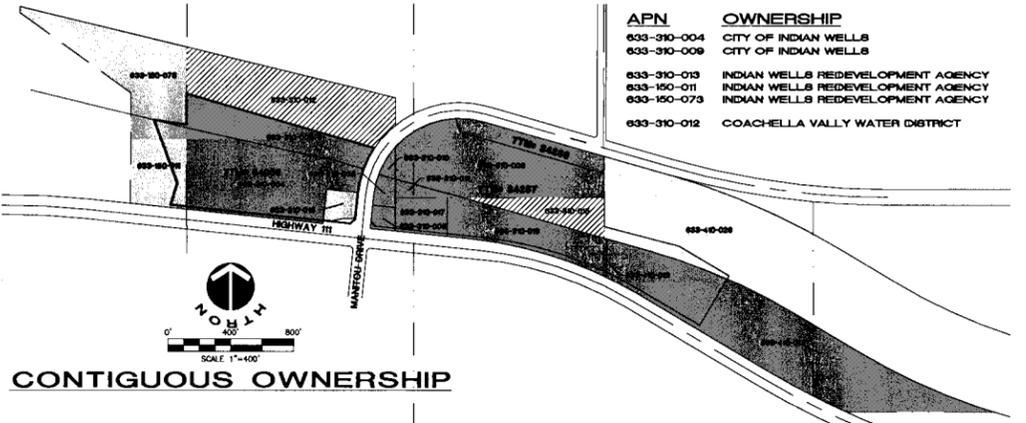
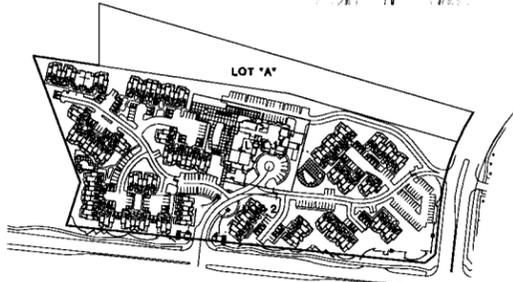
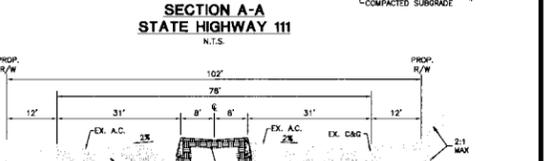
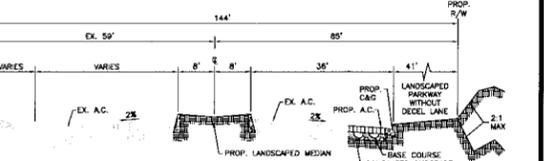
ENGINEER
MSA CONSULTING, INC. 34200 BOB HOPE DRIVE RANCHO MIRAGE, CALIFORNIA 92270 TELEPHONE: (760)323-7893 FAX: (760)323-7893 ROBERT S. SMITH, RCE 28401

- GENERAL NOTES**
- EXISTING ZONING: RMD (RESIDENTIAL MEDIUM DENSITY WITH SPECIAL STUDY OVERLAY)
  - PROPOSED ZONING: RC (RESORT COMMERCIAL)
  - EXISTING GENERAL PLAN: RMD (RESIDENTIAL MEDIUM DENSITY)
  - PROPOSED GENERAL PLAN: RC (RESORT COMMERCIAL)
  - EXISTING LAND USE: VACANT
  - PROPOSED LAND USE: RESORT HOTEL, CONDOMINIUMS AND VILLA CONDOMINIUMS
  - PRIVATE RESIDENTIAL LOTS: LOTS 1 AND 2 (13.84 ACRES)
  - PUBLIC STREET DEDICATION: MILES AVENUE AND STATE HIGHWAY 111 (10.44 ACRES)
  - EASEMENTS / RETENTION / OPEN SPACE / DRAINAGE / LANDSCAPE: LOT "A" (3.58 ACRES)
  - GROSS ACREAGE: 17.10 ACRES
  - NET ACREAGE: 10.68 ACRES

- EASEMENT NOTES**
- CENTERLINE OF AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF NEVADA-CALIFORNIA ELECTRIC CORPORATION IN INSTRUMENT RECORDED APRIL 30, 1937 IN BOOK 323 PAGE 98 OF OFFICIAL RECORDS.
  - CENTERLINE OF AN EASEMENT FOR POWER AND TELEPHONE LINES AND INCIDENTAL PURPOSES, IN FAVOR OF NEVADA-CALIFORNIA ELECTRIC COMPANY IN INSTRUMENT RECORDED JANUARY 22, 1938 IN BOOK 361 PAGE 295 OF OFFICIAL RECORDS.
  - CENTERLINE OF AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY, IN INSTRUMENT RECORDED FEBRUARY 11, 1969 AS INSTRUMENT NO. 12331 OF OFFICIAL RECORDS.
  - CENTERLINE OF AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY, IN INSTRUMENT RECORDED JULY 12, 1963 AS INSTRUMENT NO. 73330 OF OFFICIAL RECORDS.
  - AN EASEMENT FOR UNDERGROUND PIPELINE AND INCIDENTAL PURPOSES, IN FAVOR OF COACHELLA VALLEY COUNTY WATER DISTRICT IN INSTRUMENT RECORDED JULY 23, 1955 AS INSTRUMENT NO. 85428 OF OFFICIAL RECORDS.
  - AN EASEMENT FOR UNDERGROUND PIPELINE AND INCIDENTAL PURPOSES, IN FAVOR OF COACHELLA VALLEY COUNTY WATER DISTRICT IN INSTRUMENT RECORDED SEPTEMBER 15, 1968 AS INSTRUMENT NO. 109999 OF OFFICIAL RECORDS.
  - AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, IN INSTRUMENT RECORDED AUGUST 25, 1968 AS INSTRUMENT NO. 86330 OF OFFICIAL RECORDS.
  - AN EASEMENT FOR SEWAGE LINES AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF INDIAN WELLS IN INSTRUMENT RECORDED JULY 11, 1974 AS INSTRUMENT NO. 71604 OF OFFICIAL RECORDS.

**UTILITIES**

ELECTRIC:	SOUTHERN CALIFORNIA EDISON	(760)202-4545
GAS:	THE GAS COMPANY	(909)335-7855
TELEPHONE:	VERIZON COMPANY	(760)778-3803
WATER:	COACHELLA VALLEY WATER DISTRICT	(760)988-2661
CABLE:	TIME WARNER CABLE	(760)340-4312
SEWER:	COACHELLA VALLEY WATER DISTRICT	(760)988-2661
USA:	UNDERGROUND SERVICE ALERT	(800)227-2600



**APN OWNERSHIP**

633-310-004	CITY OF INDIAN WELLS
633-310-009	CITY OF INDIAN WELLS
633-310-013	INDIAN WELLS REDEVELOPMENT AGENCY
633-150-011	INDIAN WELLS REDEVELOPMENT AGENCY
633-150-073	INDIAN WELLS REDEVELOPMENT AGENCY
633-310-012	COACHELLA VALLEY WATER DISTRICT

Date: 11/14/2005

**EXHIBIT 4e**

**Tentative Tract Map #34258  
MILES CROSSING  
SPECIFIC PLAN**

**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893



**SECTION II LAND USE PLAN AND DEVELOPMENT STANDARDS**

**LAND USE PLAN**

Exhibits 5a through 5d show the site plans for the entire project as a whole, followed by each individual planning area in greater detail.

Development standards not specifically addressed in The Miles Crossing Specific Plan shall be in compliance with the City of Indian Wells Zoning Ordinance and other applicable ordinances.

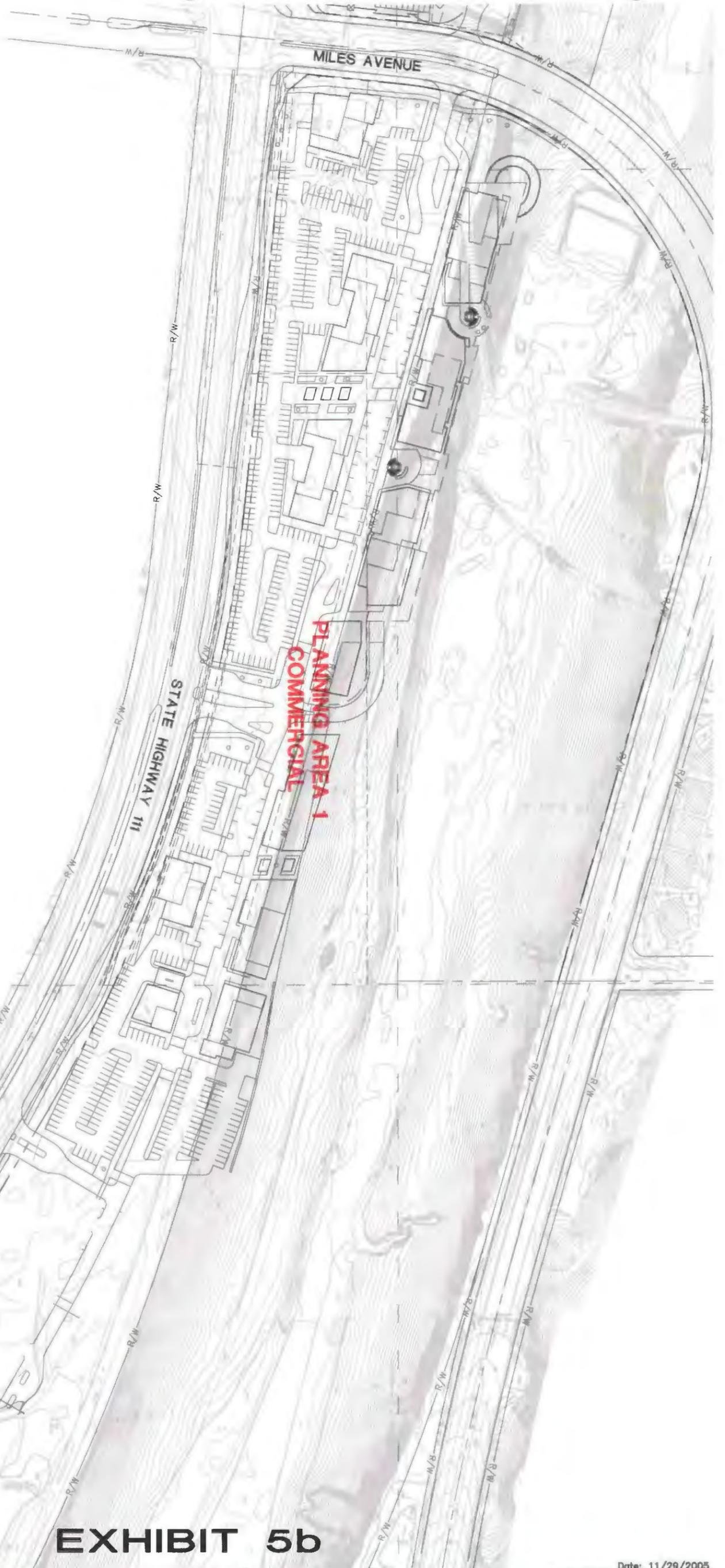
**DEVELOPMENT STANDARDS**

To ensure the orderly and sensitive development of land proposed for The Miles Crossing Specific Plan, special development standards have been created. These development standards are a supplement to the provisions of the City of Indian Wells Municipal Code, and they aid in establishing Planning Area No. 7 within the City (Miles Avenue/Washington Street area). Should conflict occur between the Municipal Code and the Specific Plan, the provisions of the Specific Plan and supporting text shall prevail. The following general development standards are:

1. Uses and development standards will be in accordance with The Miles Crossing Specific Plan and will further be defined by Specific Plan objectives, design guidelines, and future detailed development proposals including subdivisions, plot plans, and/or conditional use permits.
2. Development standards not specifically addressed in The Miles Crossing Specific Plan shall be in accordance with the City of Indian Wells Municipal Code.
3. As a requirement of the California Solid Waste Reuse and Recycling Act of 1991, adequate areas shall be provided for collection and loading of recyclable materials in residential areas where solid waste is collected and loaded in an area that contains five or more units.



NOTE:  
TOTAL SQUARE FOOTAGE OF  
COMMERCIAL SPACE PROPOSED, 121,000 SQUARE FEET



### EXHIBIT 5b

Date: 11/29/2005



**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
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34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

## Site Plan - Commercial MILES CROSSING SPECIFIC PLAN

IN-LODGE UNITS, 76 UNITS  
 VILLAS, 41 UNITS  
 TOWNHOMES, 12 UNITS  
 TOTAL UNIT COUNT, 129 UNITS



PLANNING AREA 2 -  
 CONDOMINIUM HOTEL

STATE HIGHWAY III

MILES AVENUE

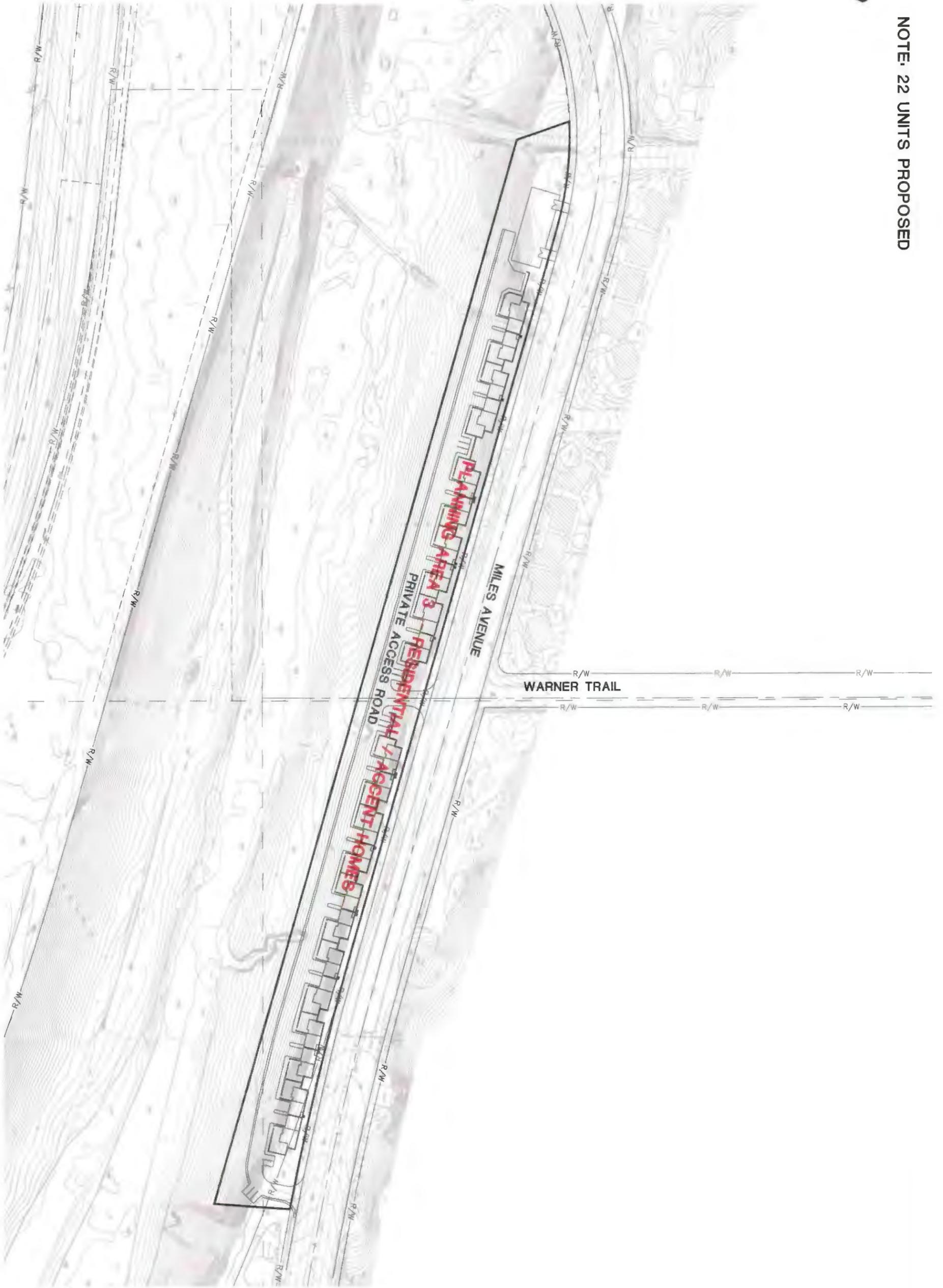


**EXHIBIT 5c**

Date: 11/28/2005

	<b>MSA CONSULTING, INC.</b> MAINIERO, SMITH & ASSOCIATES, INC. PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893	<b>Site Plan - Condominium Hotel</b> <b>MILES CROSSING</b> <b>SPECIFIC PLAN</b>
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NOTE: 22 UNITS PROPOSED



## EXHIBIT 5d

Date: 11/29/2005



**MSA CONSULTING, INC.**  
 MAINIERO, SMITH & ASSOCIATES, INC.  
 PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Site Plan - Residential / Accent Homes**  
**MILES CROSSING**  
**SPECIFIC PLAN**

4. Standards relating to signage, landscape, parking, and other related design elements appropriate to various sections of this Specific Plan. When appropriate and necessary to meet the goals and objectives of the Specific Plan, the standards contained in this document will exceed the City's Municipal Code requirements. Detailed design guidelines for the elements listed above can be found in Section 3 of this Specific Plan.
5. The property will be developed in accordance with the mandatory requirements of the City of Indian Wells Municipal Code. This Specific Plan conforms to State laws.
7. Any lots created pursuant to this Specific Plan and any subsequent tentative maps shall be in conformance with the Specific Plan zoning designation that applies to the property.

The following outlines development standards and permitted uses for each of the planning areas for Miles Crossing.

**Planning Area 1 – Commercial**

The commercial component of Miles Crossing is designed to be developed with open air restaurants and shopping, on approximately 14 acres located at the northeast corner of Miles Avenue and Highway 111. The land uses and standards listed in this section are applicable to Planning Area 1. The following uses are conditionally permitted in Planning Area 1. Any change in use will require review to determine if the new use is substantially the same as the prior use, or if the Conditional Use Permit will need to be modified.

<b><u>COMMERCIAL CONDITIONAL USES</u></b>
Retail and Service Businesses
Specialty Market
Gourmet Shop
Coffee House
Day Spa

Sit Down Restaurants with and without Bar or Cocktail Lounge
Financial
Medical Suites
Available Office Uses (2 <sup>nd</sup> floor)
Hotel/Resort Hotel Complex
Museum and Art Galleries
Dry Cleaner
Underground Parking

**COMMERCIAL PROHIBITED USES**

All uses not specified herein shall be prohibited, unless the Planning Commission determines, on a case by case basis that a proposed use is similar to a listed use and therefore allowed pursuant to the Indian Wells Zoning Code Section 21.06.080 (Use Determination).

**COMMERCIAL DEVELOPMENT STANDARDS**

Maximum Building Height from approved pad grade	30 ft.
Maximum Number of Stories from approved pad grade	2 stories
Minimum Commercial Lot Width	105 ft.
Minimum Commercial Lot Depth	75 ft.
Minimum building setback from commercial lot line (not including property lines from Highway 111 and Miles Ave)	3 ft.
Minimum building setback from Hwy 111	38 ft.
Minimum building setback from Miles Ave.	30 ft.
Parking Spaces Retail/Office/Quick Service Food Full Service Sit Down Restaurants	1 / 351 sq. ft. 14 / 1,000 sq. ft.
Minimum Parking Space Dimensions	9 ft. x 18 ft.

**Planning Area 2 – Condominium Hotel**

Planning Area 2 is the Fairmont Residences with 41 villas, 12 Townhomes, and 76 in-Lodge Units, for a total of 129 units on approximately 14 acres at the northwest corner of

Miles Avenue and Highway 111. The villas will be separated into six clusters with the Lodge located centrally. The Villa or Casita will be approximately 1,684 square feet, the Townhome will be approximately 1,408 square feet on the first floor and 1,052 square feet on the second floor. Lodge units vary in size, including studios at 549 square feet, 1 bedroom units from 1,031 square feet, and 2 bedroom units from 1,602 square feet. The following land uses and standards are applicable to Planning Area 2.

<b><u>CONDOMINIUM HOTEL CONDITIONAL USES</u></b>	
Resort Style Hotel	
Resort Casitas/Villas	
Condominiums	
Underground Parking	
Restaurant with Bar and Cocktail Lounge	
Fitness / Spa Facilities	
Retail Uses ancillary to the Resort (Gift Shops, etc.)	
Offices / Meeting Facilities	

<b><u>CONDOMINIUM HOTEL PROHIBITED USES</u></b>	
All uses not specified herein shall be prohibited, unless the Planning Commission determines, on a case by case basis that a proposed use is similar to a listed use and therefore allowed pursuant to the Indian Wells Zoning Code Section 21.06.080 (Use Determination).	

<b><u>CONDOMINIUM HOTEL DEVELOPMENT STANDARDS</u></b>	
Minimum Site Size (acres)	10 acres
<b>Building Height</b>	
Hotel Lodge – Maximum building height above approved pad elevations	80 ft.
Hotel Lodge – Maximum No. of stories	5 stories (above approved pad elevation)
Townhomes/Condos/Villas – Maximum bldg. height	30 ft.
Townhomes/Condos/Villas – Maximum No. of Stories	2 stories

<b>Setbacks</b>	
Minimum Building Setback from Hwy 111	49 ft.
Minimum Building Setback from Miles Ave	100 ft.
Side Setbacks	15 ft.
Rear Setbacks	20 ft.
<b>Parking</b>	
Total Spaces	230
Minimum Parking Space Dimensions	9 ft. x 18 ft.

**Planning Area 3 – Accent Homes**

The residential condominium portion of Miles Crossing, proposed as Miles Avenue Accent Homes, is located on approximately 4 acres within the northern edge of the Whitewater Channel. The four acres can be found south of Miles Avenue, to the east and west of Warner Trail. The 22 residential condominiums will be separated from the Resort and Commercial areas of the project by the Whitewater Channel, and will have a density of approximately 5.5 du/acre. The condominiums will be located above the 500-year flood hazard zone. The following land uses and standards are applicable to the Accent Homes portion of the project.

**ACCENT HOMES CONDITIONAL USES**

Condominiums (5.5 du/acre maximum on approximately 4 acres)

Sewer Lift Station

Utility Building

**ACCENT HOMES PROHIBITED USES**

Commercial uses

Industrial Uses

<b><u>ACCENT HOMES DEVELOPMENT STANDARDS</u></b>	
Maximum Number of units	22
Maximum Allowable Density	5.5 du/acre
Minimum Dwelling Size	2,000 sq. ft.
Maximum Building Height above the centerline of Miles Avenue	18 ft.
Maximum Number of Stories	3 stories
<b>Setbacks</b>	
Front (from south property Line)	40 ft.
Garage Door Setback (from Private Drive)	20 ft.
Minimum Distance Between Condo Clusters	16 ft.
Rear (from Miles Ave)	10 ft.
Minimum Distance Between Condo Clusters and Guest Parking located between Clusters	5 ft.
Resident Parking	2 garage spaces per unit, 2 driveway spaces per unit
Guest Parking	11 spaces (.50 spaces/unit)
Minimum Dimensions of Guest Parking Spaces on site	9 ft. x 18 ft.

### **SECTION III ARCHITECTURE AND LANDSCAPE DESIGN GUIDELINES**

#### **INTRODUCTION**

The purpose of this section is to detail the design guidelines that will be common to the entire project site, and those that will be specific to each of the three Planning Areas of Miles Crossing. All exhibits and photographs shown in this section are conceptual in nature, but are the preferred landscape and architectural designs that are modeled after similar land uses within the City of Indian Wells and surrounding communities.

