



## City Council Staff Report

DATE: April 2, 2014

PUBLIC HEARING

SUBJECT: PALM SPRINGS, LLC, APPLICATION TO AMEND PREVIOUSLY APPROVED PRELIMINARY PLANNED DEVELOPMENT DISTRICT 324 TO CONSTRUCT A MIXED-USE DEVELOPMENT CONSISTING OF A 150-ROOM HOTEL WITH ANCILLARY RETAIL WITH PARKING STRUCTURE AND VESTING TENTATIVE TRACT MAP 34190 AT 414 NORTH PALM CANYON DRIVE, ZONE PD324, (5.1091-PD-324)

FROM: David H. Ready, City Manager

FROM: Department of Planning Services

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### SUMMARY

The City Council will review an application by Palm Springs, LLC, to amend a previously approved Preliminary Planned Development District 324 consisting of a 150-room hotel, with ancillary retail restaurant and parking structures. The amendment will not affect the intent of the approved Planned Development District, but will affect some of the previously established design standards and the configuration of the site plan. The property is approximately 4.1 acres of vacant land bounded by Alejo Road on the north, North Palm Canyon Drive on the west, North Indian Canyon Drive on the east, and existing commercial development on the south.

### RECOMMENDATION:

1. Adopt Resolution No. \_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, FINDING THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION NUMBER 2006109031 AS SUFFICIENT AND APPROPRIATE ENVIRONMENTAL DOCUMENTATION FOR THE PROPOSED AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 324, APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 324 AND VESTING TENTATIVE TRACT MAP 34190, PALM SPRINGS, LLC, FOR THE DEVELOPMENT OF A 150-ROOM HOTEL, ANCILLARY COMMERCIAL RETAIL AND FREE STANDING PARKING STRUCTURES ON THE APPROXIMATELY 4.1-ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF ALEJO RAOD AND NORTH PALM CANYON DRIVE."

**PRIOR ACTIONS / APPROVALS:**

<b><i>Related Relevant City Actions by Planning, Fire, Building, etc...</i></b>	
09.13.06	The Planning Commission approved the Preliminary Planned Development District and recommended approval of the PDD and TTM 34190 to the City Council.
10.04.06	The City Council adopted a Mitigated Negative Declaration (MND) and approved Preliminary Planned Development—PD 324 and Tentative Tract Map 34190.
07.09.08	The Planning Commission recommended approval of an amendment to the Vesting Condominium Map to the City Council
07.30.08	The City Council approved an amendment to the Vesting Condominium Map
10.28.09	The Planning Commission approved a one-year time extension from October 4, 2009 to October 3, 2010
09.22.10	The Planning Commission granted a one-year time extension request from October 3, 2011, to October 2, 2012.
08.08.11	The AAC reviewed a proposed amendment to the Preliminary PD and recommended approval with several comments to the Planning Commission.
08.10.11	The Planning Commission reviewed and approved a 175-room hotel and ancillary commercial retail use amendment but not the site plan as proposed.
09.07.11	The City Council reviewed and approved the proposed amendment to the Preliminary Planned Development District for a 175-room hotel and ancillary commercial retail
10.07.13	The AAC reviewed the proposed amendment to the project approved by the Council on September 7, 2011, and provided comments to the applicant
10.21.13	The AAC considered the project and by a unanimous vote recommended approval to the Planning Commission.
12.11.13	The Planning Commission approved the proposed amended project and recommended approval to the City Council with conditions.

2005	Palm Springs, LLC
<b><i>Project Sign Posted</i></b>	
10.24.13	The applicant posted a sign of the proposed project at the site.

Specific Plan	None
Design Guidelines	Downtown Urban Design Plan (Adopted in 2005)
Airport Overlay	None
Indian Land	None

<b><i>Neighborhood Meetings</i></b>	
2013	Applicant met with Downtown Group and Uptown Group
6.22.06	Demolition of structures on the property

**Background:**

The original project which was approved in 2006 includes the development of up to 118 condominium units and approximately 25,000 square feet of retail commercial space on the 4.1-acre vacant site. The original project had retail space on the ground/first floor fronting on Palm Canyon, with residential units occurring above, on three stories. Residential buildings were proposed on Alejo Road and Indian Canyon, and on the interior of the project site. The buildings were designed with three and four stories, within a range of 35' to 50'6" in height. A total of eleven (11) live/work units were to be located at the center of the site. These units would have office/gallery space on the

ground floor, and residential units above, and had pedestrian walkway through the site. In 2011, the City Council approved a proposed amendment changing the previously approved mixed-use PDD from residential and commercial to a 175-room boutique hotel and approximately 30,000 square feet retail commercial development.