The Design Guidelines contained in this section are intended to establish a medium density residential, community commercial, and resort commercial development which is consistent with the City General Plan. The guidelines for the Project have been developed to:

- Assist in implementing the intent of the Specific Plan by establishing Project designs;
- Delineate criteria for enhancing natural features, native plant materials and habitat areas;
- Provide a consistent approach to building designs, streetscape treatments, entry treatments, signage, walls, color, lighting, landscaping and other design elements that will endure for the life of the Project;
- To ensure development in keeping with the desired character of the City; and
- To ensure high quality architecture.

#### **COMMON DESIGN GUIDELINES**

The following design guidelines shall apply to all three Planning Areas within the Miles Crossing project site. Each Planning Area within Miles Crossing contains unique land uses that will have varying structural designs and landscaping styles, however, there are a number of guidelines that shall be common to all three areas to create a sense of uniformity within the project.

#### **Architectural Character**

The buildings shall maintain a consistent theme carried out by quality materials and imaginative design consistent with the existing character of Indian Wells. Building design shall be unique to the site in that the configuration should take advantage of and preserve surrounding vistas. The following standards are provided to ensure a level of quality that must be complied with:

1. The use of simple plaster masses with deep punched openings, arched entryways, and shading elements.

2. Horizontal and vertical building offsets to create articulated breaks and visual relief.
3. Wood detailing, tile work and strong colors at key places along broad plaster masses.
4. Building integration with indigenous landscaping, such that the architecture appears as an extension and outgrowth of the landscape.
5. Strategic orientation and configuration of buildings and shading elements to passively heat and cool spaces.
6. False roofs are prohibited. Flat roofs may be used in combination with other roof forms (masards, hips, gables, etc.).
7. Designs shall demonstrate a consistent use of colors, materials, and detailing throughout all elevations of the building.
8. Provide courtyards with landscaping and pedestrian amenities.
9. Provide convenient pedestrian circulation between buildings and parking areas.
10. Link buildings using enhanced paving materials.
11. Building entries shall be protected from the elements and shall create a focus of sense of entry for the building by incorporating such things as wall recesses, and arcades.
12. Variation in roof lines shall be used to add interest, and reduce the massive scale of large commercial buildings.
13. Parapet walls shall be treated as an integral part of the structural design.
14. Provide four-side architecture for all buildings.

Detailed photographs displaying the architectural designs of each Planning Area, which follow the above guidelines, will be presented later in this section of the Miles Crossing Specific Plan. The simple yet strong architectural vocabulary for the development should rely on strategically placed key details and the careful selection of landscape materials. The details employed include arcades, balconies, deeply recessed openings, low walls, wood detailing and awnings. Final building elevations and landscaping shall be reviewed and approved by the Architectural Landscape Committee prior to building plan check submittal.

### **Lighting**

The lighting guidelines listed below are consistent with the City of Indian Wells General Plan and Mt. Palomar Ordinance. When incorporated into the development of Miles

Crossing, they will eliminate sources of light pollution and aesthetic disturbance within the City:

1. The use of low or high pressure sodium light fixtures shall be prohibited.
2. Street lighting will be provided only where site-specific safety conditions warrant.
3. Exterior lighting will be located and fully shielded so as to direct light away from adjoining lots, buildings, and streets (public or private).
4. Any architectural, landscape, or accent lighting [lighting used for decorative effects] will be turned off between 11:00 p.m. and sunrise in order to protect Palomar Observatory from light pollution. Common recreational areas [club house, common pool areas, etc.] may be lighted while those facilities are actually in use. This requirement shall exclude outdoor lighting used for illuminating walkways, or other outdoor security lighting as permitted.
5. Glare free type opaque fixtures for general task lighting shall be provided.
6. Path lighting shall be accomplished with bollard fixtures and surface mounted building fixtures.
7. Parking lot lighting shall be accomplished with low profile pole lighting with a maximum height of 16'-0" or lower depending on a photometric study. Exhibit 6 includes desired light pole designs for both path and parking lot lighting.

**Service Areas (Trash Enclosures / Loading Facilities)**

1. All trash and garbage bins shall be in approved enclosures as approved by the Architectural Landscape Committee.
2. The location of trash enclosures shall all have convenient access for each tenant.
3. All trash receptacles selected shall be in conformity with existing color schemes and materials found within each Planning Area. Examples of trash receptacles for use within the project site can be found within Exhibit 6.
4. Loading facilities shall be located and concealed from public view.
5. Recycling shall be provided in all Planning Areas subject to Section 16 of the Indian Wells Municipal Code.

Edge



Hollywood



Wave



CASCADE



ALADDIN - RIBBED



MEGIDDO



ALADDIN TRASH RECEPTACLE & ASH URN



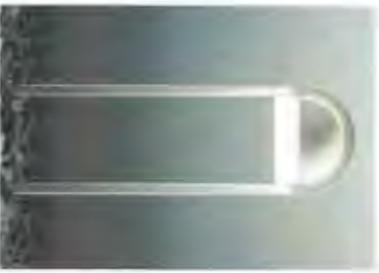
DURAH JAR



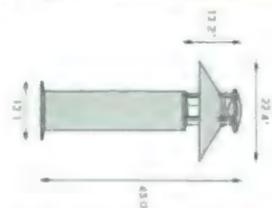
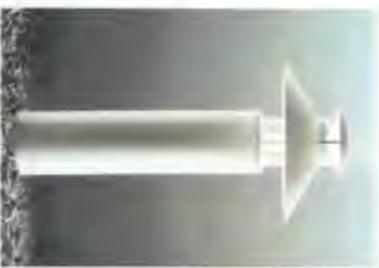
CALIFORNIA SERIES



HOMANN BOLLARD



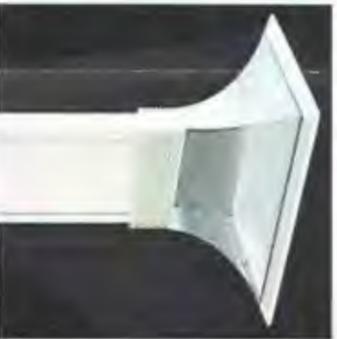
NYHAVN BOLLARD



GS02 PARKING LOT LIGHT HT.: 16'



GS04 PEDESTRIAN LIGHT HT.: 8'-10'



# EXHIBIT 6

Date: 11/14/2005



**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

## Conceptual Site Furnishings - Entire Site MILES CROSSING SPECIFIC PLAN

### **Landscaping Materials**

The landscape theme for all three Planning Areas focuses on a modified desert palette that incorporates the lushness of the existing planting along Highway 111 with more water efficient tree and shrub species to meet current water use requirements. Turf areas are limited to parkways for consistency with the current established planting and usable areas within the project. Plants, trees, shrubbery, and groundcover will be consistent with surrounding landscaping and plant species common to the area. Exhibits 7a through 7f that follow this page photographically present the plant types that shall be incorporated into the Miles Crossing project. These exhibits provide the visual representation of plant types listed within the Plant Palette tables presented for each Planning Area in later exhibits.

### **Monument Signage**

Pursuant to Title 17.12.100 of the Indian Wells Municipal Code, all monument signage related to each project component shall be made of natural materials (wood, tile, rock, etc.) and shall primarily utilize colors compatible with the desert (i.e. browns, tans, beiges, greens, etc.). Other colors may be utilized as accents as approved. Any lighting of signs will be externally located at the base of the sign. All monument signs shall be placed in a landscaped area with annual color.

### **Roof Requirements**

Roof designs or combinations thereof consistent with the general architectural theme for each area are acceptable and encouraged for main building masses. Acceptable roofing materials for pitched roofs include concrete tile, and weathering metals. Where concrete tile materials are used, a multi-hued mixture of earth tone (terra cotta, buff, olive and the like) shall be used except where specific architectural themes require a consistent color.

Although the use of concrete tile and decorative metal roofs is recommended, it is not specifically required for secondary or service building roofs provided other roof designs are compatible with the general architectural theme.

### **Equipment Screening**

All mechanical equipment shall be screened from public view. Roof-mounted mechanical equipment, ductwork and vents shall be screened from view by an architectural device consistent with the building design. Mechanical equipment shall not be loaded on the roof of a structure unless the equipment can be screened from public view by building elements that are an integral part of the Building Design. Roof-mounted mechanical equipment is prohibited on pitched roofs. Roof-mounted equipment is permitted on flat roofs if screened from view by a parapet designed to be compatible with the architecture, materials and color of the building.

PALMS



CHAMAEROPS



WASHINGTONIA FILIFERA



WASHINGTONIA ROBUSTA



PHOENIX DACTYLIFERA

EXHIBIT 7a

Date: 12/21/2005



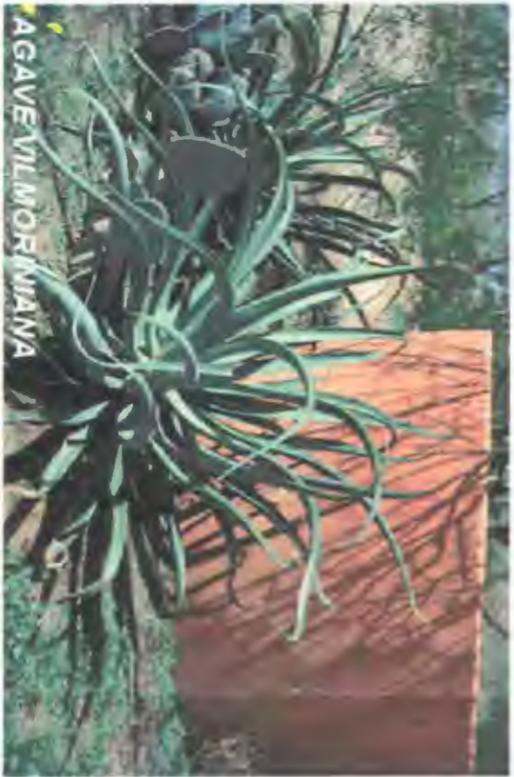
MSA CONSULTING, INC.  
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PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
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Plant Palette Images - Palms  
MILES CROSSING  
SPECIFIC PLAN

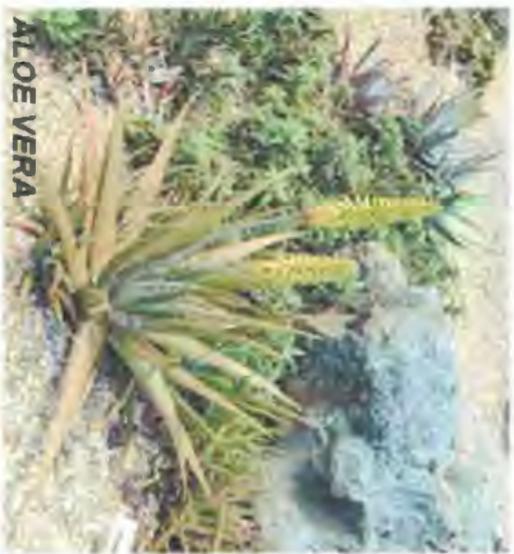
SHRUBS



AGAVE AMERICANA



AGAVE VILMORINIANA



ALOE VERA



BAILEYA MULTIRADIATA



CAESALPINIA PULCHERRIMA



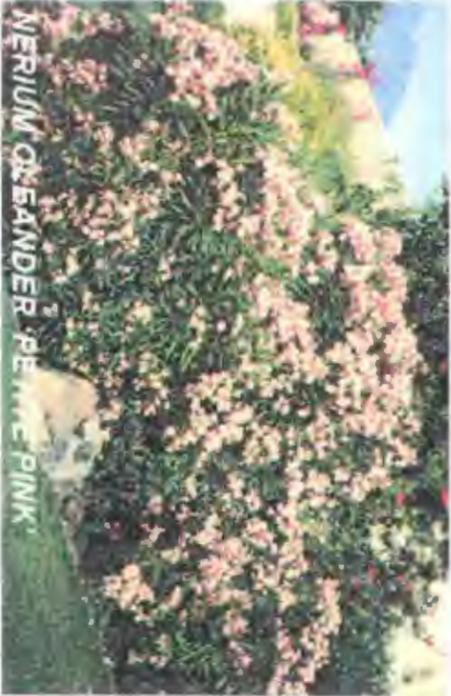
CAESALPINIA GILLIESII



CASSIA ARTEMISIOIDES



BOUGAINVILLEA 'ROSENKA'



NERIUM OLEANDER 'PEACH PINK'



BOUGAINVILLEA 'OOH-LA-LA'



BOUGAINVILLEA 'LA JOLLA'

EXHIBIT 7b

Date: 12/21/2005



MSA CONSULTING, INC.  
MAINIERO, SMITH & ASSOCIATES, INC.  
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34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
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Plant Palette Images - Shrubs 1  
MILES CROSSING  
SPECIFIC PLAN

SHRUBS



EXHIBIT 7c

Date: 12/21/2005



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Plant Palette Images - Shrubs 2  
MILES CROSSING  
SPECIFIC PLAN

SHRUBS



NOLINA LONGIFOLIA



NOLINA PARRYI



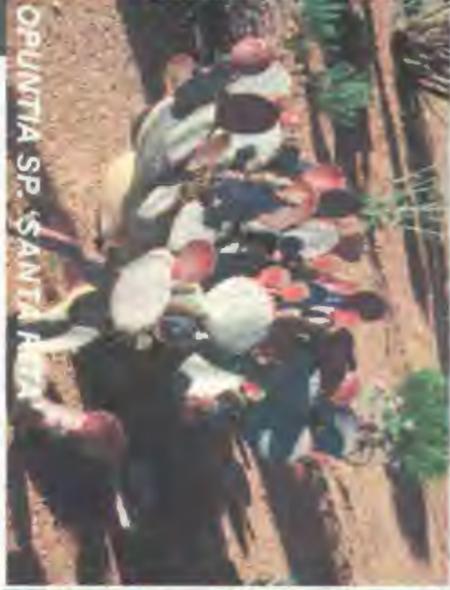
PENSTEMON SUPERBUS



PENSTEMON PARRYI



TECOMA STANS  
ORANGE JUBILEE



OPUNTIA SP. SANTA RITA



RUELLIA B. ROSA



RUELLIA PENNINSULARIS



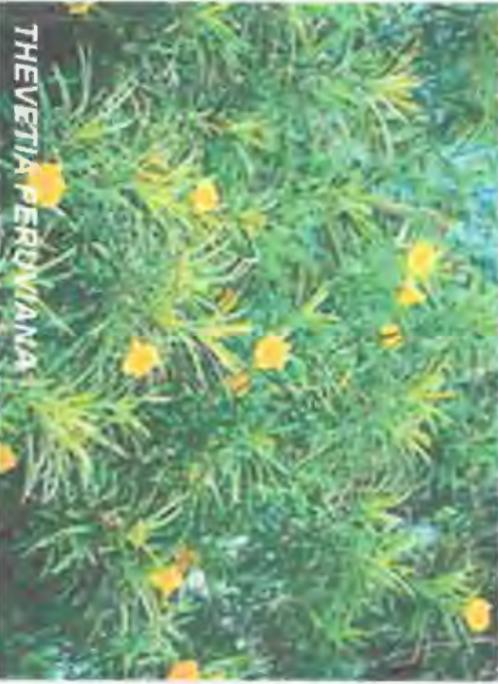
SALVIA GREGGII



PENNISETUM SETACEUM  
CUMMERTII



RUELLIA KIKATII



THEVETIA PERUVIANA



RUELLIA B. BLANCA

EXHIBIT 7d

Date: 12/21/2005



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**Plant Palette Images - Shrubs 3**  
**MILES CROSSING**  
**SPECIFIC PLAN**

TREES



ACACIA ANEURA



CERCIDIUM HYBRID 'DESERT MUSEUM'



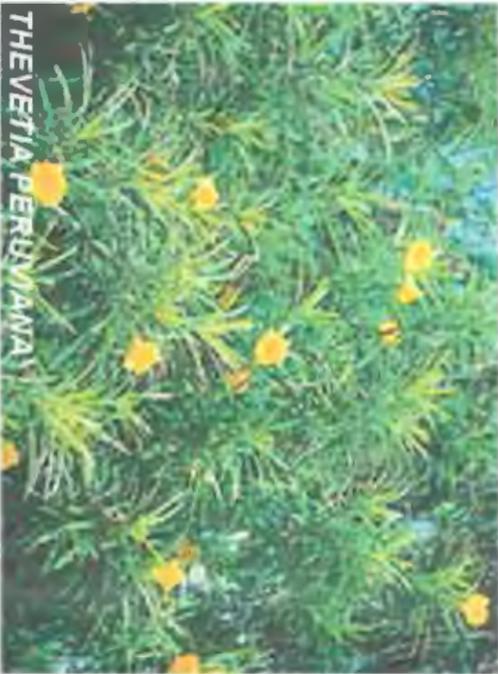
TIPUANA TIPU



ACACIA SMALLII



PROSOPIS GLANDULOSA



THEVETIA PERUVIANA



CAESALPINIA CORALLAGO



RHUS LANCEA



PERSTROEMIA INDICA

EXHIBIT 7e

Date: 12/21/2005



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**Plant Palette Images - Trees**  
**MILES CROSSING**  
**SPECIFIC PLAN**

VINES AND GROUNDCOVERS

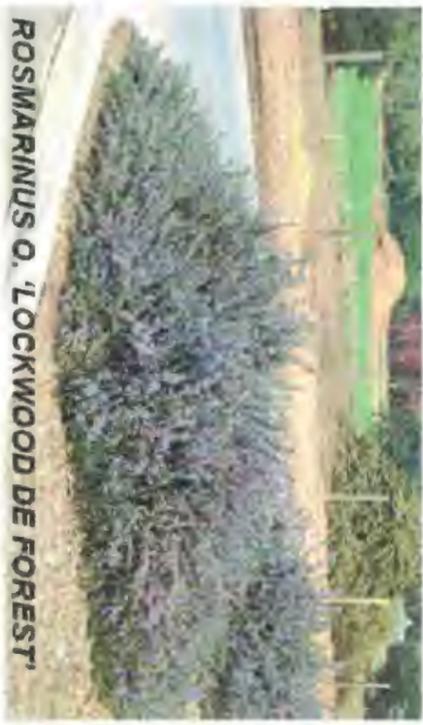
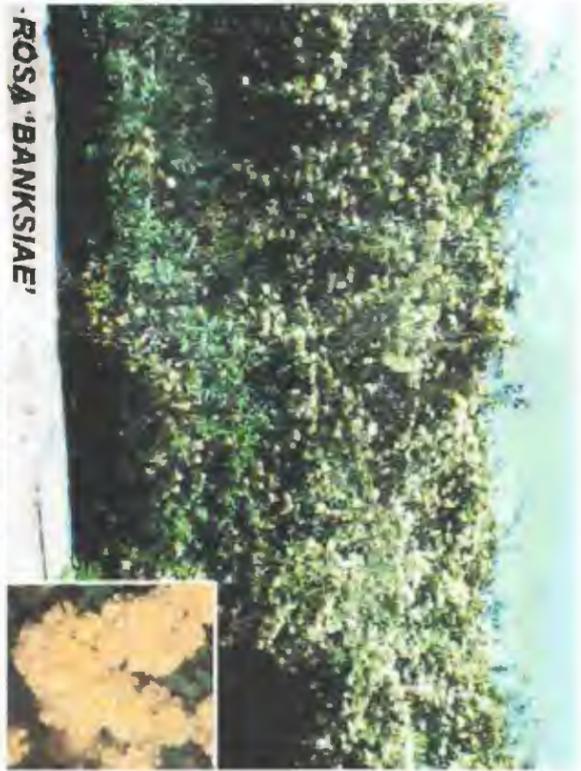
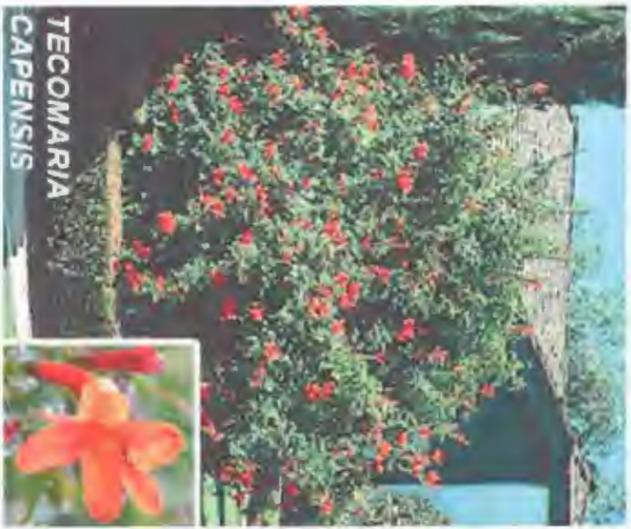


EXHIBIT 7f

N.T.S.  
-33-

Date: 12/21/2005



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**Plant Palette Images - Groundcover**  
**MILES CROSSING**  
**SPECIFIC PLAN**

## **PLANNING AREA 1 – COMMERCIAL – DESIGN GUIDELINES**

Exhibits 8 through 21d outline the design details associated with structural and landscape architecture for Planning Area 1. Any substantial variation in design must be approved by the City of Indian Wells Planning Department.

## **PLANNING AREA 1 – COMMERCIAL - GENERAL STOREFRONT GUIDELINES**

### **General Storefront Criteria**

The basic objectives of storefront criteria are to ensure high quality design and use of materials consistent with the overall theme of Miles Crossing, and to produce a wide variety of storefront designs, each uniquely different from its neighbors. The intent of these criteria is to provide the Tenant with the best opportunity to establish their desired image.

#### ***Basic Storefront Requirements:***

- All storefront designs and plans shall be subject to the approval of the Landlord.
- Storefront designs may be rejected on the basis of not maintaining the design quality of the building architecture and also may require modification in the event that they are similar to a neighboring store.
- Openings may be placed on each plane of the storefront.
- Storefronts are encouraged to have multiple planes in relation to the building architecture to create a variety of volumes and spaces.

### **Storefront Entries**

#### ***Acceptable means of storefront entries are:***

- Out-swinging framed or frameless doors. Doors may be fully glazed, solid, or any combination.
- In no event shall roll down grills or metal sliders be permitted.

### **Storefront Lighting Criteria**

With different types of merchandise displayed by the Tenants of Miles Crossing, a variety of lighting qualities are required to suit the various uses:

- Provide glare free type fixtures for general store lighting. Exposed fluorescent fixtures will not be permitted within those areas of the store interior that are visible to the public.

- Exposed lights, other than purely decorative, are not permitted.
- H.I.D. lighting shall not be used unless approved by the Landlord.
- Recessed or concealed incandescent lighting is encouraged. Recessed fluorescent fixtures must be provided with prismatic or parabolic shielding.
- Display window must be illuminated during the hours Miles Crossing is open, and illumination must be controlled by a time clock.
- Neon is prohibited.

### **Construction**

All materials and methods of construction must be acceptable for outdoor use. Miles Crossing is covered but not enclosed and therefore is subject to sun, rain and wind conditions. A waterproof membrane must seal the width of the entire storefront at the base.

### **Tenant Storefront Materials**

Acceptable storefront materials and styles are illustrated in Exhibits 8, 9a, and 9b.

All storefronts shall be constructed of high quality durable materials that can be easily maintained.

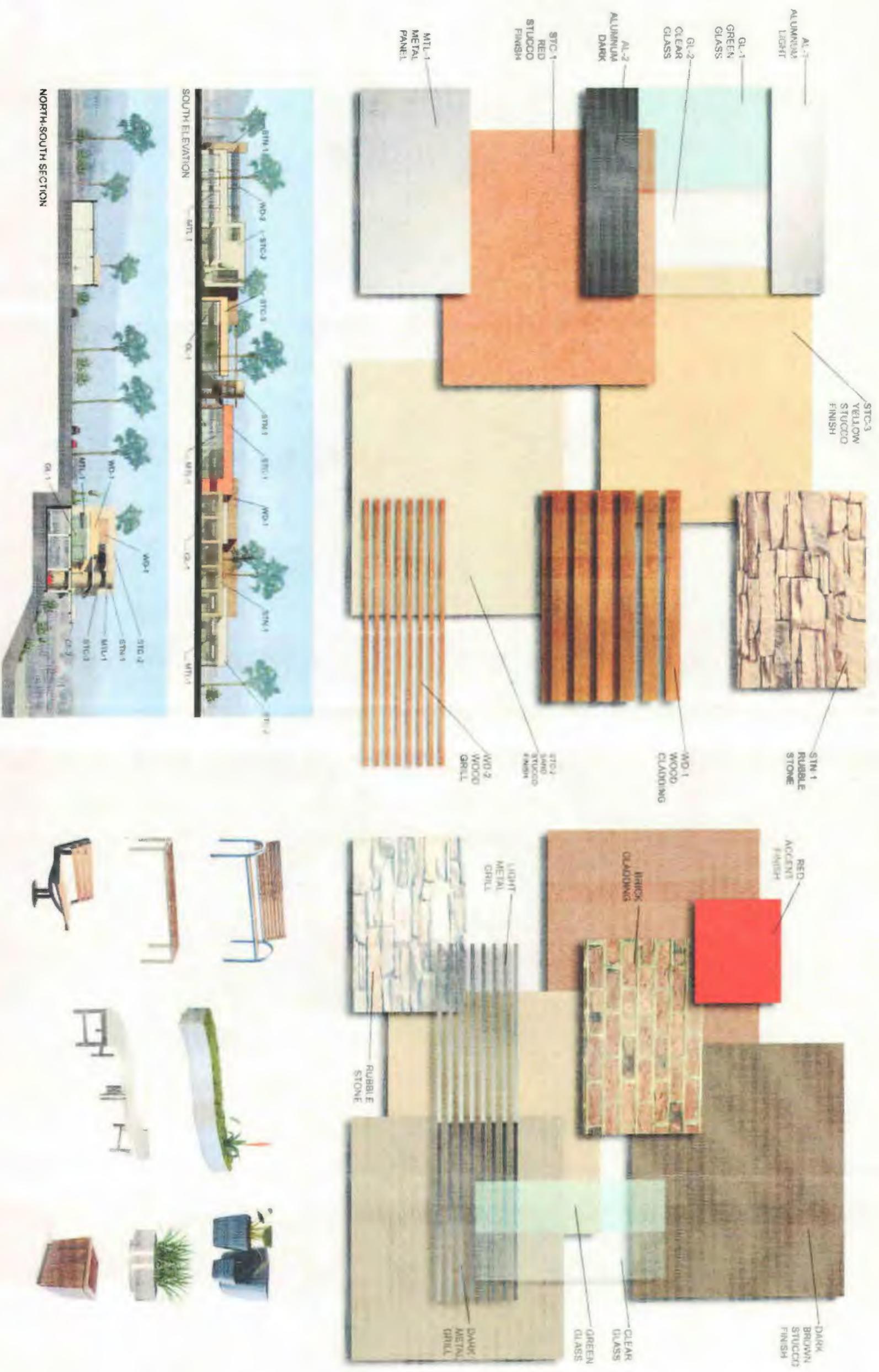
Tenants are encouraged to use materials in a non-traditional creative manner.

All materials and their finished installation are subject to the approval of the Landlord.

### ***Non-Acceptable Storefront Materials***

- Simulated materials such as wood grain and brick. (Some exceptions as faux stone may be approved by submitting a minimum 1'-0" square sample to Landlord.)
- Painted drywall (including exterior soffits).
- Wallpaper or wall covering.
- Rustic materials such as rough wood, "distressed wood", used brick.
- Plywood paneling.
- Textured or colored acrylic (i.e., imitation stained glass).

- Mirrors
- Soft Wood
- Translucent fiberglass sheeting.
- Mill finished aluminum.
- Metal or plastic laminates.



**EXHIBIT 8**

Date: 11/14/2005

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**Commercial Site Sections / Elevations and Building Materials**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Commercial Building Materials / Designs



EXHIBIT 9a

Date: 12/29/2005

N.T.S.  
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**Commercial Building Materials / Storefront Designs**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Commercial Building Materials / Designs

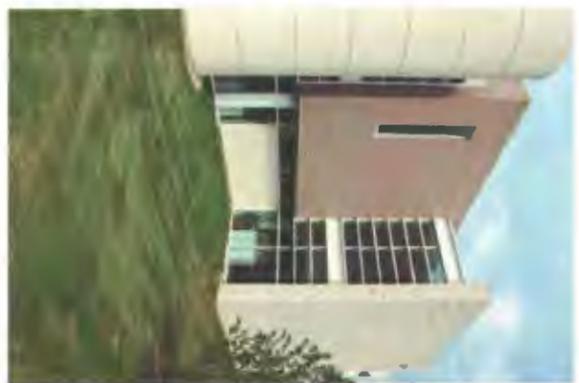
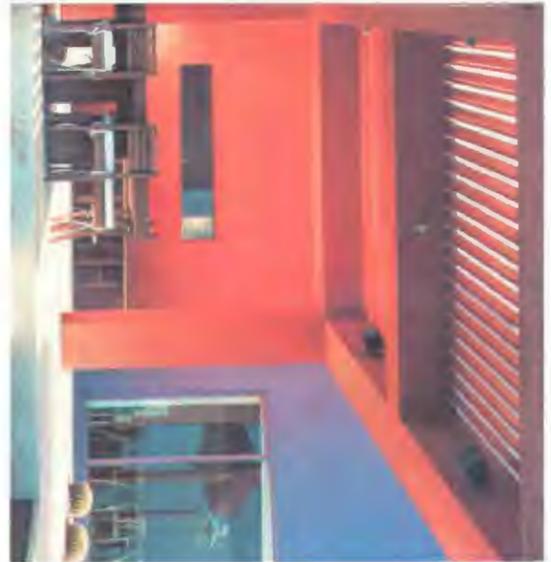


EXHIBIT 9b

Date: 12/29/2005



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Commercial Building Materials / Storefront Designs 2  
**MILES CROSSING  
 SPECIFIC PLAN**

## **PLANNING AREA 1 –DESIGN GUIDELINES BY STOREFRONT TYPE**

A variety of sign types are permitted within Planning Area 1 of Miles Crossing. The following descriptions outline the organization as well as design guidelines for each plan. Exhibit 10 displays graphically what is discussed for storefront signage.

### **Storefront Signage**

Storefronts can be located within all areas of the Miles Crossing Commercial component. These storefronts may not project beyond the lease line.

- Primary Tenant signage must be located in the Overhead Projected Sign Area shown in Plan.
- For tenants smaller than 5,000 square feet, the following criteria apply:
  - Maximum letter height: 2'6"
  - Maximum sign length: Up to 75% of the width of the storefront
  - Size: Total square footage of the sign should be up to 1.5 square feet of sign area per linear foot of leased premises, up to a maximum of 150 square feet per elevation.
- For tenants larger than 5,000 square feet in multi-tenant buildings and tenants with their own buildings, the following criteria apply:
  - Maximum letter height: 3'; up to 4' if approved by the City's Architectural Landscape Committee.
  - Maximum sign length: Up to 75% of the width of the storefront
  - Size: Total square footage of the sign should be up to 1.5 square feet of sign per linear foot of leased premises, up to a maximum of 250 square feet per elevation.
- An awning or shade structure of glass, or metal is required at these storefronts. Exhibit 12 illustrates the three permitted awning styles. The awning must have open sides, extend the full width of the storefront and may project a maximum of 6'-0". The awning may have a maximum 12" valance along the front edge only.
- A blade sign is required and must be suspended from the Tenant awning structure, or the building wall. The blade sign may be a maximum of three square feet and must be a minimum of 7"-6" clear from the finished floor (this sign must be externally illuminated with the design of lighting approved by the City's Architecture and Landscape Committee). One blade sign is allowed per Tenant per elevation. Examples of blade signs can be found within Exhibit 14.

### **Monument Signage**

Three monument signs will be allowed along the Miles Crossing Highway 111 frontage. The maximum square footage of sign area will be 60 square feet per side. Each monument sign will have two sides. The three monument signs, directional signage, and any accessibility signage shall be incorporated into a planned sign program which shall be approved by the City's Architectural Landscape Committee at a later date.

## **PLANNING AREA 1 –DESIGN GUIDELINES BY STOREFRONT TYPE**

A variety of sign types are permitted within Planning Area 1 of Miles Crossing. The following descriptions outline the organization as well as design guidelines for each plan. Exhibit 10 displays graphically what is discussed for storefront signage.

### **Storefront Signage**

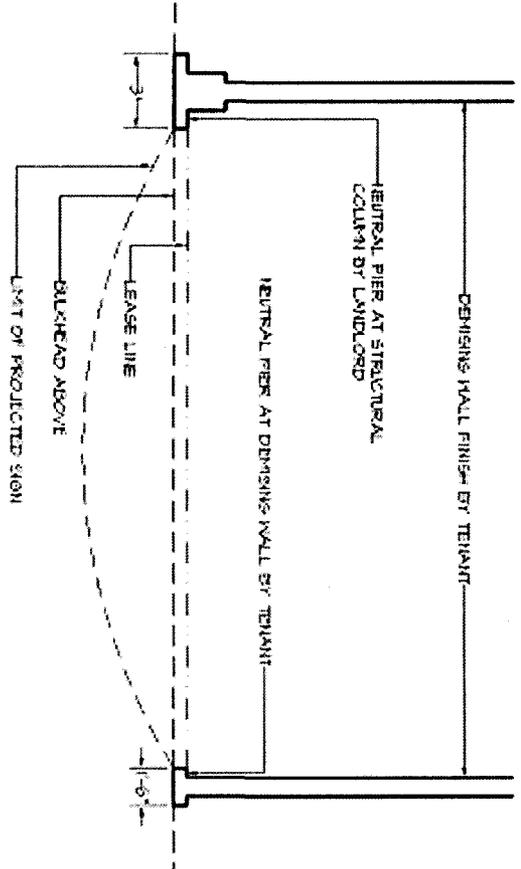
Storefronts can be located within all areas of the Miles Crossing Commercial component. These storefronts may not project beyond the lease line.

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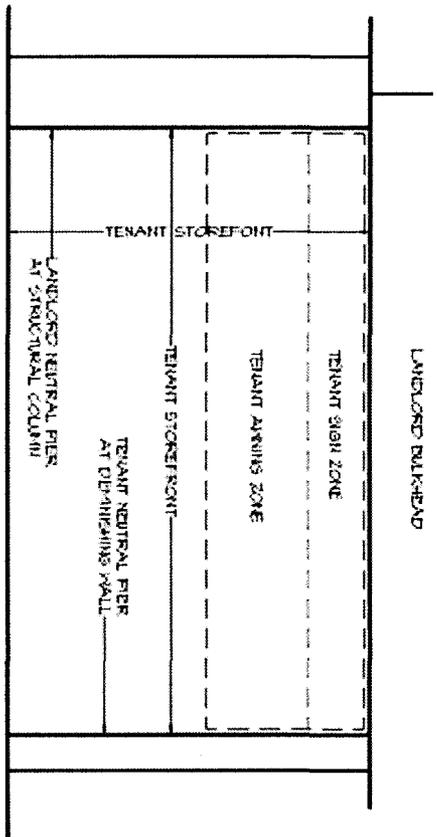
### **Monument Signage**

Three monument signs will be allowed along the Miles Crossing Highway 111 frontage. The maximum square footage of sign area will be 60 feet per side. Each monument sign will have two sides. The three monument signs, directional signage, and any accessibility signage shall be incorporated into a planned sign program which shall be approved by the City's Architectural Landscape Committee at a later date.

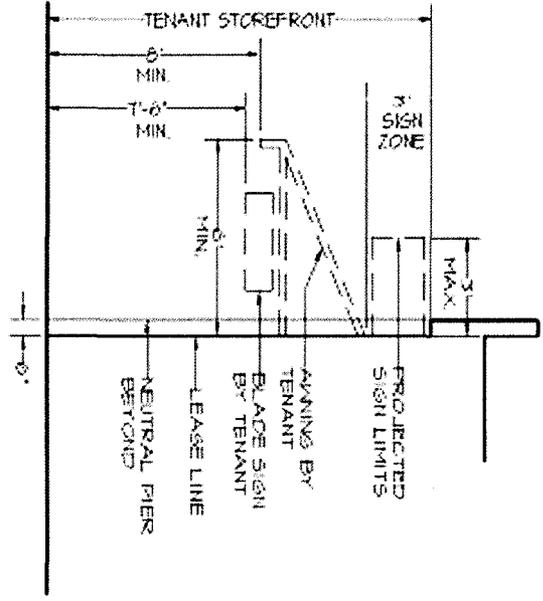
**PLAN**



**ELEVATION**



**SECTION**



**EXHIBIT 10**

N.T.S.  
-41-

Date: 2/15/2006



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**Commercial Storefront Signage Section and Elevation**  
**MILES CROSSING**  
**SPECIFIC PLAN**

**Exhibit 11**  
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Storefront Awning Styles



Metal Awning



Fabric Awning



Glass Awning

EXHIBIT 12

Date: 12/21/2005



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**Commercial Storefront Awning Styles**  
**MILES CROSSING**  
**SPECIFIC PLAN**



Storefront Trellis / Coverings



N.T.S.  
-44-

**EXHIBIT 13**

Date: 12/29/2005



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**Storefront Trellis / Covering Styles**  
**MILES CROSSING**  
**SPECIFIC PLAN**



Blade Signage Hung from Trellis



Blade Signage Hung from Trellis



Blade Signage Attached to Storefront



Blade Signage Attached to Storefront

\*NOTE: Any blade signs proposed to be internally illuminated must have ALC approval

N.T.S.  
-45-

**EXHIBIT 14**

Date: 3/18/2006

**Examples of Storefront Blade Signs**  
**MILES CROSSING**  
**SPECIFIC PLAN**

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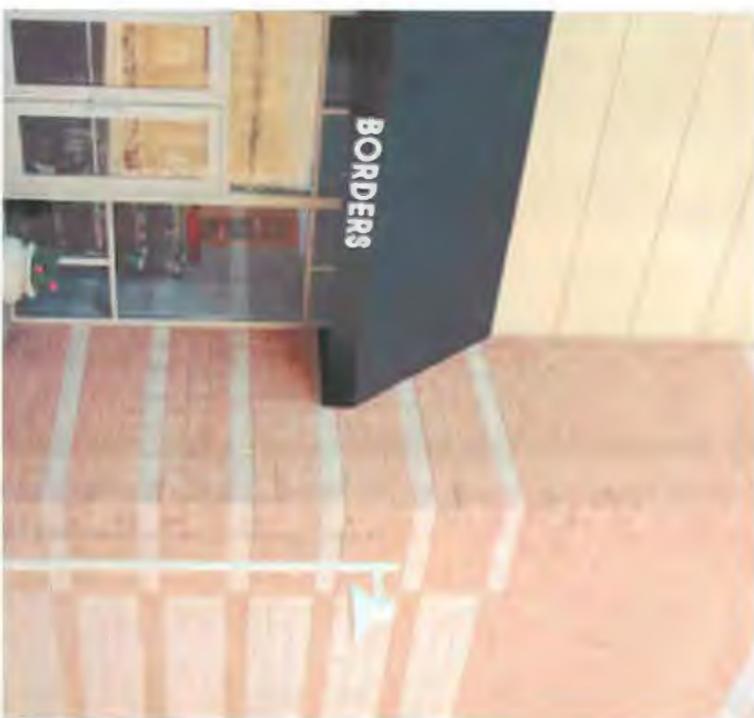
## **PLANNING AREA 1 - GRAPHICS & SIGNAGE DESIGN**

- Imaginative, unusual, and non-traditional signage is encouraged as long as it is within the design standards of Planning Area 1.
- A mixture of blade, awning mounted, and surface mounted sign types is encouraged throughout Planning Area 1. Awning mounted and surface mounted sign types are illustrated in Exhibits 15 and 16 respectively.
- One mounted sign or graphic treatment is allowed at each storefront elevation. An additional blade sign is allowed suspended from a trellis or covered walkway.
- Neon and incandescent light sources are not allowed.
- Non-internally illuminated signs must be pinmounted.
- Sign illumination must be on a time clock coordinated with mall lighting.

### **Unacceptable Sign Types**

- Box or cabinet type construction.
- Vacuum formed luminous letters.
- Vinyl letters.
- Letters with exposed fastenings and unfinished edges.
- Paper, cardboard, Styrofoam, cloth, and similar stickers or decals.
- Neon
- Moving or rotating signs.
- Signs employing flashing, flickering, or moving lights of any kind.
- Signs painted directly on the storefront sign band.

Examples of Awning Mounted Sign Types



## EXHIBIT 15

Date: 12/20/2005



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**Examples of Awning Mounted Signs**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Examples of Surface Mounted Sign Types



## EXHIBIT 16

Date: 12/21/2005



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**Surface Mounted Storefront Signs**  
**MILES CROSSING**  
**SPECIFIC PLAN**

### **Copy Requirements**

Wording of signage is limited to Tenant's registered trade name. Logos may be included, and shall be reviewed and approved by the City's Architectural and Landscape Committee.

### ***Sign Design Requirements***

Creative and unusual designs are encouraged: three dimensional shapes such as cubes, cylinders, spheres, pyramids or actual objects that define the Tenants merchandise or services offered. Examples are: eyeglasses, shoes, jewelry, wrapped gifts, containers or other objects symbolizing the activity within the Tenants premises.

Wording of signage is limited to nationally recognized, registered Tenant's trade name and/or logo. All designs must be approved by the Landlord or the Landlord's representative.

Transparency or "openness" is encouraged as well as unusual or asymmetrical profiles. Other suggested sign types are:

- Edge-lit glass or plexiglass with sand-blasted or carved image.
- Grillwork.
- Three dimensional objects carved of light-weight wood plaques.
- Routed metal face with internal illumination.

### ***Banner Signs***

Promotional or seasonal banner signs may be used by tenants on storefronts or walkways, as seen in exhibit 20c. When these signs are used, they will be temporary and in compliance with the City of Indian Wells Municipal Code.

### ***Sign Illumination***

Projecting blade signs may be externally illuminated by light fixtures contained in support brackets per Landlord specifications. Any internally and externally illuminated blade signs will be subject to review by the City's Architectural Landscape Committee.

All illumination must be on rheostat with brightness level subject to the approval of the Landlord. Electrical requirements are listed below:

- All electrical sources must come from within the Tenant's space and be on the Tenant's meter. Sign contractor is responsible for repair to the mall bulkhead.
- No exposed wiring, conduits, tubing, crossovers, or raceways will be permitted.
- All conductors, transformers, cabinets, housings, and other equipment must be concealed.
- Provide disconnect switch at sign transformer or near electrical junction box.

### **Sign Construction Requirements**

#### ***Materials:***

- All fastenings must be of hot-dipped iron, stainless steel, aluminum, brass, bronze, or black iron materials.
- All "pegged out" letters must use threaded rods or anchored bolts sleeved to conceal fastening. No clips are permitted.

#### ***Fabrication and Installation:***

- Manufacturer's names, stamps, decals, or U.L. labels must not be visible from the mall. Location of all openings for conduit and sleeves in sign panels of exterior storefront shall be indicated by the sign contractor on drawings submitted to the Landlord.

#### ***Electrical:***

- No canned signs, raceways, or internally illuminated signs are permitted except with Architectural Landscape Committee approval.
- All illuminated signs must be fabricated and installed with national local building and electrical codes and must bear the U.L. label.
- No exposed wiring, conduits, tubing, crossovers or raceways will be permitted.
- All conductors, transformers, cabinets, housings, and other equipment must be concealed.

- Electrical services to all signs will be on a time clock, on a separate service, and wired to Tenant's meter.
- All signs must be illuminated during the hours that the mall is open.
- Provide disconnect switch at sign transformer or near electrical junction box.

### **Miscellaneous Requirements**

There will be a standard Tenant identification on service doors throughout as specified through a common manufacturer by the Landlord.

Tenant may install on its enclosed mall storefront, if required by the U.S. Post Office, the numbers only of the street address in the exact location stipulated by the Landlord. Size, type and color of numbers shall be as stipulated by the Landlord. Floor signs, such as inserts into marble paving, etc., shall be permitted within the Tenant's Lease Line in their storefronts, if approved by the Landlord.

Before proceeding with signs or graphic fabrication, detailed shop drawings must be submitted in four (4) copies (with colors identified) to the Landlord for approval. Once approved, Tenant's Contractor must submit drawings for permit application to the proper authorities.

A sign, banner, advertisement, notice, decal, or other lettering shall not be exhibited, inscribed, painted, or affixed on any part of any storefront, unless specifically approved by the Landlord. Paper signs and stickers are prohibited.

Advertising banners or placards inside store must be at least 4'0" from storefront.

## **PLANNING AREA 1 – OUTDOOR FEATURES AND LANDSCAPING**

### **Outdoor Patios**

Planning Area 1 will contain dining establishments that will utilize outdoor patio space. The patio areas will be covered by trellis, umbrellas, or fabric tension structures, and may be at ground level or elevated on deck structures enclosed by wrought iron railings. Furniture styles may vary, but colors and themes will remain consistent with the building materials used throughout the site. Exhibit 17 shows examples of furniture, coverings, and railing detail for the outdoor patio areas within Planning Area 1.

### **Art in Public Places**

Planning Area 1 shall provide a contribution to the cultural enrichment of the community through participating in an art in public places program. Examples of public art styles to be utilized throughout Miles Crossing Planning Area 1 are shown in Exhibit 18. All proposed public art shall be approved by the City Council.

### **Pedestrian Circulation Element**

Because Planning Area 1 is an open-air commercial center, an efficient and enjoyable pedestrian circulation element is an important component of the design. Underground parking structures, along with above ground parking areas being located far enough away from the commercial buildings and screened with landscaping, will both aid in lessening the presence of automobiles as much as possible. Numerous sidewalks and pedestrian corridors, as shown in Exhibit 19, will serve as the basis for pedestrian circulation around the commercial site. Exhibits 20a through 20d illustrate the conceptual streetscape views within the commercial site through the eyes of the pedestrian on the ground. Architectural design features shown in previous exhibits are also called out within these exhibits.

### **Landscaping**

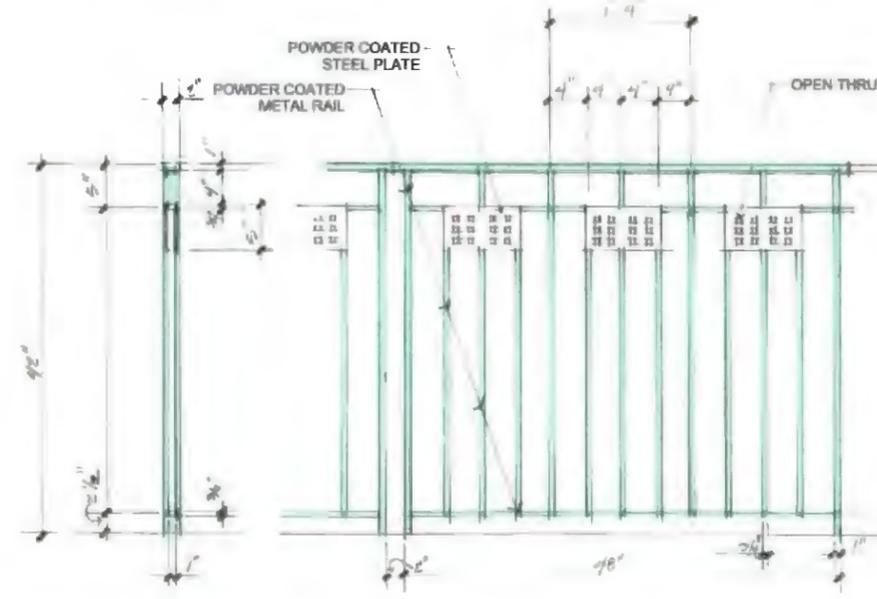
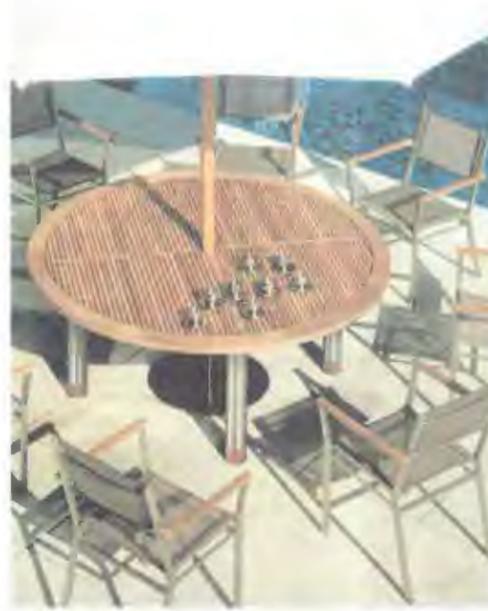
Planning Area 1 relies on a mixed planting of Date and hybrid Fan Palms to provide an "oasis" feeling along major corridors and to give the project a unique skyline when viewed from a distance. Interior small scale planters against buildings and highly visible "view corridors" will be treated with a more residential feel with small scale shrubs, accent plants and unique ground plane treatments of cobble and decorative gravels. Plantings will include Sweet Acacia, Cascalote, Crape Myrtle, Tipu tree, Century Plant, Aloe, Easter Egg bush, Purple Opuntia, Penstemon and Autumn Sage. The parkways will be treated similarly to the current parkways and will blend with those existing on the senior housing and resort parkways. Exhibits 21a through 21d display the conceptual landscaping plans and plant palette for Planning Area 1.