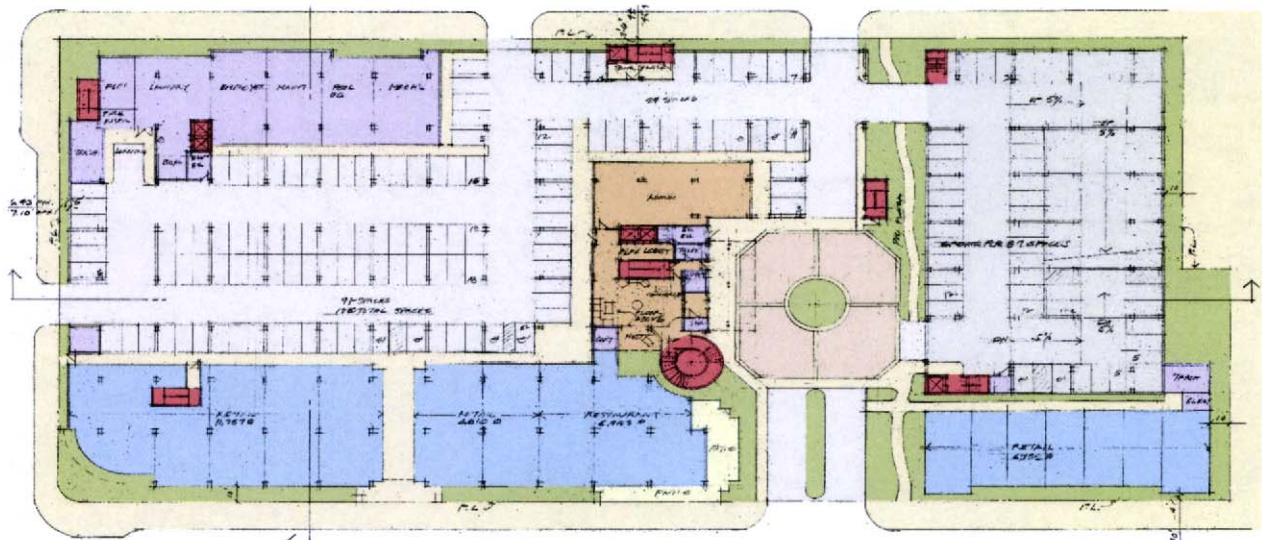
Proposed Amendment:

Section 94.03.00(G) allows modifications to Development Plans of previously approved Planned Development District projects. According to the Code, minor architectural or site changes that do not affect the intent of the PD can be approved. Amended Planned Development District 324 established design guidelines and development standards for a mixed-use project consisting of a 175-room hotel, commercial retail and parking structure within the site with variations to certain zoning code development standards. This proposed amendment involves the re-configuration of the site plan, reduced number of hotel rooms and architectural design of the project. This phase of the amendment process is a preliminary PDD submittal consisting of a four-story building; the upper two stories will comprise mainly hotel guest rooms and suites. The new layout calls for the 150 rooms to be distributed across the lot with private garden spaces around each room. The proposed amendment will maintain the same mixed-use character of the original project with a boutique hotel, commercial retail, bar and restaurant uses. The ground level will feature approximately 32,705 square feet of commercial retail spaces, a restaurant and a bar.