### **Service Areas (Trash Enclosures / Loading Facilities)**

The following design guidelines are applicable to all service areas within Planning Area 1. Service areas within the Commercial portion are those areas designated for trash enclosures and loading/unloading facilities. Schematic designs of these areas are illustrated in Exhibits 17b and 17c.

1. All trash and garbage bins shall be in approved enclosures as approved by the Architectural Landscape Committee.
2. The location of trash enclosures shall all have convenient access for each tenant.
3. All trash receptacles selected shall be in conformity with existing color schemes and materials found within each Planning Area. Examples of trash receptacles for use within the project site can be found within Exhibit 6.
4. Loading facilities shall be located and concealed from public view.
5. Recycling shall be provided in all Planning Areas subject to Section 16 of the Indian Wells Municipal Code.

# Conceptual Commercial Patio Furniture, Coverings, and Railing Detail



**EXHIBIT 17a**

Date: 12/29/2005

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**Commercial Patio Furniture and Coverings**  
**MILES CROSSING**  
**SPECIFIC PLAN**

# Commercial Service Areas - Plan View

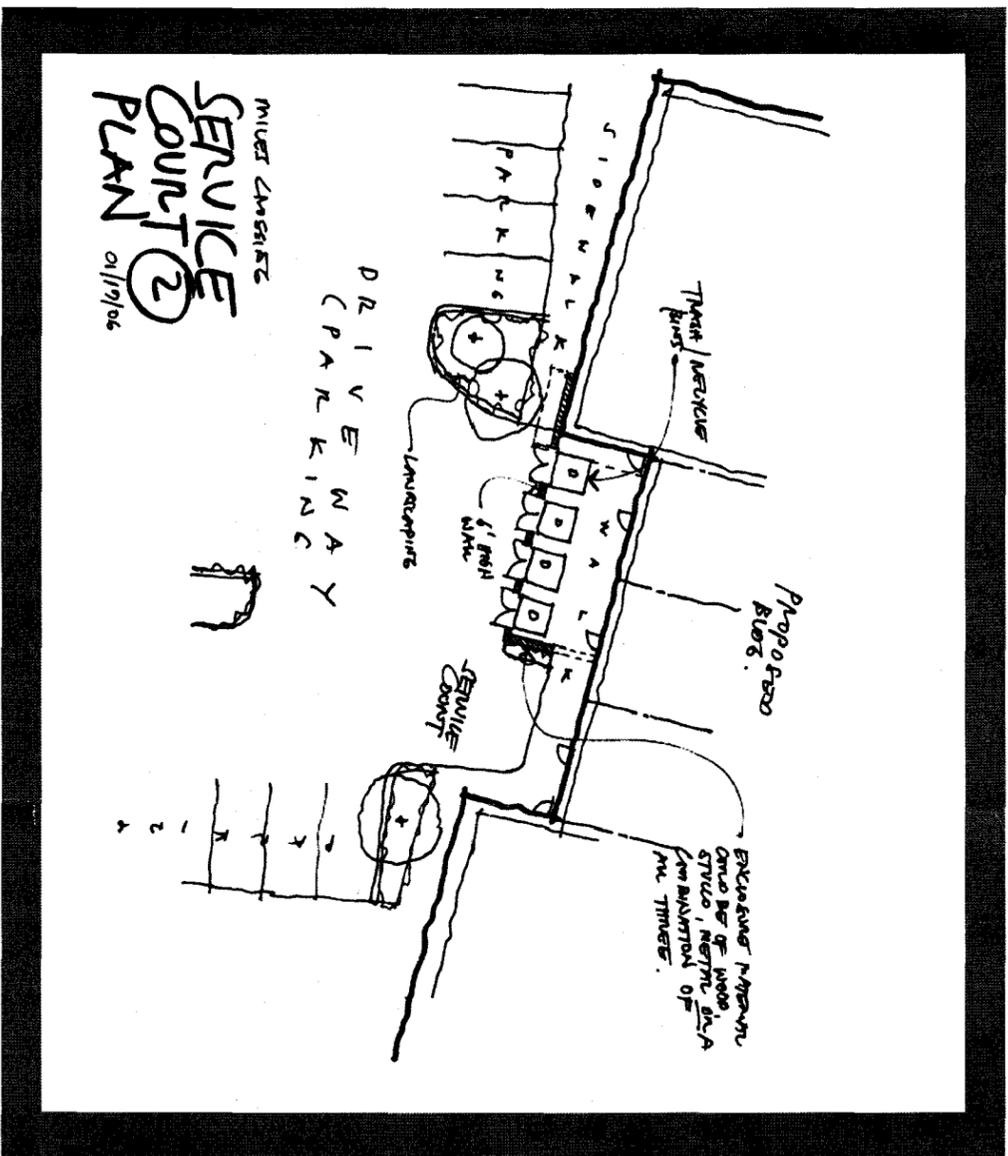
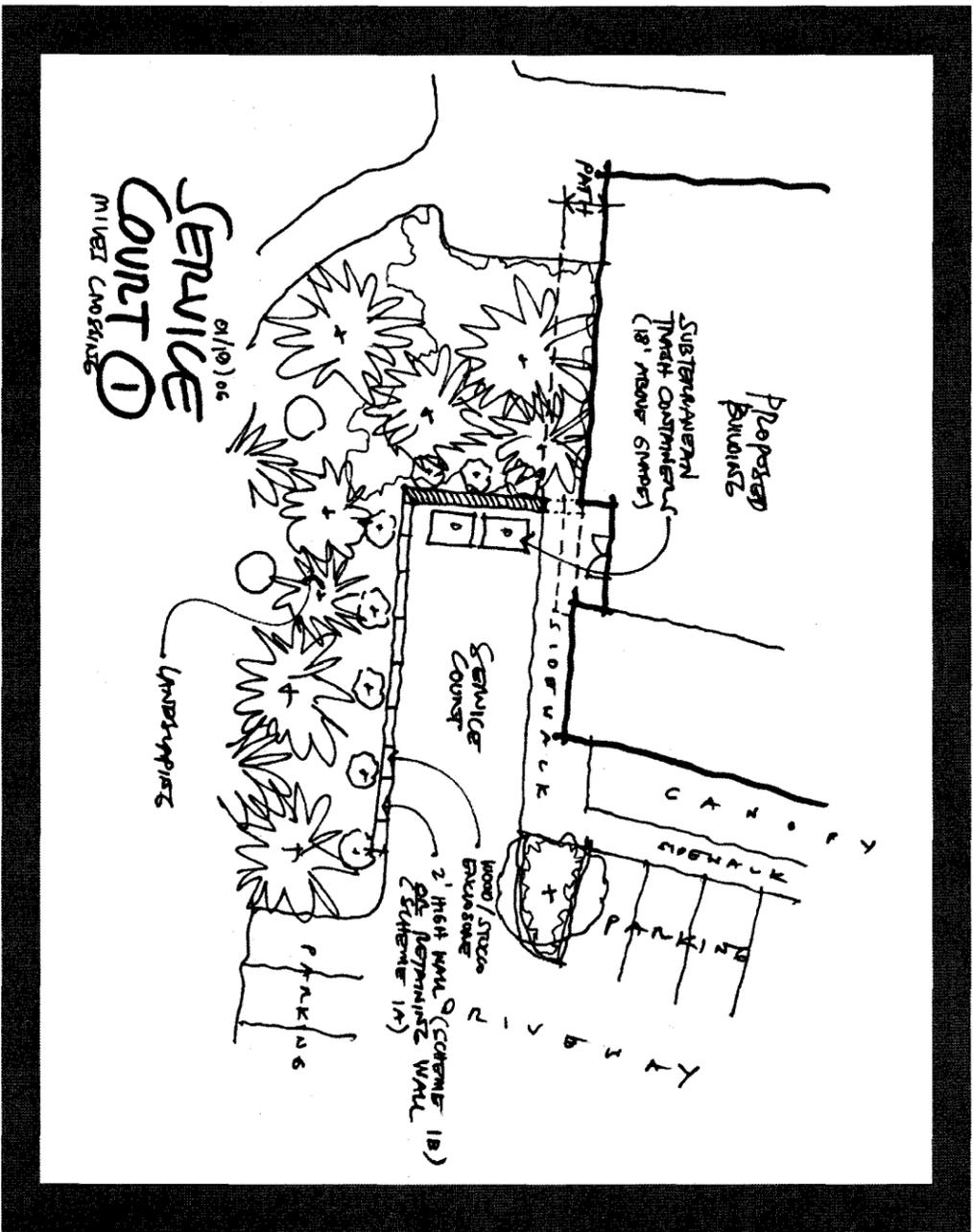
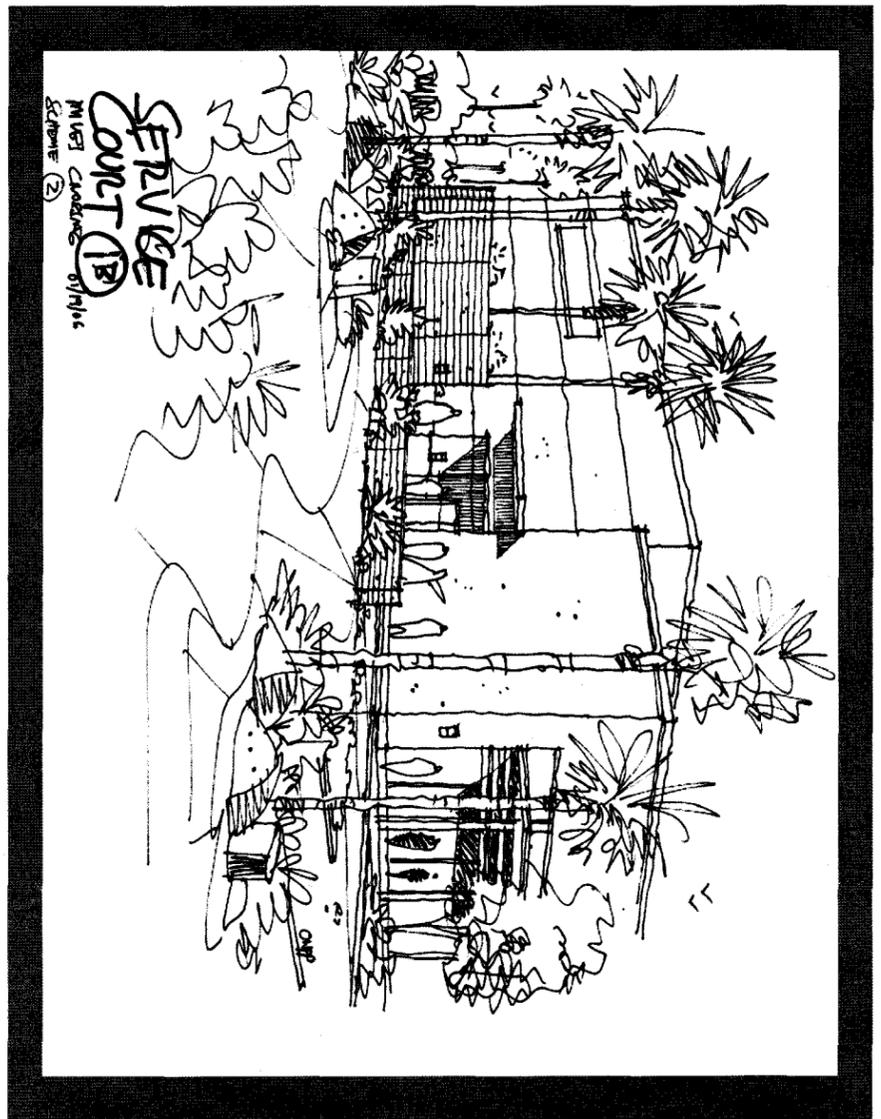
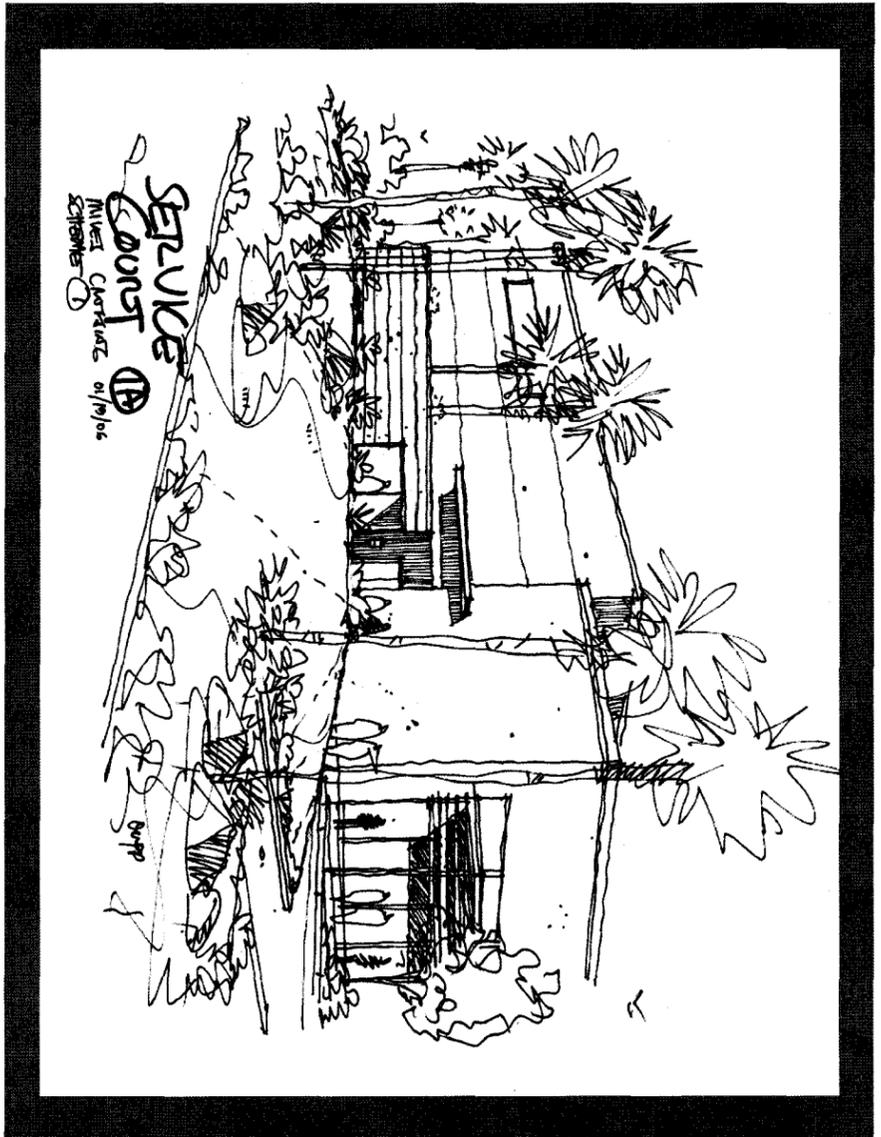
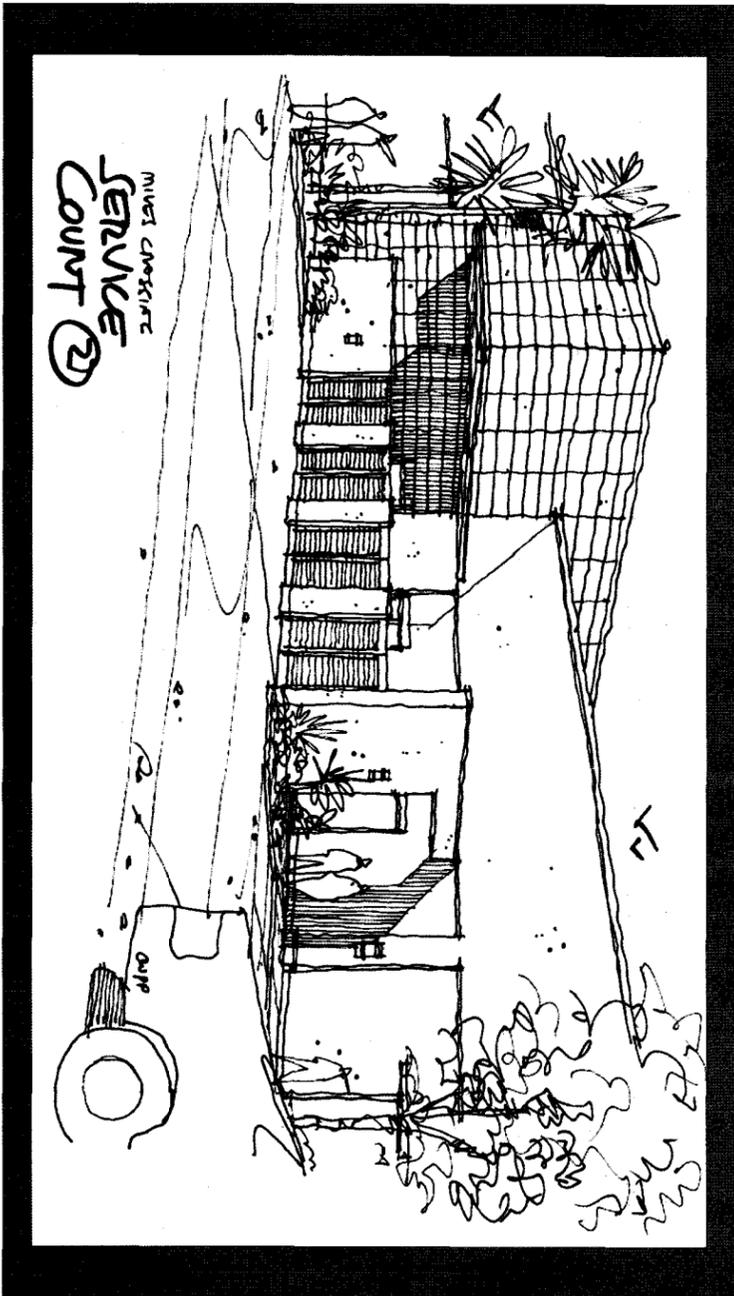


EXHIBIT 17b

Date: 1/23/06

	<b>MSA CONSULTING, INC.</b> MAINIERO, SMITH & ASSOCIATES, INC. PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893	<b>Commercial Service Areas - Plan View</b> <b>MILES CROSSING</b> <b>SPECIFIC PLAN</b>
	N.T.S. -54-	



N.T.S.  
-55-

## EXHIBIT 17c

Date: 1/23/06



**MSA CONSULTING, INC.**  
**MAINIERO, SMITH & ASSOCIATES, INC.**  
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**Commercial Service Areas - Street View**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Conceptual Public Art Designs for Commercial Site



EXHIBIT 18

Date: 12/21/2005



**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
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**Commercial Site Public Art**  
**MILES CROSSING**  
**SPECIFIC PLAN**



N.T.S.  
 -57-

**EXHIBIT 19**

Date: 12/20/2005



**MSA CONSULTING, INC.**  
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**Commercial Site Pedestrian Circulation Plan**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**EXHIBIT 20a**

Date: 12/16/2005



**MSA CONSULTING, INC.**  
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**Conceptual Commercial Streetscape**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**EXHIBIT 20B**

N.T.S.  
-59-

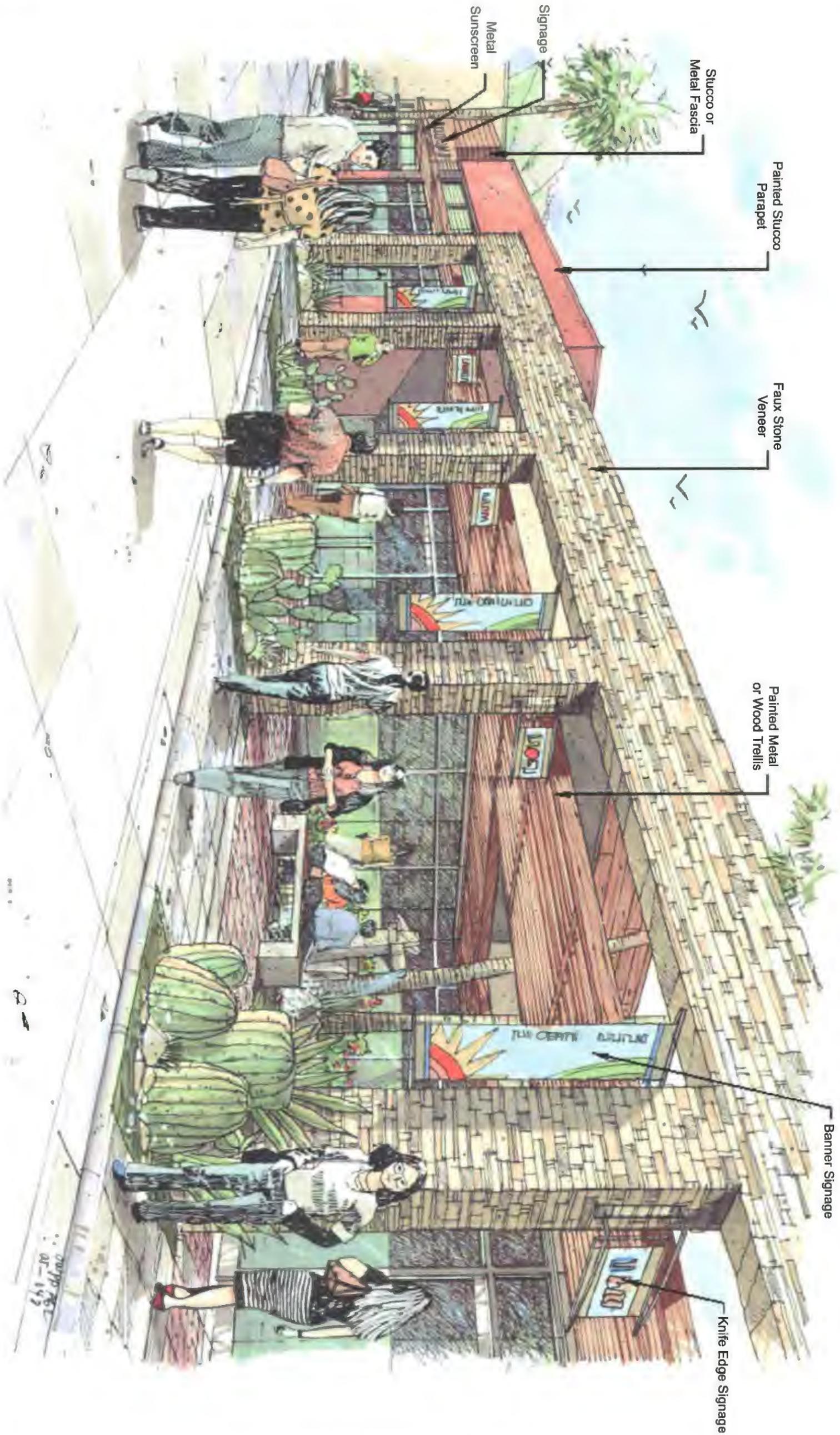


Date: 11/14/2005



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**Conceptual Commercial Streetscape 2 (Entry)**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**EXHIBIT 20c**

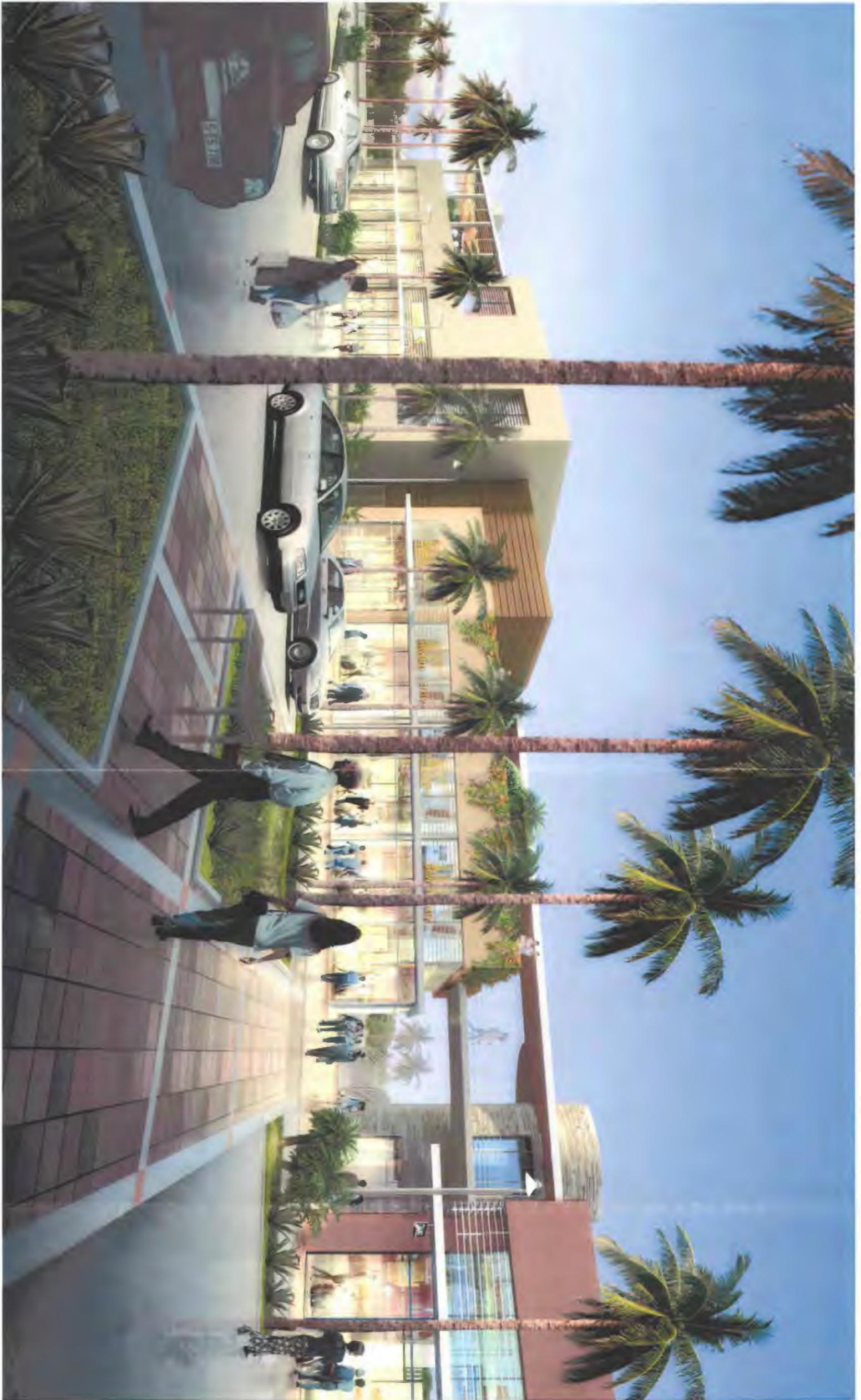
Date: 12/23/05

N.T.S.  
-60-



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**Conceptual Commercial Streetscape 3**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**EXHIBIT 20d**

N.T.S.  
-61-

Date: 12/29/05



**MSA CONSULTING, INC.**

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**Conceptual Commercial Streetscape 4**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**EXHIBIT 21a**

Date: 12/16/2005



N.T.S.  
-62-

	<p><b>MSA CONSULTING, INC.</b>  <b>MAINIERO, SMITH &amp; ASSOCIATES, INC.</b>          PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING          34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270          TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893</p>	<p><b>Conceptual Commercial Landscaping - Entire Site</b>  <b>MILES CROSSING</b>  <b>SPECIFIC PLAN</b></p>
--	--	--



KEY MAP

N.T.S.  
-63-

## EXHIBIT 21b

Date: 12/16/2005



**MSA CONSULTING, INC.**  
**MAINIERO, SMITH & ASSOCIATES, INC.**  
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**Conceptual Commercial Landscaping - Section 1**  
**MILES CROSSING**  
**SPECIFIC PLAN**

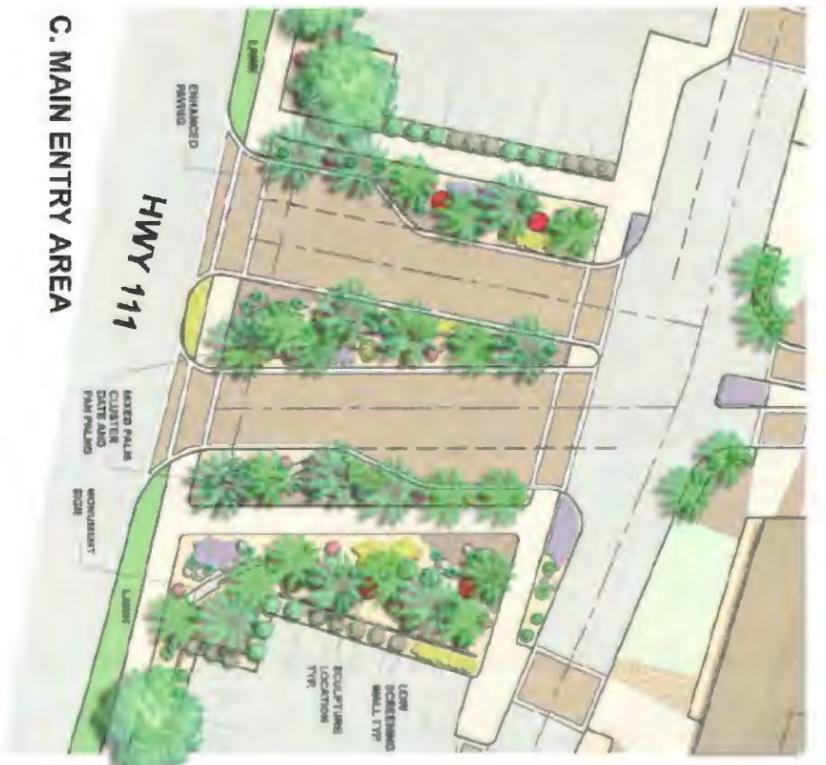


EXHIBIT 21c

Date: 12/16/2005



**MSA CONSULTING, INC.**  
 MAINIERO, SMITH & ASSOCIATES, INC.  
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**Conceptual Commercial Landscaping - Section 2**  
**MILES CROSSING**  
**SPECIFIC PLAN**

**PLANT PALETTE (COMMERCIAL SITE)**

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
<b>TREES:</b>					
ASM		ACACIA SMALLI	SWEET ACACIA	24'-06" BOX	STANDARD
AST		ACACIA STENOPHYLLA	SHOESTRING ACACIA	24'-06" BOX	STANDARD
CCC		CEASALPINA CACALACO	CASCALOTE	24' BOX	MULTI
CDM		CERCIDILUM HYBRID 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	24'-06" BOX	MULTI
LJ		LAGERSTROEMIA INDICA	GRAPE MYRTLE	24' BOX	MULTI
PTE		PTHECELLOBIUM FLESCALE	TEXAS EBONY	36' BOX	MULTI
PL		PHAS LANCEA	AFRICAN SUMAC	24'-06" BOX	MULTI
TP		THEVETA PERUVIANA	YELLOW OLEANDER	24'-06" BOX	MULTI
TPU		TPUANA TPU	TPU TREE	24'-06" BOX	STANDARD
<b>PALMS:</b>					
CH		CHAMAEROPS HUMILIS	MEDITERRANEAN FAN PALM	24' BOX	
PD		PHOENIX DACTYLIFERA	DATE PALM	6'-12" BTH	SIGNED
WF		WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	6'-12" BTH	SIGNED
WR		WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	12'-18" BTH	SIGNED
<b>CACTI / SHRUBS:</b>					
AAC		AGAVE AMERICANA	CENTURY PLANT	15 GAL	
AV		AGAVE VELMORIANA	OCTOPUS AGAVE	5 GAL	
AVB		ALOE VERA (BARBADENSIS)	MEDICINAL ALOE	5 GAL	
BL		BOUGAINVILLEA 'LA JOLLA'	BOUGAINVILLEA	5 GAL	
BOO		BOUGAINVILLEA 'OCH LA LA'	BOUGAINVILLEA	5 GAL	
CA		CASSIA ARTEMISIOIDES	FEATHERY CASSIA	5 GAL	
CFU		CAESALPINA PULCHERRIMA	RED BRD OF PARADISE	5 GAL	
DO		NERIUM OLEANDER 'PETITE PINK'	DWARF OLEANDER	5 GAL	
DW		DASYLIRION WHEELERI	DESERT SPOON	5 GAL	
EF		ENCELIA FARNOSA	BRITTLE BUSH	5 GAL	
ENB		EREMOPHILA RACEMOSA BICOLOR	EASTER EGG BUSH	5 GAL	
HP		HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	
HPY		HESPERALOE PARVIFLORA 'YELLOW'	YELLOW YUCCA	5 GAL	
JUC		JUSTICA CALIFORNICA	CHUPAROSA	5 GAL	
LPG		LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	'GREEN CLOUD' TM	5 GAL	
LFL		LEUCOPHYLLUM LAEVIGATUM	CHI-HUAMIAN SAGE	5 GAL	
LJR		LEUCOPHYLLUM LANGMANIAE 'TIO BRAVO'	'TIO BRAVO' TM	5 GAL	
LFT		LEUCOPHYLLUM CANDIDUM 'THUNDER CLOUD'	'THUNDER CLOUD' TM	5 GAL	
MEA		MULLENBERGIA LINDEMAYERI 'AUTUMN GLOW'	'AUTUMN GLOW' TM	5 GAL	
MER		MULLENBERGIA CAPILLARIS 'REGAL MIST'	'REGAL MIST' TM	5 GAL	
NP		NOLINA PARRYI	DWARF MEXICAN GRASS TREE	5 GAL	
OS		OPUNTIA SP. 'SANTA RITA'	PURPLE OPUNTIA	5 GAL	
PEP		PENSTEMON PARRYI	PARRY'S PENSTEMON	1 GAL	
PES		PENSTEMON SUPERBUS	SUPERB PENSTEMON	1 GAL	
RK		RUELLIA KATY	RUELLIA	1 GAL	
PER		RUELLIA BRITTONIANA 'ROSA'	PINK DWARF RUELLIA	1 GAL	
RUP		RUELLIA PENINSULARIS	RUELLIA	5 GAL	
SG		SALVA GREGGII	AUTUMN SAGE	5 GAL	
TP		THEVETA PERUVIANA	YELLOW OLEANDER	5 GAL	
TS		TECOMA STANS 'ORANGE JUBILEE'	ORANGE JUBILEE	5 GAL	
XCC		XYLOSMA CONGESTUM 'COMPACTA'	DWARF XYLOSMA	5 GAL	
<b>ESPALIER/VINES:</b>					
BEK		BOUGAINVILLEA 'BARBARA KANST'	BOUGAINVILLEA	15 GAL	WFE TO WALL
TEC		TECOMARIA CAPENSIS	CAPE HONEYBUCKLE	15 GAL	WFE TO WALL
RBS		ROSA 'BANKSAE'	LADY BANKS ROSE	15 GAL	WFE TO WALL
<b>GROUND COVER:</b>					
ACR		ACACIA R. 'DESERT CARPET'	TRAILING ACACIA	1 GAL	
CCC		CARRISA G. 'GREEN CARPET'	NATAL PLUM	1 GAL	
LAM		LANTANA MONTEVIDENSIS	PURPLE PROB. LANTANA	1 GAL	
LNG		LANTANA NEW GOLD'	SPREADING YELLOW LANTANA	1 GAL	
LBS		LANTANA M. 'SPREADING SUNSHINE'	YELLOW PROSTRATE LANTANA	1 GAL	
LAWN		HYBRID BERMUDA 'TIPWAY GREEN' 80D - OVERSEED WITH PERENNIAL RYE DURING WINTER		80D	
BLDG		CRESTA ROJA, FROM SOUTHWEST BOULDER AND STONE (760) 342-8822			
COBBLE		INDIAN GOLD COBBLE - 1'-4" DIAMETER - FROM SOUTHWEST BOULDER 760-761-9368 COVER AREA COMPLETELY			
DG 01		DESERT SUNSET DECOMPOSED GRANITE 3/8" MINUS W/ 1% FINES - 2" DEPTH, PLACE IN ALL PLANTING AREAS UNLESS OTHERWISE NOTED			
DG 02		DECOMPOSED GRANITE - APACHE BROWN 1/4" MINUS, 1 1/2" THICK LAYER, STABILIZED.			
EDR		EPIC PLASTICS 'BEND-A-BOARD' 1 X 6" HEADER, COLOR BROWN			

N.T.S.  
-65-

**EXHIBIT 21d**

Date: 11/14/2005



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**Commercial Plant Palette**  
**MILES CROSSING**  
**SPECIFIC PLAN**

## **PLANNING AREA 2 – CONDOMINIUM HOTEL - DESIGN GUIDELINES**

### **Architecture**

Exhibits 22a through 26 detail the proposed architectural designs for Planning Area 2. The descriptions below are meant to supplement the visual detail provided by these exhibits.

The following architectural elements should be incorporated in order to increase building articulation and reduce the scale of the resort lodge and clustered villas:

- Rich building materials and colors that blend into the surrounding desert landscape (see Exhibits 22a through 23c).
- Varying roof plate heights that create a layered or staggered roofline (see Exhibits 22a and 23a).
- Elements such as arcades or balconies that “step” in plan and elevation, creating shadow and depth.
- Entries should be articulated with larger openings in the facade, richer building materials and colors, and arcades or portals.
- Pool cabanas, entry plazas and courtyards should include shading elements such as trellises and landscaping (see Exhibit 24)
- Elements such as awnings, balconies, roof overhangs, or trellises that protrude from building elevations (see Exhibits 25, 26, and 27).
- All Windows will be constructed with high performance glass, and metal window frames will be concealed using stucco and stone veneer materials.

### **Landscaping**

Planting themes vary on the Condominium Hotel site in that Palms are not used as the major theme element, but overall character is consistent with a residential enclave with emphasis being given to entry areas and the individual residences. Additionally, each pool area will be given a unique character which reflects their overall theme. Plantings which utilize Mulga trees, African Sumac, Yellow Oleander, Tipu tree, Mediterranean Fan Palms, Bougainvillea, Mexican and Red Bird of Paradise, Hop Bush, Texas Ranger, Penstemon, Dwarf Pink and White Rullia, and Orange Jubilee will dominate. The exhibits that follow the Lodge and Condominium architecture (Exhibits 28a, 28b, and 29) display the landscaping plans and plant palette for Planning Area 2.



Concrete Tile Roof

Painted Plaster Finish

Factory Painted Aluminum Sliding Glass Doors and Windows

Painted Iron Railing

Painted Steel Canopies  
Precast PRP Panels

**EXHIBIT 22a**

Date: 11/14/2005

*Fairmont*  
INDIAN WELLS  
N.T.S.  
-67-



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**Hotel Lodge South Side Rendering**  
**MILES CROSSING**  
**SPECIFIC PLAN**



- Concrete Tile Roof
- Painted Plaster Finish
- Factory Painted Aluminum Sliding Glass Doors and Windows
- Painted Iron Railing
- Precast PRP Panels

**EXHIBIT 22b**

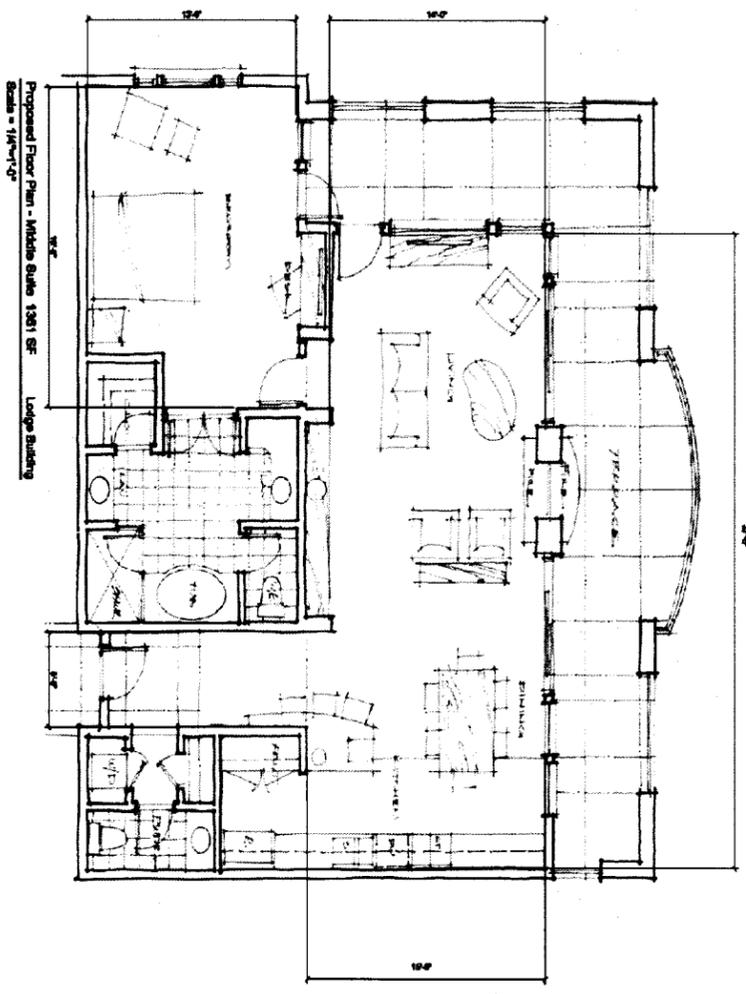
Date: 12/21/2005

N.T.S.  
-68-

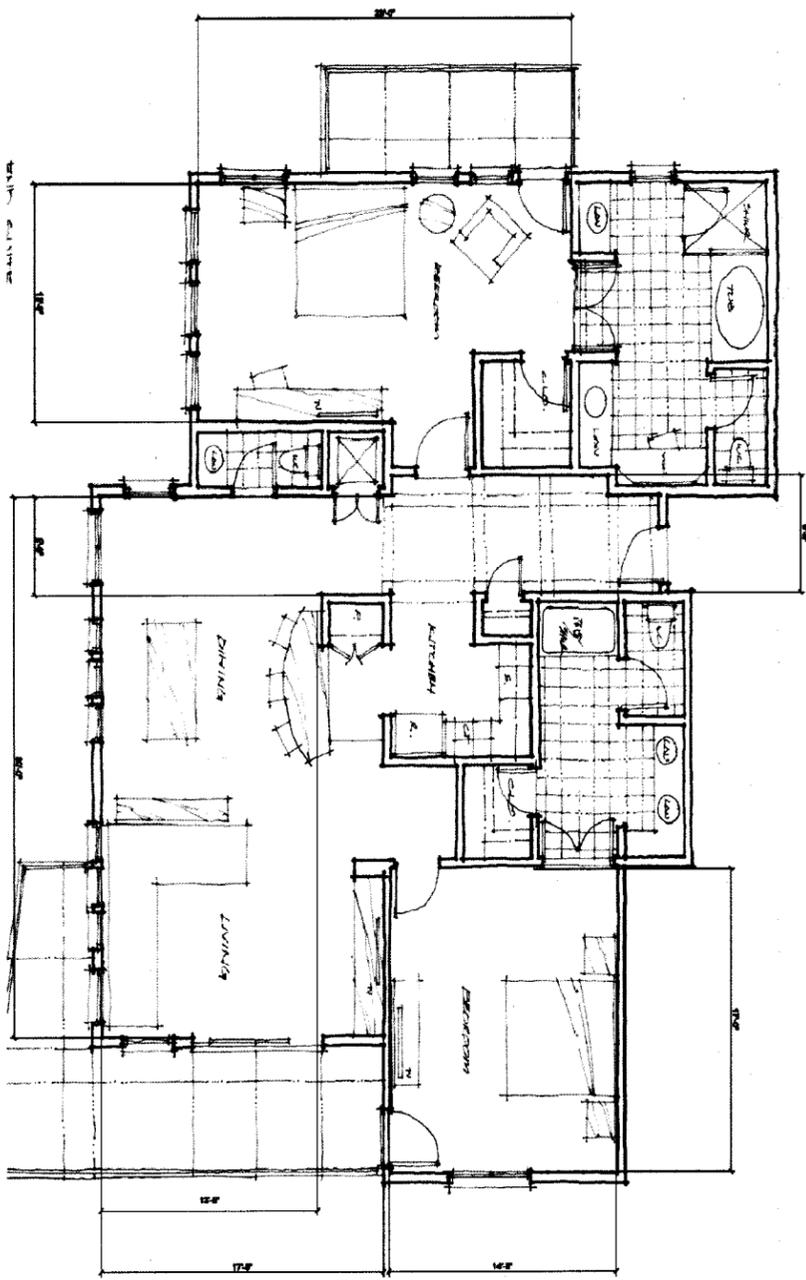


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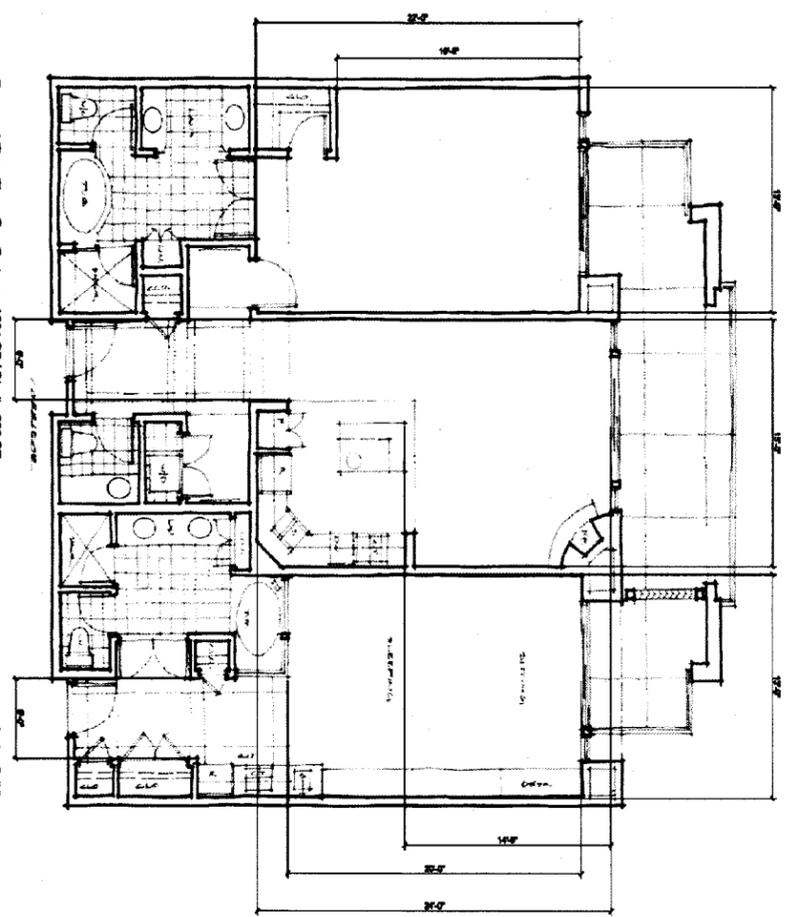
**Hotel Lodge West Side Rendering**  
**MILES CROSSING**  
**SPECIFIC PLAN**