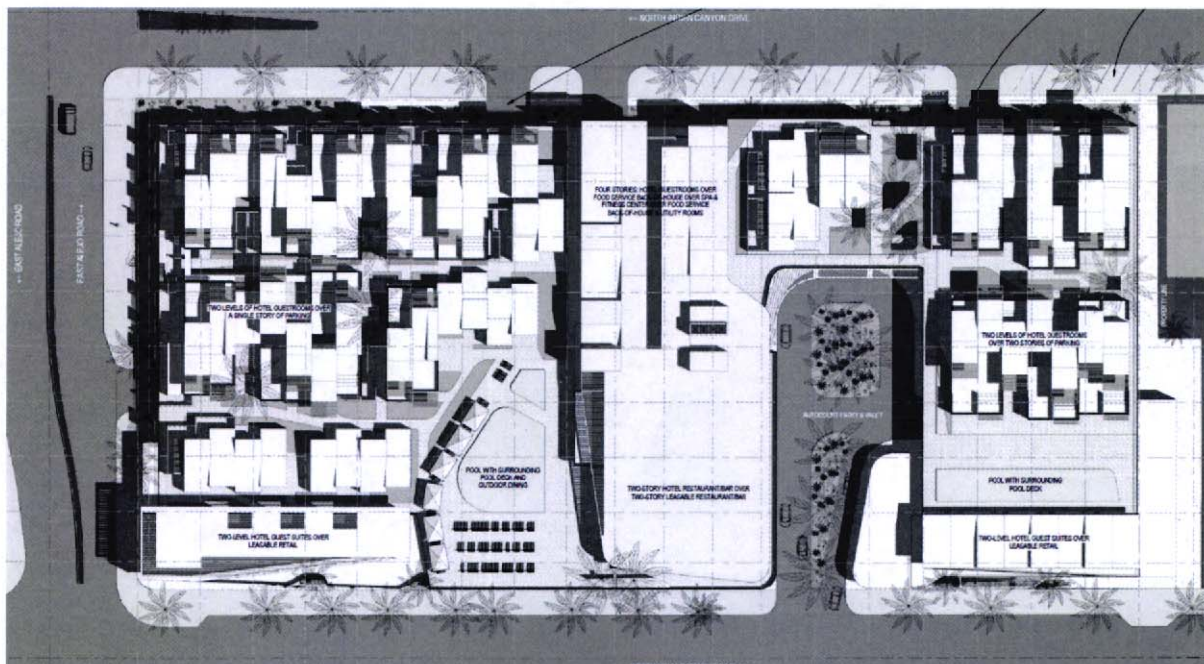
**ANALYSIS:**

<b>Comparison of Approved Project and Proposed PD-324 Amendment</b>		
<b>Type of Standard</b>	<b>2011 Approved Project</b>	<b>Proposed PD-324 Amendment</b>
Location	414 North Palm Canyon Drive	414 North Palm Canyon Drive
Proposed Use	Hotel & Commercial	Hotel & Commercial
Lot Size	4.1 Acres	4.1 Acres
FAR:		
Total Area	171,160 Sq. ft.	171,160 Sq. Ft.
Building Coverage	73,599 Sq. Ft. (44%)	57,969 Sq. ft. (34%)
GP & ZO Density Approved PDD 324	Hotel: 70 units/acre 43 Units per acre	37 Units per acre
Architecture	Contemporary	Contemporary
Phasing	N/A	N/A
Building Coverage	43%	34%
Front Setbacks:		
North Palm Canyon	0-4 Feet	9.10-13.0 Feet
Indian Canyon	3-7 Feet	12.5-17.5 Feet
Side Setbacks:		
Alejo Road	0	4.5-13.0 Feet
South Side	0	11.7-14.8 Feet
Stories	5	5
Height	58 feet	51 feet
Hotel Units	175	150
Commercial Space	25,000 Sq. Ft.	32,705 Sq. Ft.
Restaurant Space	Yes	Yes
Event Spaces	Yes	Yes

Swimming Pools	2	2
Roof Top Terrace	None	None
Restaurant	One	Two
Parking; Hotel	Free standing parking structure	Parking structure and surface parking
Parking; Commercial	Free standing parking structure	Parking structure and surface parking
Total Parking Spaces: Required:	234	226
Provided:	238	283
Site Circulation	Ingress, egress, access and parking per City Standards	Ingress, egress, access and parking per City Standards
Access into hotel	Street Level Entry Point Palm Cyn.	Street Level Entry; Palm Canyon Drive
Common Open Space	13.2% excluding patios & balconies	17% excluding hotel patios & balconies
Mitigation Measures	Mitigation Measures from previously adopted MND	Same Mitigation Measures will apply to the proposed modified project



**ENTITLED SITE PLAN**



**REVISED SITE PLAN**

Site Plan and Project Design:

As with the original project, the revised site plan maintains a presence on the street through ground floor commercial retail, restaurant and bar spaces with minimal setbacks along Palm Canyon Drive. One notable change on the new site plans involves the revised walkway/private vehicle entry way that connects Palm Canyon and Indian Canyon Drives. Unlike the original layout, the proposed vehicular entry and exit points are now only along Palm Canyon Drive. The original architectural design with a "desert contemporary" vernacular remains the same. Basic building massing and heights have been reduced but remain consistent and within the guidelines of the original project. The hotel buildings will be constructed over the two-story parking structure to the south and other parking spaces that are spread across the site. The parking spaces can be accessed from Palm Canyon Drive, Indian Canyon Drive and Alejo Road. The building heights are proposed at a maximum of 51 feet to the top of the parapet in the interior of the site.