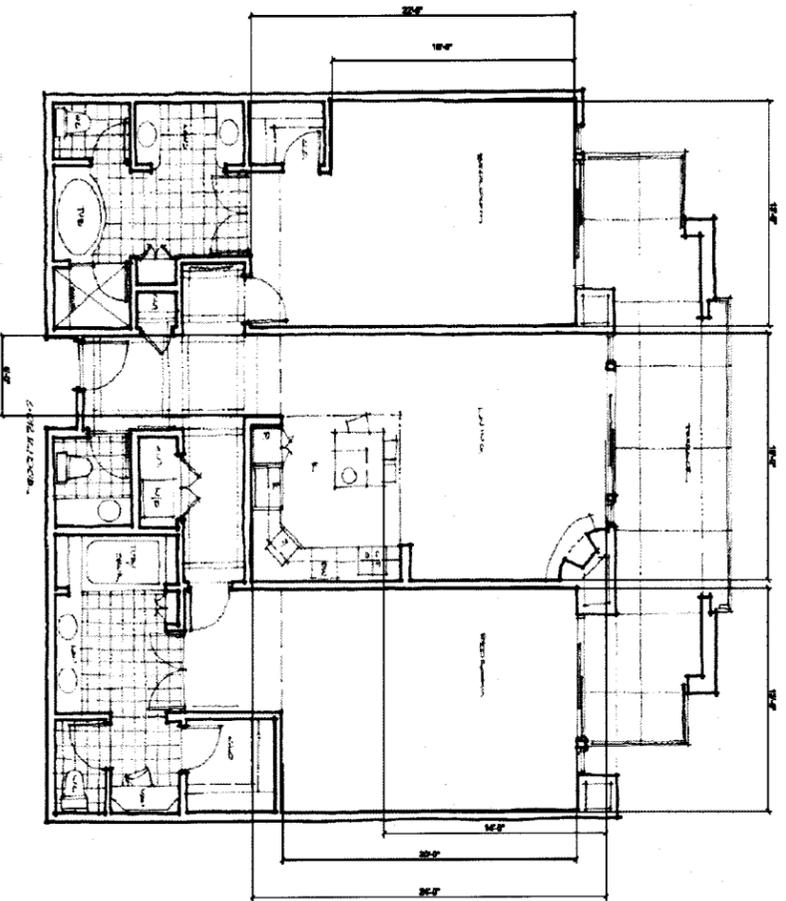
Proposed Floor Plan - End Suite 2188 SF  
Scale = 1/8"=1'-0"



Proposed Floor Plan - One Bedroom 1051 SF / Studio 639 SF  
Scale = 1/8"=1'-0"



Proposed Floor Plan - Two Bedroom Unit 1682 SF  
Scale = 1/8"=1'-0"



Fairmont Residence Club  
Indian Wells, California

# EXHIBIT 22c

Date: 1/20/2006

N.T.S.  
-69-



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**Hotel Lodge Building Typical Floor Plans**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Proposed Cluster Exterior Elevation  
Scale = 1/8" = 1'-0"



Cluster View

Proposed Cluster Exterior Elevation  
Scale = 1/8" = 1'-0"



Cluster View

Proposed Cluster Exterior Elevation - Entry  
Scale = 1/8" = 1'-0"



Cluster View

Proposed Cluster Exterior Elevation  
Scale = 1/8" = 1'-0"



Cluster View

Proposed Cluster Exterior Elevation  
Scale = 1/8" = 1'-0"

Fairmont Residence Club  
Indian Wells, California

A-13  
PROJECT NUMBER  
ARCHITECT  
M.S.A. CONSULTING, INC.  
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N.T.S.  
-70-

# EXHIBIT 23a

Date: 11/14/2005

	<p><b>MSA CONSULTING, INC.</b>  <b>MAINIERO, SMITH &amp; ASSOCIATES, INC.</b>          PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING          34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270          TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893</p>	<p><b>Hotel Villas/Townhomes Elevation</b>  <b>MILES CROSSING</b>  <b>SPECIFIC PLAN</b></p>
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Condominium Hotel - Villa / Townhome Materials and Design



Exterior Color Option



Cabana and Pool Area



Courtyard



Exterior Color Option



Exterior Color Option

EXHIBIT 23b

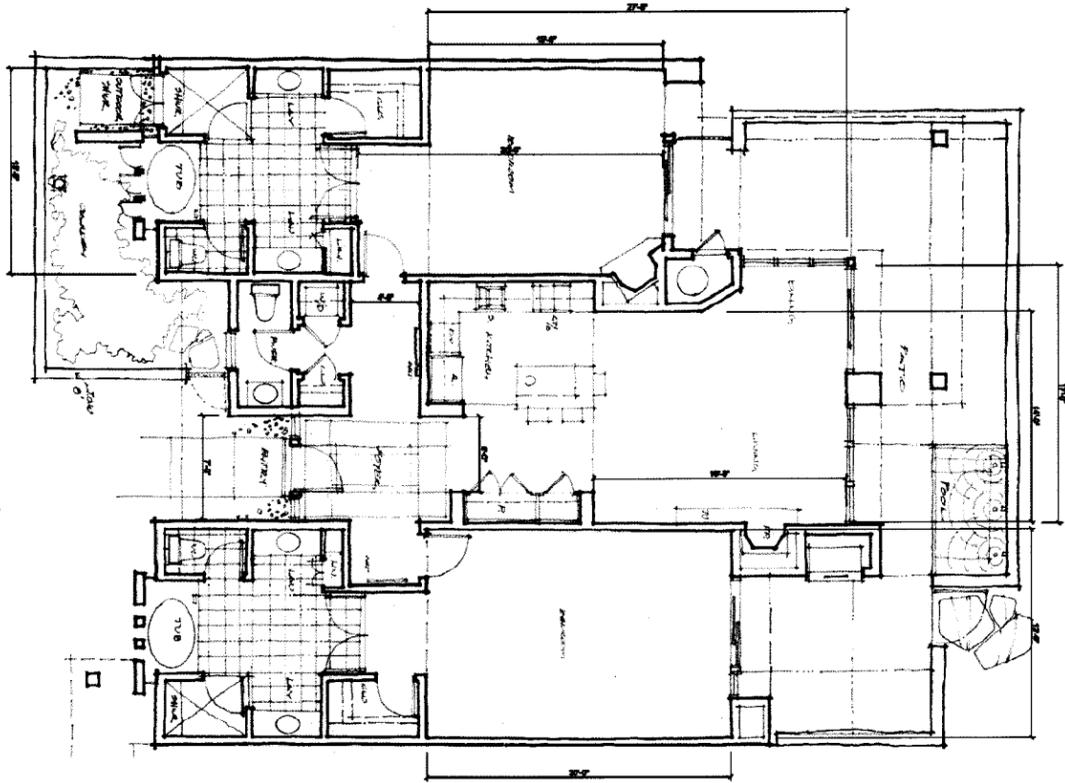
Date: 12/21/2005



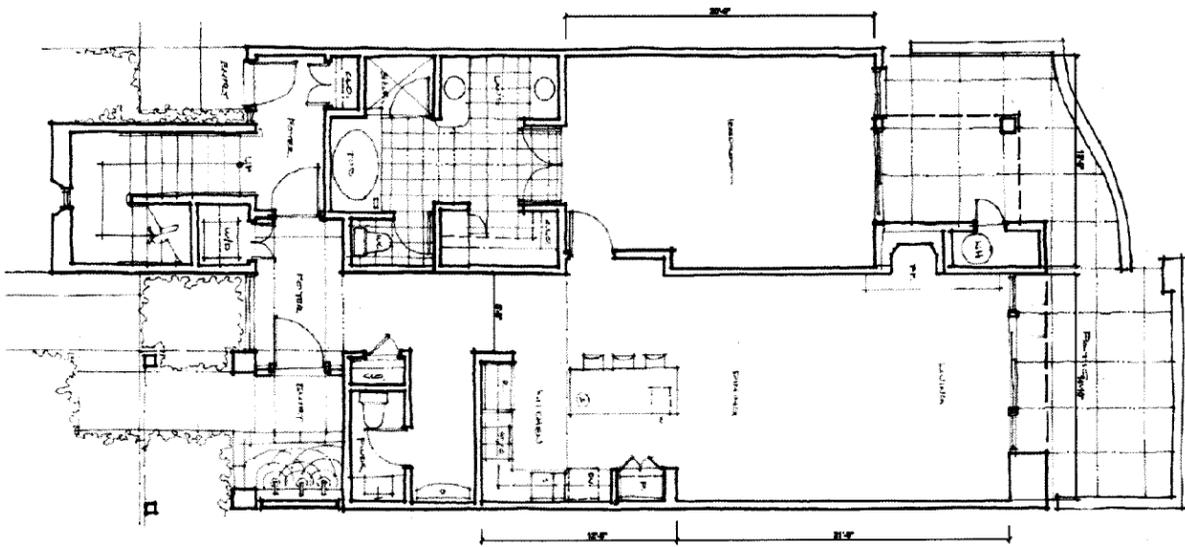
**MSA CONSULTING, INC.**  
 MAINIERO, SMITH & ASSOCIATES, INC.  
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**Hotel Villa / Townhome Building Materials**  
**MILES CROSSING**  
**SPECIFIC PLAN**

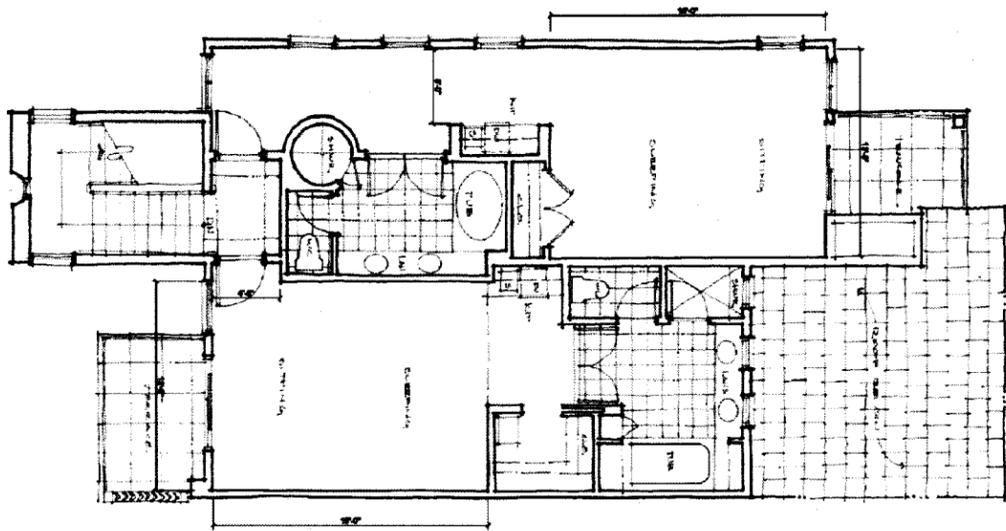




Proposed First Floor Plan - Unit 1708 - 1708 SF  
Scale = 1/8" = 1'-0"



Proposed First Floor Plan - Unit 1608 - 1608 SF  
Scale = 1/8" = 1'-0"



Proposed Second Floor Plan - Unit 1718 - 1718 SF  
Scale = 1/8" = 1'-0"

2708 SF TOTAL

# EXHIBIT 23d

Date: 1/20/06



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**Hotel Villa / Townhome Typical Floor Plans**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Condominium Hotel Pool Cabanas



EXHIBIT 24

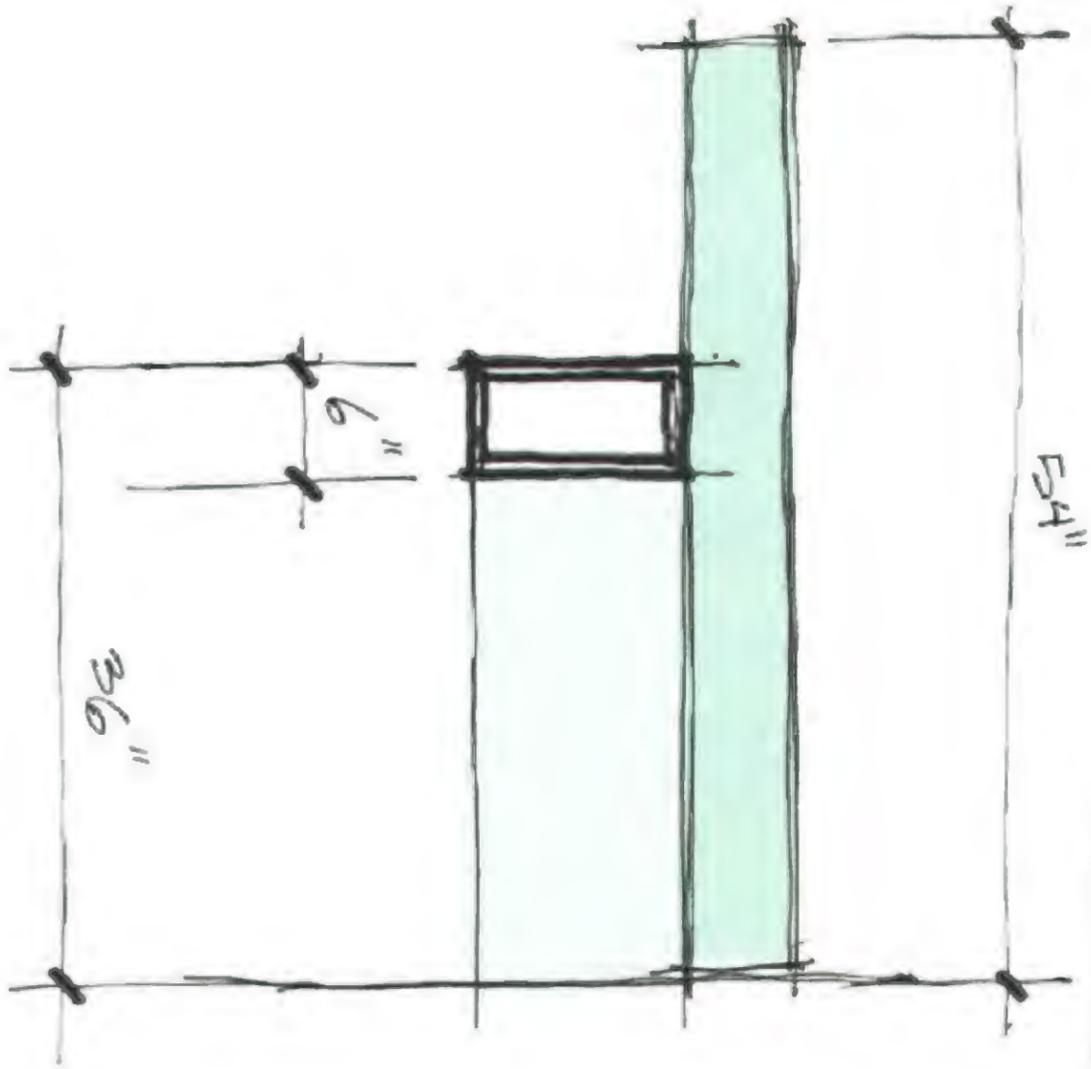
Date: 12/21/2005



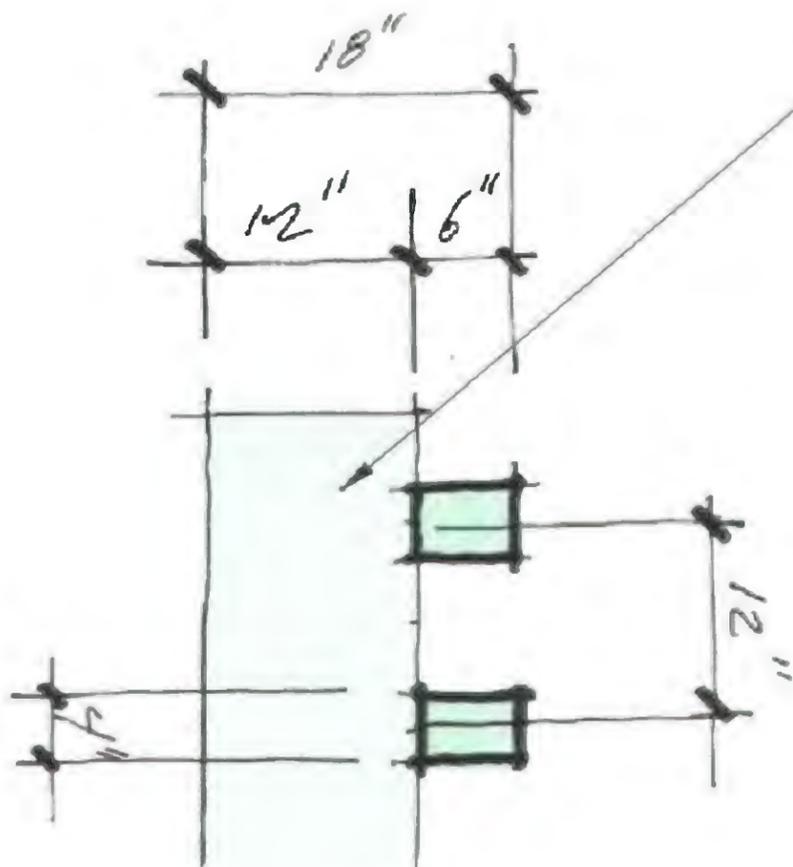
**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Condominium Hotel Pool Cabana Styles**  
**MILES CROSSING**  
**SPECIFIC PLAN**





PAINTED METAL TRELLIS



**EXHIBIT 26**

N.T.S.  
-78-

Date: 11/14/2005



**MSA CONSULTING, INC.**  
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**Hotel Proposed Trellis Detail**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Condominium Hotel Trellis and Railing Designs



EXHIBIT 27

Date: 12/21/2005



**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
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TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Condominium Hotel Trellis and Railings**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**EXHIBIT 28a**

Date: 01/09/06

	<p><b>MSA CONSULTING, INC.</b>  <b>MAINIERO, SMITH &amp; ASSOCIATES, INC.</b>          PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING          34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270          TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893</p>	<p><b>Conceptual Hotel / Villas Landscaping - Entire Site</b>  <b>MILES CROSSING</b>  <b>SPECIFIC PLAN</b></p>
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N.T.S.  
-78-



**EXHIBIT 28b**

Date: 11/14/2005

N.T.S.  
-79-

 <p><b>MSA CONSULTING, INC.</b>          MAINIERO, SMITH &amp; ASSOCIATES, INC.          PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING          34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270          TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893</p>	<p><b>Conceptual Hotel / Villas Landscaping - Section 1</b></p> <p><b>MILES CROSSING</b></p> <p><b>SPECIFIC PLAN</b></p>

## PLANT PALETTE (HOTEL SITE)

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
<b>TREES:</b>					
ACA		ACACIA ANEURA	MULGA TREE	24'-36" BOX	STANDARD
ASM		ACACIA SMALLI	SWEET ACACIA	24'-36" BOX	STANDARD
COC		CEASALPINA CACALACO	CASCALOTE	24" BOX	MULTI
CDM		CERCIDIUM HYBRID 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	24'-36" BOX	MULTI
LJ		LAGERSTROEMIA INDICA	GRAPE MYRTLE	24" BOX	MULTI
FRQ		PROSOPIS GLANDULOSA	TEXAS HONEY MESQUITE	24'-36" BOX	MULTI
RL		RHUS LANCEA	AFFRICAN SUMAC	24'-36" BOX	MULTI
TP		THEVETIA PERUVIANA	YELLOW OLEANDER	24'-36" BOX	MULTI
TFU		TFUANA TPU	TFU TREE	24'-36" BOX	STANDARD
<b>PALMS:</b>					
CH		CHAMAEROPS HUMILIS	MEDITERRANEAN FAN PALM	48" BOX	
PD		PHOENIX DACTYLIFERA	DATE PALM	20'-30" BTH	SIGNED
WF		WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	10'-25" BTH	SIGNED
WR		WASHINGTONIA ROBUSTA	MEXCAN FAN PALM	10'-30" BTH	SIGNED
<b>CACTI / SHRUBS:</b>					
AAC		AGAVE AMERICANA	CENTURY PLANT	15 GAL	
AV		AGAVE VLMORIANA	OCTOPUS AGAVE	5 GAL	
AVB		ALOE VERA (BARBADENSIS)	MEDICINAL ALOE	5 GAL	
BAL		BALEYA MULTICATA	DESERT MARGOLD	5 GAL	
BL		BOUGAINVILLEA 'LA JOLLA'	BOUGAINVILLEA	5 GAL	
BOO		BOUGAINVILLEA 'OOH LA LA'	BOUGAINVILLEA	5 GAL	
BPO		BOUGAINVILLEA 'ROSENKA'	BOUGAINVILLEA	5 GAL	
CA		CASSIA ARTEMISOIDES	FEATHERY CASSIA	5 GAL	
CAE		CASSALPINA GILLESII	MEXCAN BRD OF PARADISE	5 GAL	
CFU		CASSALPINA FULCHERRIMA	RED BRD OF PARADISE	5 GAL	
DO		NERIUM OLEANDER 'PETITE PINK'	DWARF OLEANDER	5 GAL	
DV		DODONEA VISCOSA	HOPSEED BUSH	5 GAL	
DW		DASYLIRION WHEELERI	DESERT SPOON	5 GAL	
EBB		EREMOPHILA RACEMOSA BICOLOR	EASTER EGG BUSH	5 GAL	
HP		HEPERALOE PARVIFLORA	RED YUCCA	5 GAL	
HPY		HEPERALOE PARVIFLORA 'YELLOW'	YELLOW YUCCA	5 GAL	
LPO		LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	'GREEN CLOUD' TM	5 GAL	
LPL		LEUCOPHYLLUM LAEVIGATUM	CHI-HUAHUA SAGE	5 GAL	
LPR		LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO'	'RIO BRAVO' TM	5 GAL	
LPT		LEUCOPHYLLUM CANDIDUM 'THUNDER CLOUD'	'THUNDER CLOUD' TM	5 GAL	
LY		LYSLOMA THORBERI	FEATHER BUSH	5 GAL	
MEA		MULLENBERGIA LINCHMERI 'AUTUMN GLOW'	'AUTUMN GLOW' TM	5 GAL	
MER		MULLENBERGIA CAPILLARIS 'REGAL MIST'	'REGAL MIST' TM	5 GAL	
NL		NOLINA LONGIFOLIA	MEXCAN GRASS TREE	5 GAL	
NP		NOLINA PARRYI	DWARF MEXCAN GRASS TREE	5 GAL	
OB		OPUNTIA SP. 'SANTA RITA'	PURPLE OPUNTIA	5 GAL	
PEP		PENSTEMON PARRYI	PARRY'S PENSTEMON	1 GAL	
PEB		PENSTEMON SUPERBUS	SUPERB PENSTEMON	1 GAL	
PFC		PENNETUM SETACEUM 'CUPREUM'	PURPLE FOUNTAIN GRASS	5 GAL	
PK		RUELLIA 'KATY'	RUELLIA	1 GAL	
PER		RUELLIA BRITTONIANA 'ROSA'	PINK DWARF RUELLIA	1 GAL	
REB		RUELLIA BRITTONIANA 'BLANCA'	WHITE DWARF RUELLIA	1 GAL	
RUP		RUELLIA PENINSULARIS	RUELLIA	5 GAL	
SQ		SALVA GREGGI	AUTUMN SAGE	5 GAL	
TP		THEVETIA PERUVIANA	YELLOW OLEANDER	5 GAL	
TS		TECOMA STANS 'ORANGE JUBILEE'	ORANGE JUBILEE	5 GAL	
<b>ESPALIER/VINES:</b>					
BBK		BOUGAINVILLEA 'BARBARA KARST'	BOUGAINVILLEA	15 GAL	WIRE TO WALL
TEC		TECOMARIA CAPENSIS	CAPE HONEYSUCKLE	15 GAL	WIRE TO WALL
RBB		ROSA 'BANKSAE'	LADY BANKS ROSE	15 GAL	WIRE TO WALL
<b>GROUNDCOVER:</b>					
AC		ANNUAL COLOR			
ACR		ACACIA R. 'DESERT CARPET'	TRAILING ACACIA	1 GAL	
COC		CARISSA G. 'GREEN CARPET'	NATAL FLUM	1 GAL	
DC		DALEA CAPTATA	SIERRA GOLD	5 GAL	
LAM		LANTANA MONTEVIDENSIS	PURPLE FROG LANTANA	1 GAL	
LNG		LANTANA NEW GOLD'	SPREADING YELLOW LANTANA	1 GAL	
LSS		LANTANA M. 'SPREADING SUNSHINE'	YELLOW PROSTRATE LANTANA	1 GAL	
RO		ROSMARINUS O. 'LOCKWOOD DE FOREST'	DWARF ROSEMARY	1 GAL	
LAWN		HYBRID BERMUDA 'TIPWAY GREEN' 800 - OVERSEED WITH PERENNIAL RYE DURING WINTER		800	
BLDRS		CRETA ROJA FROM SOUTHWEST BOULDER AND STONE (710) 342-9522			
COBLE		INDIAN GOLD COBLE - 1'-4" DIAMETER - FROM SOUTHWEST BOULDER 780-781-9393 COVER AREA COMPLETELY			
DG		DESERT SUNSET DECOMPOSED GRANITE 3/8" MINUS W/ 1/2" FINES - 2" DEPTH, PLACE IN ALL PLANTING AREAS UNLESS OTHERWISE NOTED			
HDR		EPIC PLASTICS 'BEND-A-BOARD' 1 X 6" HEADER, COLOR BROWN			

N.T.S.  
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## EXHIBIT 29

Date: 11/14/2005



**MSA CONSULTING, INC.**  
 MAINIERO, SMITH & ASSOCIATES, INC.  
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 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Hotel / Villas Plant Palette**  
**MILES CROSSING**  
**SPECIFIC PLAN**

## **PLANNING AREA 3 – RESIDENTIAL ACCENT HOMES – DESIGN GUIDELINES**

### **Architecture**

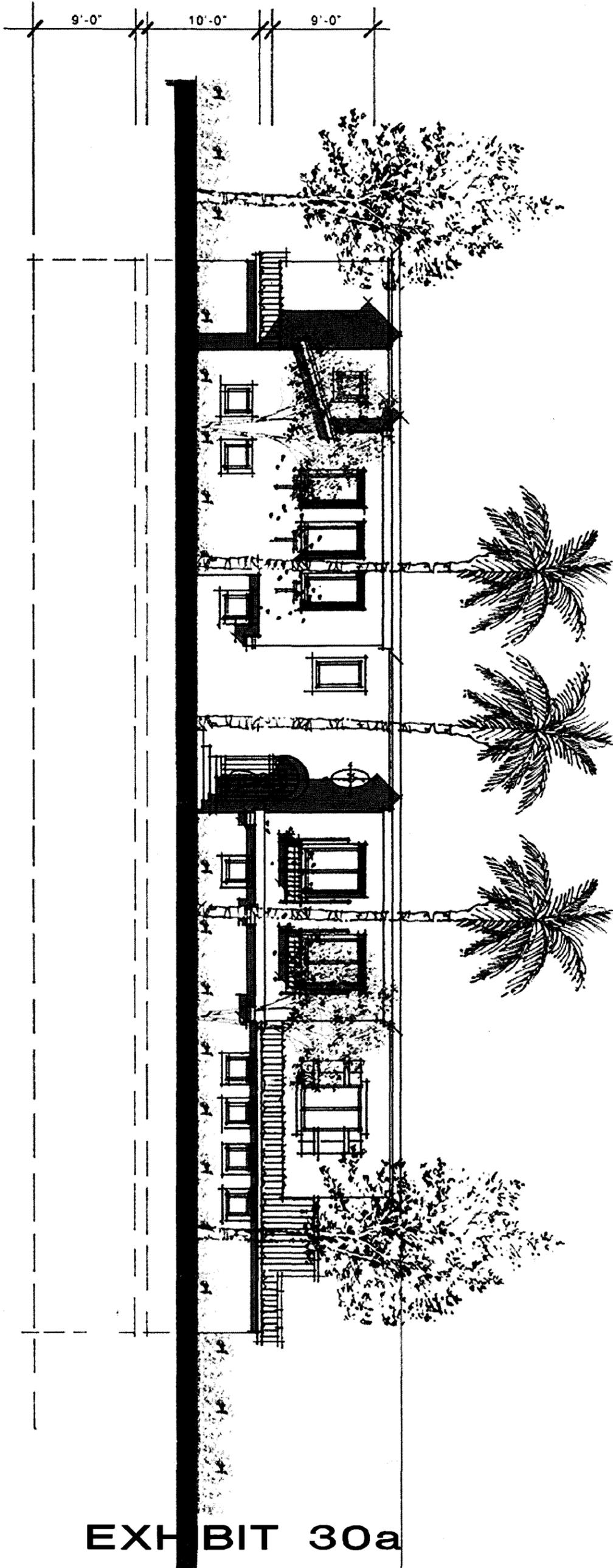
Exhibits 30a through 33 detail the proposed architectural designs for Planning Area 3. These include exterior elevations as well as interior floor plans. The descriptions below are meant to supplement the visual detail provided by the exhibits that follow.

The design of Planning Area 3 shall incorporate elements that respond to the climate of Indian Wells. Such design features include patios, balconies, and courtyards. Extended roof overhangs shall be incorporated into building design to provide additional shade. Overall design of the residential component shall incorporate the following guidelines:

- Architectural design shall be unique in character, but consistent with the surrounding area.
- Orientation of structures should consider the climate of the area.
- Housing edges should maximize view potential and access to natural open areas.
- Porches and balconies should be designed to be an integral component of the buildings architectural style.
- Mechanical elements of the building shall be screened from view by walls, fences or landscaping.
- Varying house configurations is encouraged to promote variety in the street scene.

### **Landscaping**

Street improvements have been recently completed along Miles Avenue including the bridge that crosses the Whitewater Channel. These improvements include landscaping along the south side of Miles Avenue, which is the proposed frontage of Planning Area 3. Date Palm trees, shrubs, and small trees have been planted in this area, and lighting elements and watering systems have also been installed. The photographs in Exhibit 34 display the existing landscaping along Miles Avenue. Landscaping for the Accent Homes site will be incorporated into what the City of Indian Wells has already envisioned for this area of Miles Avenue. Typical landscaping plans for the condo clusters as well as the corners of the site are also included in Exhibit 34. Any new landscaping elements will conform to what has already been planted, and will follow the plant palette photographs shown earlier in Exhibits 7a through 7f.



N.T.S.  
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### EXHIBIT 30a

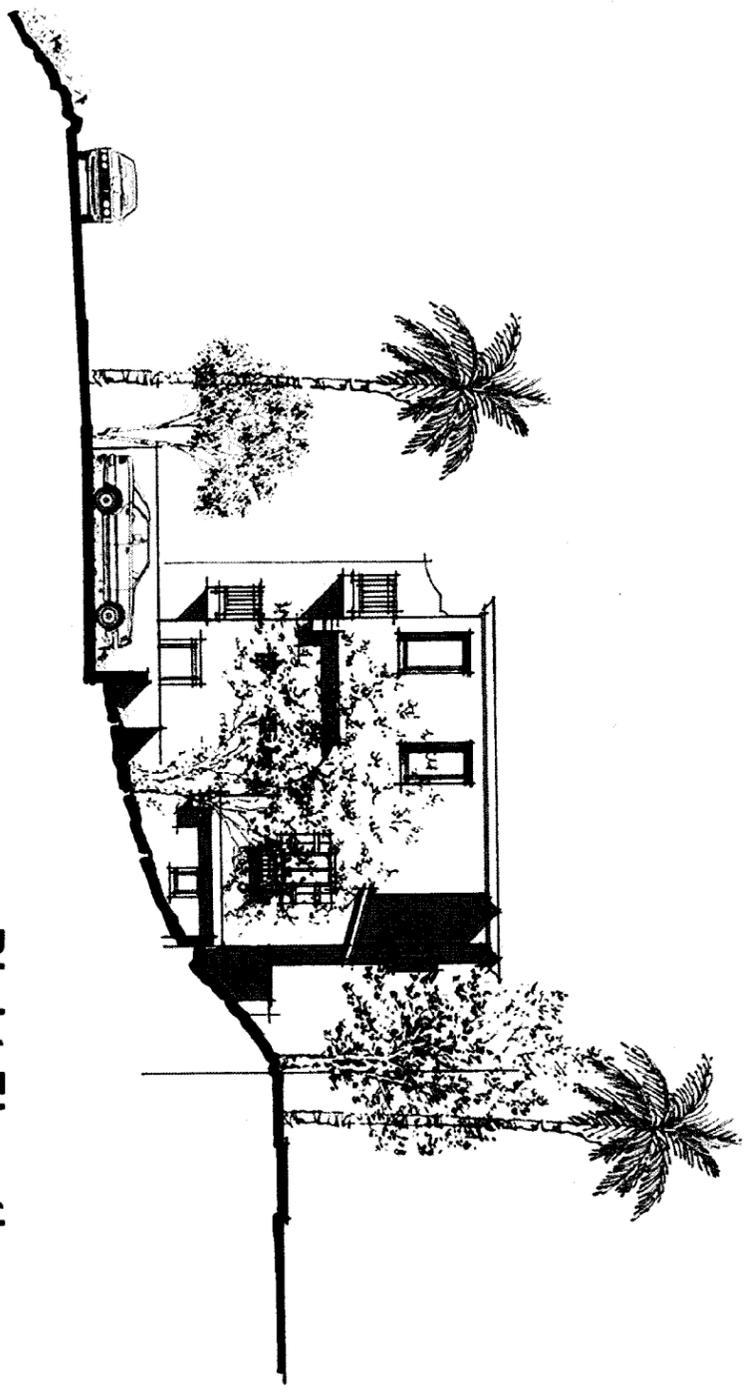
Date: 3/17/2006



**MSA CONSULTING, INC.**  
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**Accent Homes Street Front Elevation**  
**MILES CROSSING**  
**SPECIFIC PLAN**

Right Elevation



Left Elevation



N.T.S.  
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# EXHIBIT 30b

Date: 3/17/2006



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**Accent Homes Side Elevations**  
**MILES CROSSING**  
**SPECIFIC PLAN**

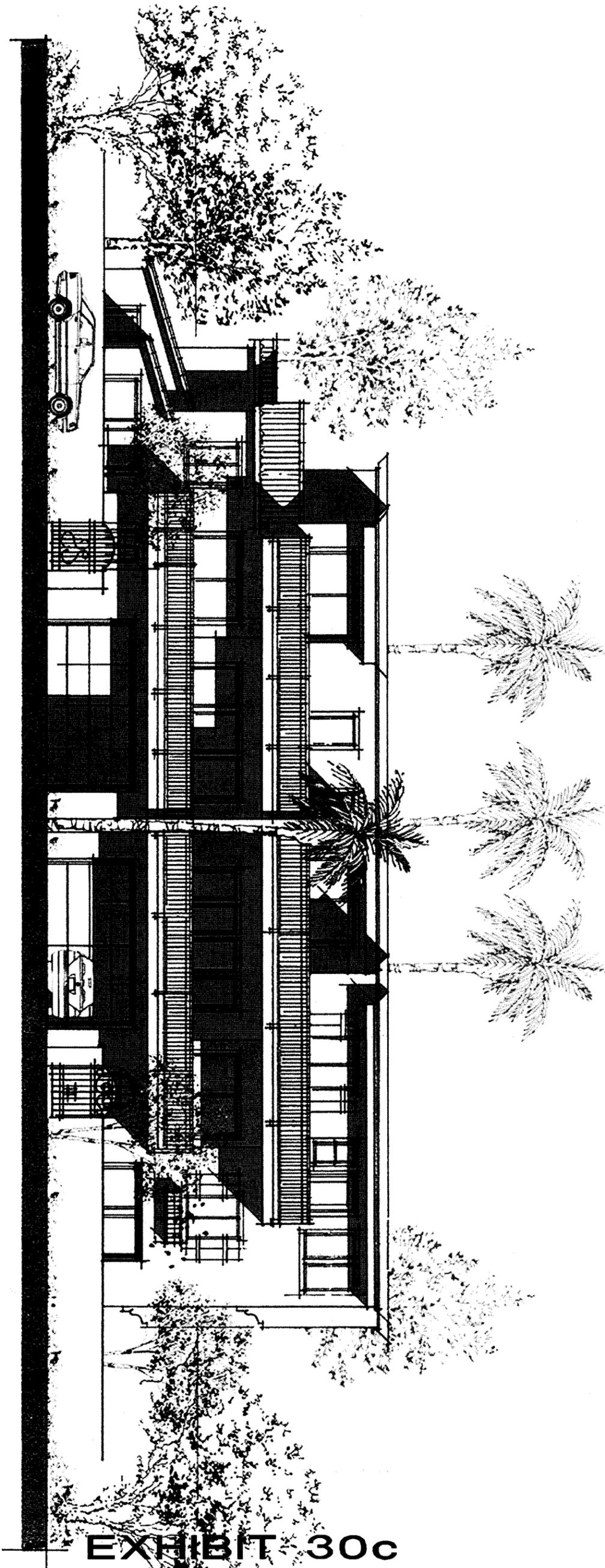


EXHIBIT 30c

N.T.S.  
-84-

Date: 3/17/06



**MSA CONSULTING, INC.**  
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**Accent Homes Rear Elevation**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**Left Elevation**



**Rear Elevation**

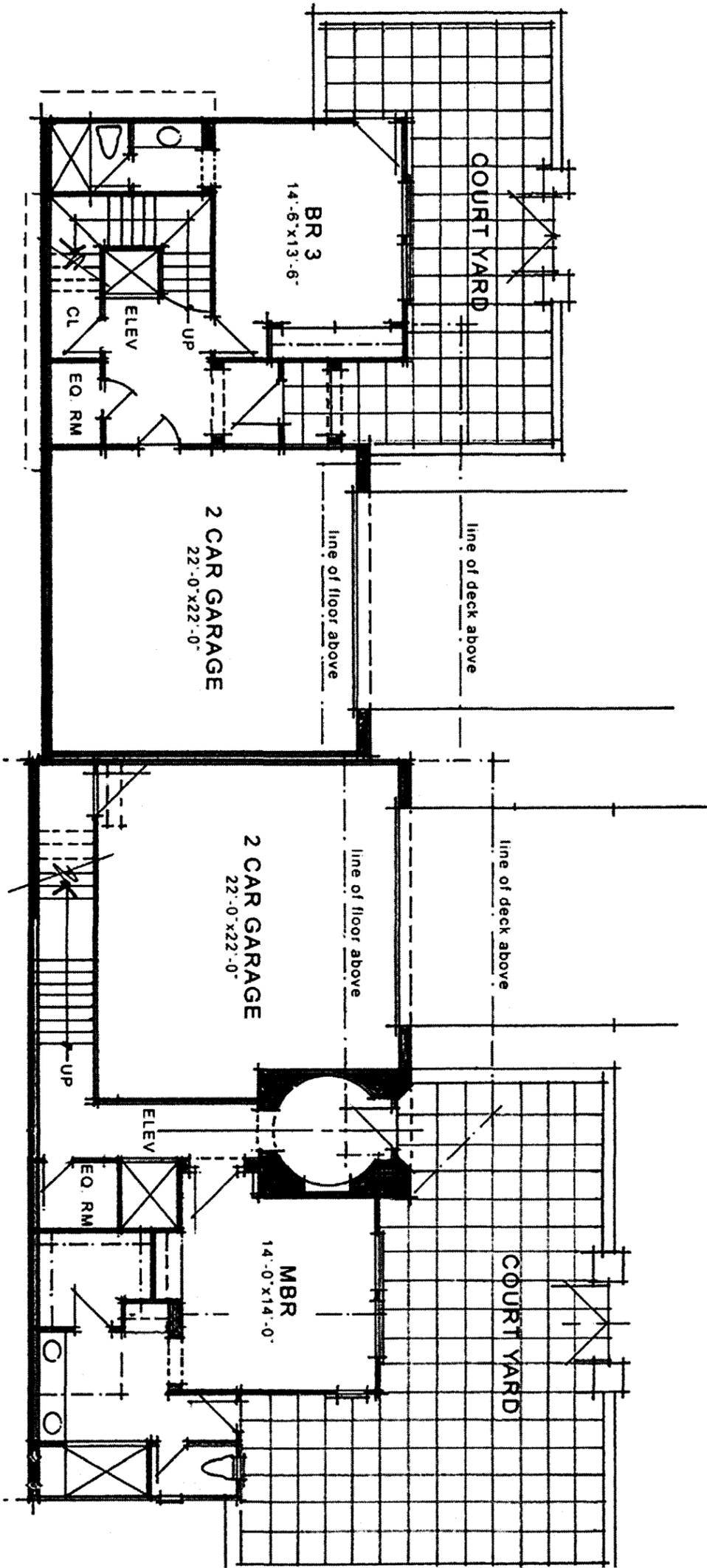


**Right Elevation**



**Front Elevation**

**CONCEPTUAL ELEVATIONS**



PLAN 2  
3br + Family + Dining / 3,588  
Total: 2703 S.F.

PLAN 1  
2br + Family + Dining / 2,588  
Total: 2348 S.F.

Lower Level

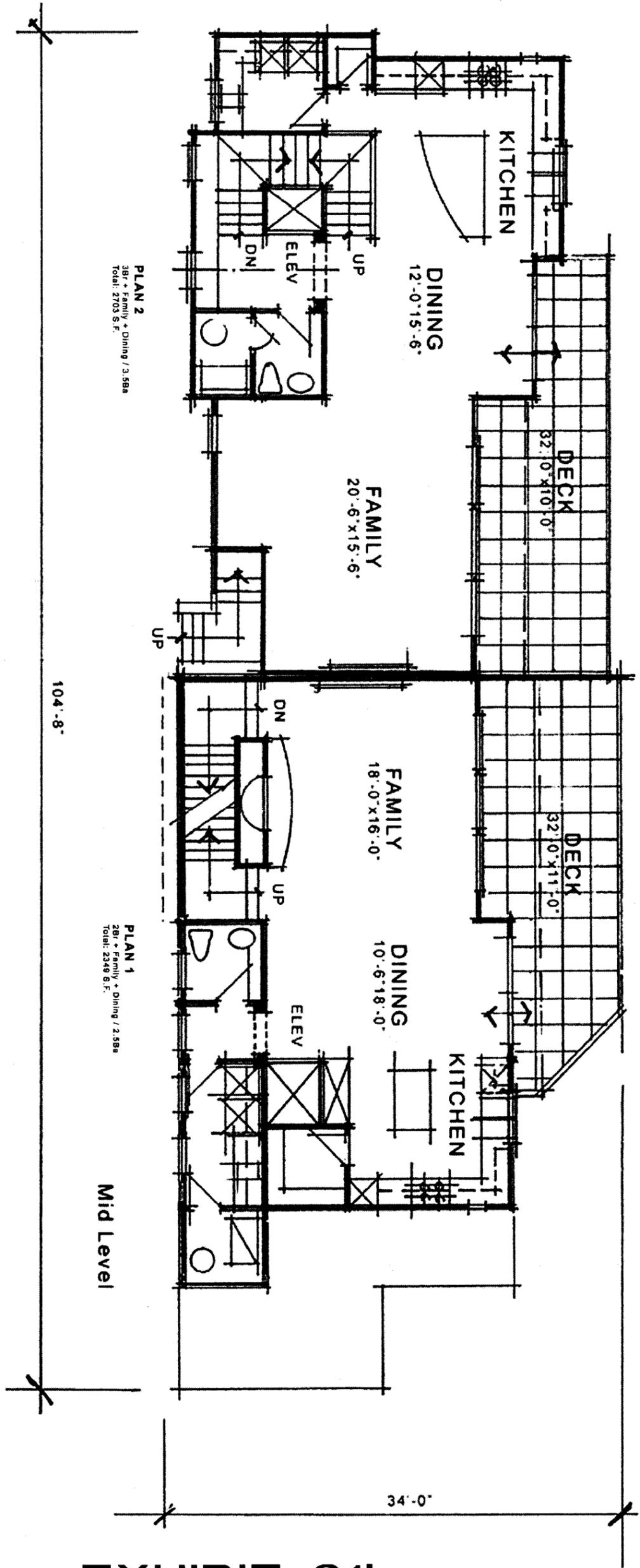
### EXHIBIT 31a

Date: 03/17/2006



**MSA CONSULTING, INC.**  
**MAINIERO, SMITH & ASSOCIATES, INC.**  
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 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Accent Homes Composite Floor Plans - First Floor**  
**MILES CROSSING**  
**SPECIFIC PLAN**



**EXHIBIT 31b**

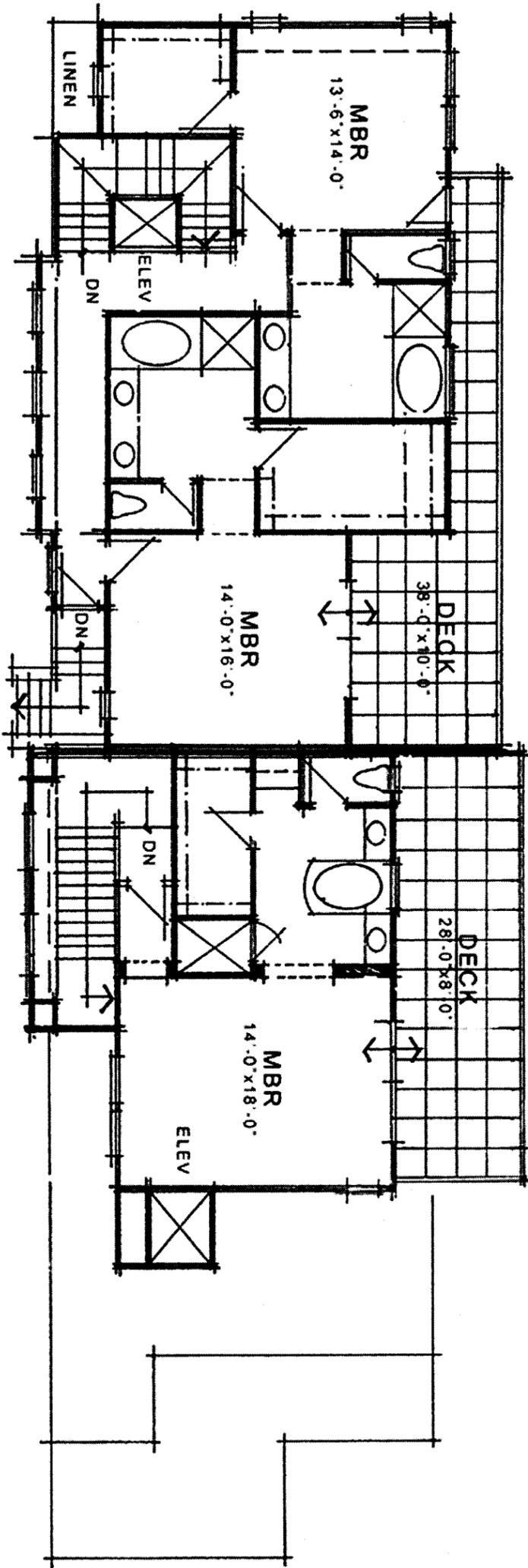
Date: 03/17/2006

N.T.S.  
-86-



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**Accent Homes Composite Floor Plans - Second Floor**  
**MILES CROSSING**  
**SPECIFIC PLAN**



PLAN 2  
3BR + Family + Dining / 3.5BR  
Total: 2703 S.F.