General Plan and Zoning:

The General Plan designation of the site is CBD or Central Business District; the Zoning designation is PDD-324; the underlying zone is CBD. The approved land use is consistent with the provisions of the General Plan and Zoning Ordinance for that designation. The CBD designation allows resort hotels including accessory commercial uses, antique shops, art galleries, apparel stores, gifts and other retail uses located on the ground floor.

Downtown Urban Design Guidelines:

Staff has reviewed the proposal and conducted a comparison of the proposed amendment with the Downtown Urban Design Guidelines and the Zoning Code. As proposed, the project is generally consistent with the Downtown Design Guidelines. Under the Guidelines, the site is designated "High Intensity Mixed-Use (Residential/Commercial) Gateway." The Gateway is the north and south entrances to the downtown area; Alejo Road on the north side and Ramon Road on the south end between Belardo Road and Indian Canyon Drive. The Guidelines describe the Gateways as follows:

- *"They should be taller (max. 60 ft.), high intensity mixed-use (residential/commercial) areas with distinctive landscaping and signage marking the entrance to downtown."* The maximum height of the tallest structure within the development is 51 feet.
- *"New buildings should be sensitive to the historic context and complement the unique mix of architectural styles. In addition, new projects should strive for excellence in architectural design."* The scale of the design and its street presence is consistent with the visions of downtown area.
- *"Building height in the north and south gateway areas should be a maximum of 30 feet on the street front stepping back to 60 feet in height with minor intrusions for architectural features."* The proposed maximum height of the tallest structure

within the development is 51 feet; this is consistent with the Downtown Design Guideline.

- *“Underground structured parking has the least impact on the visual quality of downtown and is encouraged when feasible.”* Above ground parking facility is being proposed for the site development. Two free standing structures located at the south and north ends of the project site including surface parking are being proposed.

*Additional Design Concepts in the Guidelines & Staff Analysis:*

- *Create new mid-block walkthroughs and pedestrian connections:*

As designed, the ground level proposes a high density of commercial retail and restaurant uses along Palm Canyon Drive. Vehicular uses are directed towards the interior of the complex to preserve pedestrian sidewalk experience. The project also provides a prominent walkthrough within and outside of the ground floor.

- *Protect or create public view corridors along streets:*

The project's maximum height, overall mass, scale, setbacks and lower roof lines are designed to preserve public views especially along Palm Canyon Drive. Also, the buildings on the site will be articulated to provide some views. Additionally, the individual hotel rooms have open passage ways between them for added views.

- *Create distinctive gateways to downtown with large water element and signage:*

The project proposes to make the corner of East Alejo Road and a Palm Canyon Drive a focal point by creating a sense of arrival at the location. Adequate setbacks along Alejo Road are proposed to allow planting in front of the distinct sculptured architectural façade of corten paneling which acts as a backdrop to the adjacent Frances Stevens Park. There is no water element being proposed at this location.

- *Ensure a vibrant, compact, and walkable “core” downtown:*

The proposed mixed-use development consisting of a 150-room hotel, commercial retail and restaurant use is designed to activate pedestrian experience in that part of the downtown. The future built-out of the project will ensure a vibrant and walkable downtown with art galleries, art studios and other retail uses designed to attract and enhance pedestrian activities within the development and its surroundings.

- *Create new mixed-use development projects, especially in the central core area and the northern and southern ends of downtown:*

This project meets this vision; it is a mixed-use development in the northern gateway to the core area of downtown. Upon completion, this area of the downtown will become more vibrant and pedestrian friendly.