PLAN 1  
2BR + Family + Dining / 2.5BR  
Total: 2348 S.F.

Upper Level

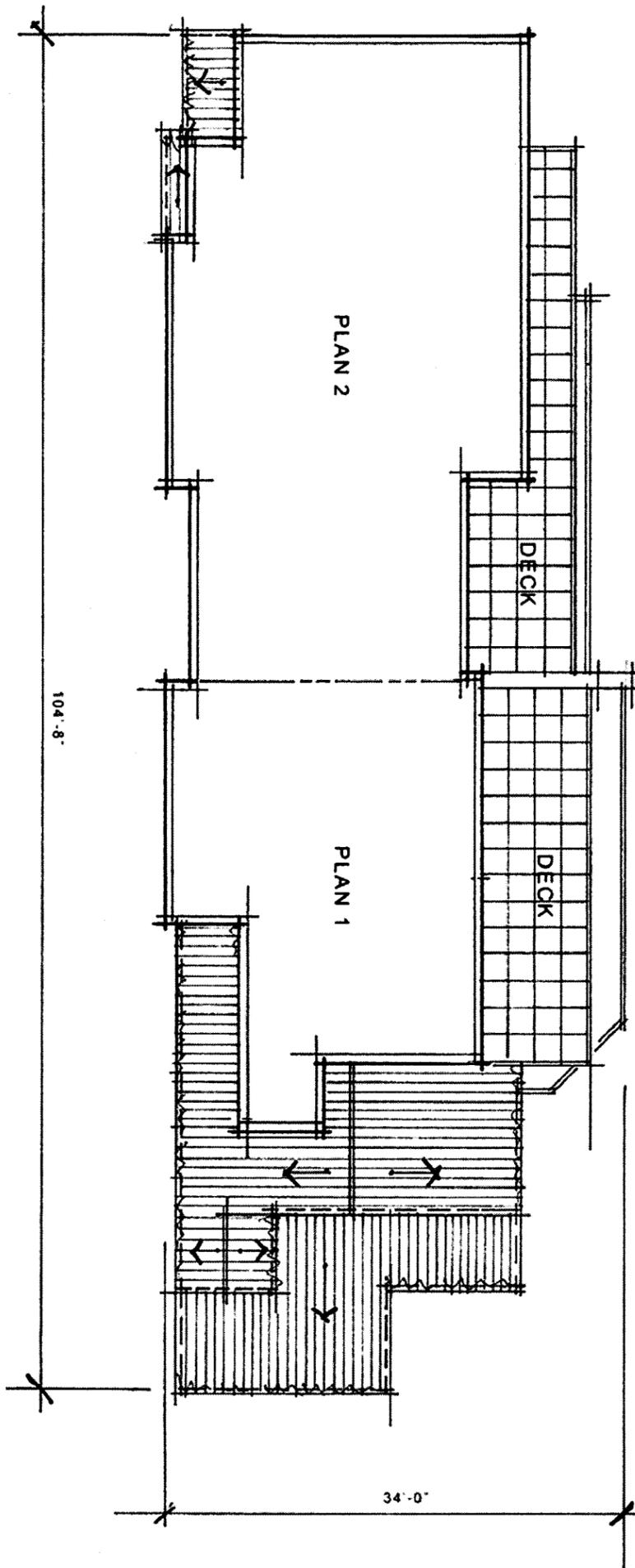
### EXHIBIT 31c

Date: 11/26/2005



**MSA CONSULTING, INC.**  
**MAINIERO, SMITH & ASSOCIATES, INC.**  
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**Accent Homes Composite Floor Plans - Third Floor**  
**MILES CROSSING**  
**SPECIFIC PLAN**



N.T.S.  
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## EXHIBIT 32

Date: 03/17/2006



**MSA CONSULTING, INC.**  
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**Accent Homes Roof Plan**  
**MILES CROSSING**  
**SPECIFIC PLAN**



Existing Landscaping along the south side of Miles Ave.



Typical Condo Cluster Landscaping Plan



Corner Landscaping Plan

Date: 1/23/06

EXHIBIT 34

Accent Homes Site Landscaping  
MILES CROSSING  
SPECIFIC PLAN

MSA CONSULTING, INC.  
MAINIERO, SMITH & ASSOCIATES, INC.  
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
34200 BOB HOPE DRIVE ■ RANCHO MIRAJE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893



Accent Homes Conceptual Tile Roof Colors and Designs



EXHIBIT 33

Date: 2/16/06



**MSA CONSULTING, INC.**  
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PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING  
34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

Accent Homes Conceptual Concrete Tile Roofing  
**MILES CROSSING  
SPECIFIC PLAN**

Existing Landscaping at Proposed Accent Homes Site Along Miles Ave.



**EXHIBIT 34**

Date: 1/23/06



**MSA CONSULTING, INC.**  
MAINIERO, SMITH & ASSOCIATES, INC.  
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34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Accent Homes Site Existing Landscaping  
MILES CROSSING  
SPECIFIC PLAN**

## **SECTION IV CAPITAL IMPROVEMENTS**

### **RELOCATED UTILITIES**

Certain existing utilities will require relocation in order to develop the Fairmont Residence Club and the Miles Crossing Commercial component. Existing utilities and proposed relocation routes discussed below are illustrated in the preliminary utility plans (Exhibits 35 through 37) which follow.

#### **Planning Area 1 – Miles Crossing Commercial**

An existing sewer force main and a sewer gravity flow main must be relocated to allow for the proposed site development (see Exhibit 35).

#### **Planning Area 2 - Fairmont Residence Club**

An existing sewer force main and a sewer gravity flow main must be relocated to allow for the proposed site development. In addition, there is a So. Cal Edison transformer and energized line currently located on the westerly section of the site that will be abandoned and not relocated. There are miscellaneous irrigation valves and minor water meters, which also must be abandoned. However, the existing main water lines will not be impacted by the proposed development (see Exhibit 36).

#### **Planning Area 3 - Accent Homes**

No utility relocation is required.

### **NEW UTILITIES**

New sewer and water lines will be installed as per the preliminary utility plans for each Planning Area (Exhibits 35 through 37). Connections and capacities are available and are also indicated on these exhibits.

#### **Planning Area 1 - Miles Crossing Commercial**

The water connection is presently adjacent to the site. There is an existing 18" water line running east/west along Highway 111 which will service the project. The sewer connection will require boring under Highway 111 to connect into the existing 12" sewer line on the south side of Highway 111 (see Exhibit 35).

#### **Planning Area 2 - Fairmont Residence Club**

The water connection is presently adjacent to the site. There is an existing 18" water line running east/west along Highway 111 which will service the project. The sewer connection will occur on site via an existing 15" sewer main (see Exhibit 36).

**Planning Area 3 - Accent Homes**

A 12" water line will connect into the existing 12" line which is running on Miles Avenue. The sewer will require a private lift station to pump the sewage up into the existing sewer pump station immediately west of the residential development (see Exhibit 37).

**STREET IMPROVEMENTS**

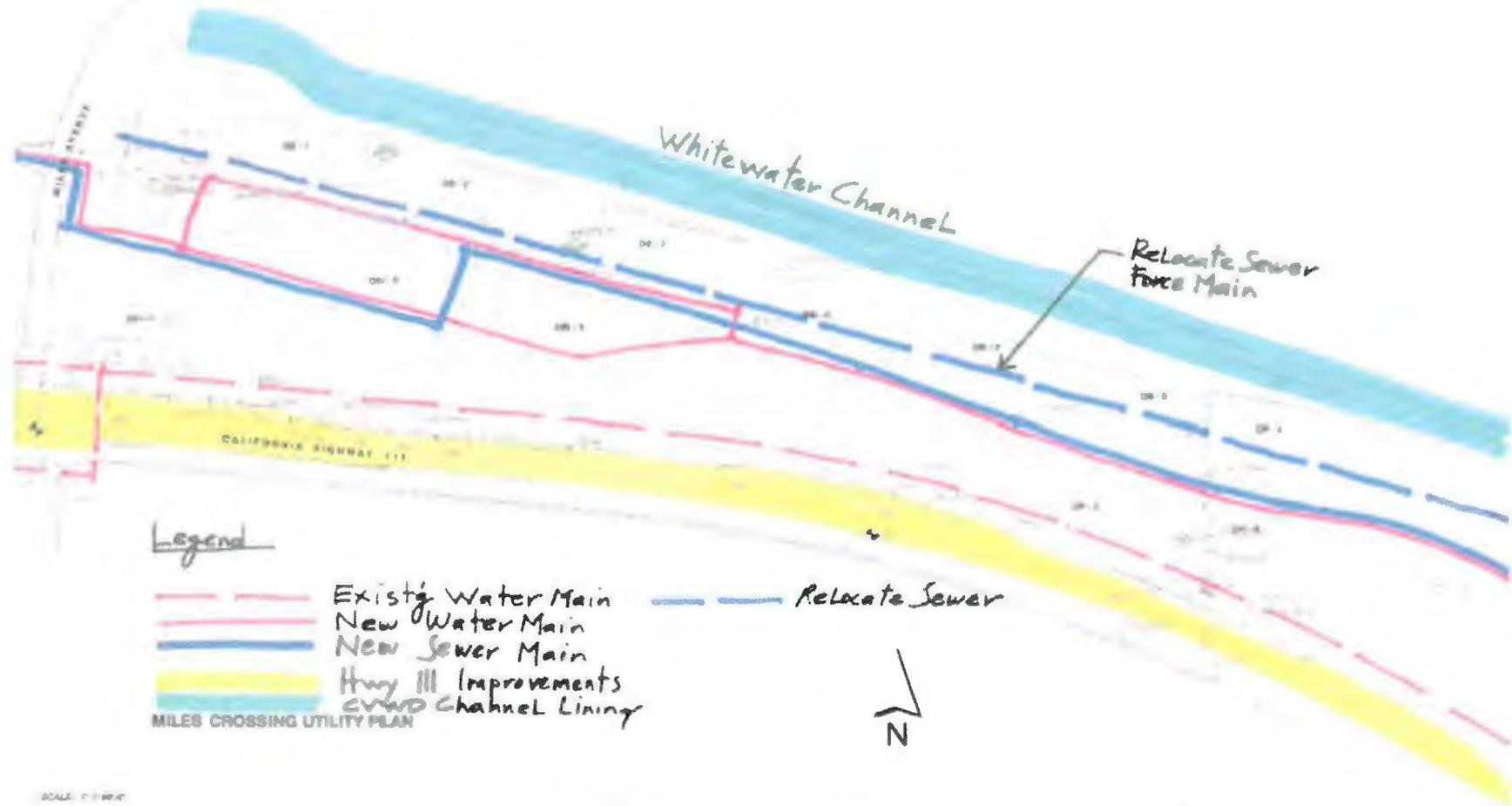
**Highway 111**

The Miles Crossing Commercial and the Fairmont Residences when completed will have over 3,000LF of frontage along Highway 111. The City of Indian Wells intends to widen Highway 111 to 6 lanes with a 16'-0" wide center median. According to Willdan, the City Engineer, the fair share requirement for this project is 50% of the cost of these improvements.

The City of Indian Wells has not determined how these improvements will be managed or when they will be constructed. There will also be two new traffic signals installed. Both signals will be at the entrances of Planning Areas 1 and 2 along Highway 111.

**Miles Avenue**

The Miles Avenue Bridge and street improvements have recently been completed. The only impact that the Accent Homes will have on Miles Avenue will be the installation of curb cuts for the two project entries. All of the parkway landscaping has also been installed.



Legend

- — — — Existing Water Main
- — — — New Water Main
- - - - - New Sewer Main
- — — — Relocate Sewer
- Hwy 111 Improvements
- Channel Lining

MILES CROSSING UTILITY PLAN



SCALE: 1"=100'

N.T.S.  
-93-

## EXHIBIT 35

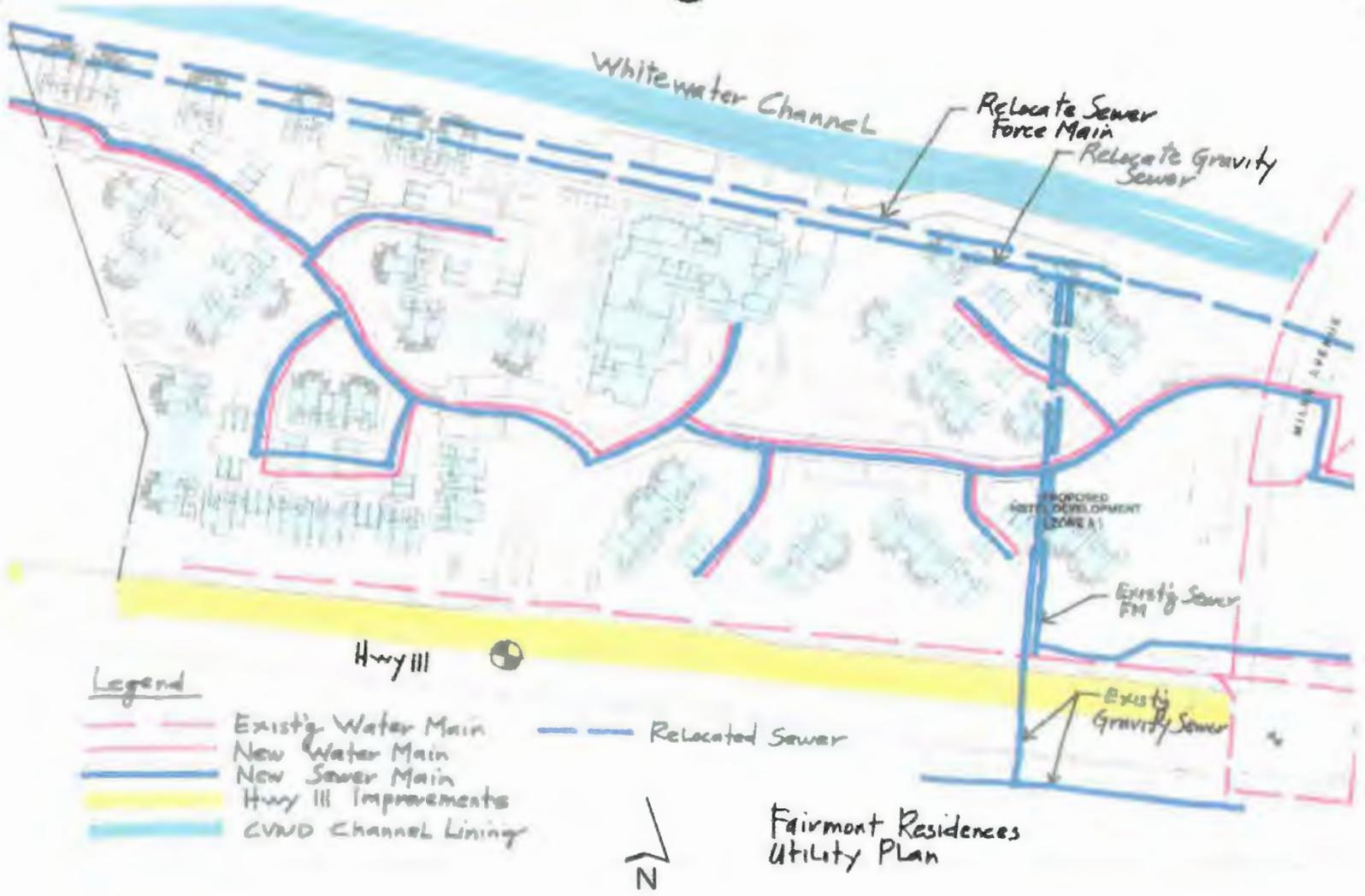
Date: 12/22/05



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# Commercial Utility Plan

## MILES CROSSING SPECIFIC PLAN



Legend

- Existing Water Main
- Relocated Sewer
- New Water Main
- New Sewer Main
- Hwy III Improvements
- CVD Channel Lining

N.T.S.  
-94-

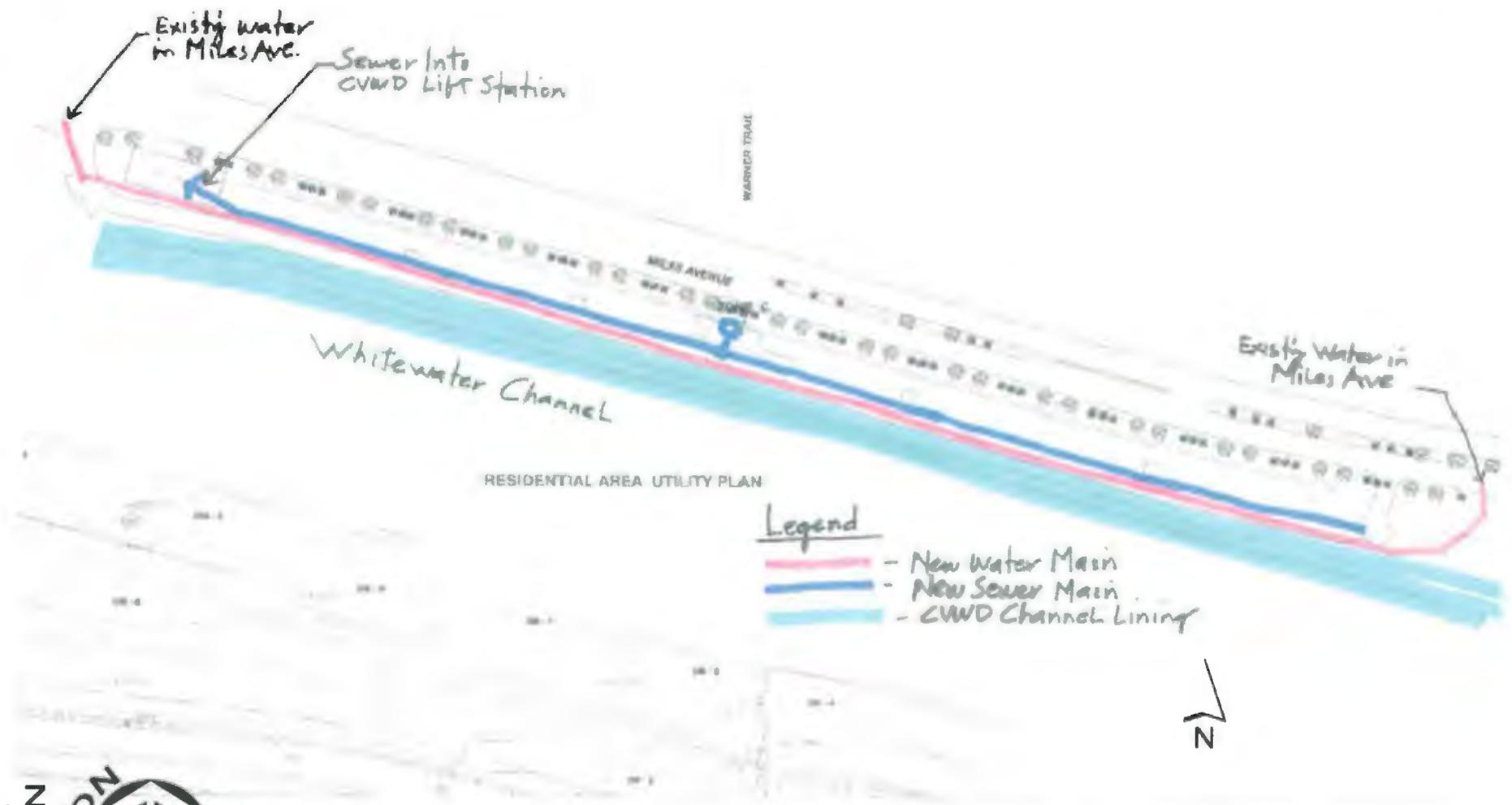
## EXHIBIT 36

Date: 12/22/05



**MSA CONSULTING, INC.**  
**MAINIERO, SMITH & ASSOCIATES, INC.**  
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**Condominium Hotel Utility Plan**  
**MILES CROSSING**  
**SPECIFIC PLAN**



# EXHIBIT 37

Date: 12/22/2005



**MSA CONSULTING, INC.**  
**MAINIERO, SMITH & ASSOCIATES, INC.**  
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 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270  
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Accent Homes Utility Plan**  
**MILES CROSSING**  
**SPECIFIC PLAN**

**UTILITY AND STREET IMPROVEMENTS COST ESTIMATE**

The table below displays the cost estimates for utility improvements within the Miles Crossing Project by Planning Area. The memo that follows from Willdan Engineering outlines the fair share contribution for the improvements to Highway adjacent to the project.

**MILES AVENUE, LCC  
PRELIMINARY WATER AND  
SEWER,  
HIGHWAY 111 AND CVWD  
CHANNEL LINING  
QUANTITY ESTIMATE  
20-Dec-05**

<b>Preliminary Water</b>	\$439,250
Commercial Total	
<b>Preliminary Sewer</b>	\$386,000
Commercial Total	
<b>Preliminary Water</b>	\$202,000
Residential Total	
<b>Preliminary Sewer</b>	\$148,000
Residential Total	
<b>Preliminary Water</b>	\$543,750
Hotel Total	
<b>Preliminary Sewer</b>	<u>\$313,000</u>
Hotel Total	
<b>TOTAL</b>	<b>\$2,032,000</b>

The above estimate does not include raw land, legal fees, agency permits and fees, professional engineering fees, construction phasing, bonds, financing/carrying costs, construction staking, soils testing, accounting and construction management. MSA Consulting, Inc. makes no representation concerning the estimate and cost figures other than that all such figures are estimates only and the Engineer shall not be responsible for fluctuations in cost factors or the actual cost at the time of construction.

**HIGHWAY 111 IMPROVEMENTS**

Developer's Fair Share Contribution per Willdan memo dated 9/29/05 **\$2,583,415**

**CVWD CHANNEL  
LINING**

Hotel Total	\$681,000
Commercial Total	\$978,000
Residential Total	\$748,000
	<b>\$2,407,000</b>

**RESPONSIBLE  
PARTIES**

The following utility purveyors are responsible for approving the proposed utility installations:

- 1) Sewer, water, storm drainage, channel lining - CVWD
- 2) ALL Highway 111 right-of-way improvements - City of Indian Wells

**Financing for  
Improvements**

The financing for the installation of the above mentioned improvements will be a typical arrangement which is acceptable to CVWD. A performance bond, letter of credit as a set aside letter will be provided to CVWD.

All improvements and relocations discussed herein will be accomplished in accordance with the terms and specifications of the Disposition and Development Agreement (DDA). The City of Indian Wells will be providing 50% of the cost of the Highway 111 right-of-way improvements. The total cost of the work will be deposited into a joint escrow account and "drawn down" to completion.

**Phasing**

The utility and street improvements will be completed in a single phase.



08/28/2005 17:28 FAX 760 348 0407

CITY OF INDIAN WELLS

002/003



- X Complete the ultimate half-section street improvements for Highway 111 to include three westbound through lanes along the project frontage. Tapering of the third through lane will occur before the western project boundary to two lanes. This widening will include a raised median on Highway 111 along the project frontage, with median breaks for the intersection of Highway 111/Miles Avenue and recommended eastbound left turn pockets into the site for both the hotel development and commercial development.

The Estimated Cost:	\$5,268,500.00
Developer's Fair Share:	\$2,583,415.00
Non-Developer's Fair Share:	\$2,685,085.00

Sincerely,  
WILLDAN

R. Scott Baesikin, P.E.  
VP / Division Manager - Traffic