- *Concentrate tall, high density projects in the central downtown core and at the north and south gateways to downtown:*

At that location, and with a maximum height of 51 feet, the project is consistent with the above-stated design concept. Also, with a 150-room hotel, the density is well within the

allowable density of similar developments by the Code and more importantly it is situated at the northern gateway to downtown area.

- *Strengthen or create pedestrian and vehicular connections between areas of activity/districts:*

The project will strengthen pedestrian connections between this development and adjoining businesses by maintaining and enhancing the existing sidewalks along Palm Canyon Drive frontage and East Alejo Road. Also, there are pedestrian points of access to the site through East Alejo Road, Palm Canyon and Indian Canyon Drives; furthermore, there are pedestrian connections into and within the development.

AAC Review:

The Architectural Advisory Committee (AAC) reviewed the project and provided comments on October 7, 2013. On October 21, 2013, the AAC considered the project and recommended approval to the Planning Commission with comments. The project architect and the applicant indicated their willingness to incorporate some suggested changes by the AAC into the final design. The AAC requested additional exhibits showing the following:

- A wraparound of the ground level retail on the south side
- Improve the overhang on the east
- Add bulkhead on the east to block vehicle lights
- Provide additional corner options on the northwest section of the site.

Fully developed landscape plans with planters on Palm Canyon were asked to be brought back to the Committee for a final review. The applicant has since revised the plans to address these comments. Final landscape plans will be reviewed one more time at the Final PDD submittal phase.

Planning Commission Review:

At its public hearing meeting on December 11, 2013, the Planning Commission considered the proposed amendment to the PD and by a vote of 7-0, approved the amended project with the following recommended comments:

- The Indian Canyon side to be reconsidered to allow pedestrian circulation.
- Activate the Alejo/Indian Canyon corner.
- Utilize extra space on the second floor over the garage to give more connectivity to the third level hotel rooms from the street view.
- Pedestrian access to be created from the ground level parking garage on the north onto Palm Canyon.
- Replace some of the northern ground floor parking to allow for commercial space on Indian Canyon and/or Alejo Road.
- Parking structure lighting to be shielded from the street.

The applicant has addressed these comments by making revisions to the project and incorporating some of the Planning Commission's suggestions into the project.

Landscape Plan:

Proposed landscape design will include a mix of desert appropriate plant selections consisting of different mix of plants along the project perimeter, the entry area, the building edge along Alejo Road and Indian Canyon Drive. The conceptual landscaping plan includes drought tolerant plantings which are designed to soften the hardscape throughout the project. Shade trees are proposed for the Palm Canyon and Alejo frontage, and palm trees for the Indian Canyon frontage. Proposed auto court area landscaping will provide an attractive and varied landscape for the project. Finally, as designed, each room on the hotel floor will contain a private garden area as a focal point.

Parking:

As noted in the Table above, the proposed project includes sufficient parking to satisfy the requirements of the mixed-use development and Zoning Ordinance. The applicant has proposed two free-standing parking structures located at the south and north sides of the project site. Pursuant to the parking requirements of the Palm Springs Zoning Code, the total required parking for the project is 226; the applicant has provided 283 parking spaces. The commercial component of this project is approximately 32,750 square feet in size. According to Section 92.26.00(6) (downtown parking combining zone) of the Zoning Code, mixed-use developments in excess of 20,000 square feet of gross floor area are required to provide 1 parking space for every 375 square feet of gross floor area. In this case, the required parking spaces for the commercial section will be 87; the 150-room hotel will require 125 spaces, therefore, the total required parking spaces is 226. The applicant has provided 283 parking spaces for the development. Additional parking spaces will not be needed as long as restaurant use does not exceed 25% of the total floor area of the development. Staff has included a condition of approval (PLN 3) that will require the applicant to amend this requirement should the need occur to increase the restaurant use within the development.

Vesting Tentative Tract Map:

The applicant has also submitted an application to amend the current Vesting Tentative Tract Map 34190 which was previously approved along with PDD 324. That map was for a two-parcel condominium map and three lettered lots for the entire project. The applicant is now proposing to modify the condominium map by subdividing the property into one parcel with three lettered lots for street purposes only. Findings and analysis in support of approval of the map are provided in the findings section of this report.

Public Benefits:

In September 2008, the City Council adopted a policy requiring that proposed Planned Development District developments provide a specific Public Benefit proportionate to the nature, type and extent of the relief granted from the development standards and requirements. This project was originally approved in 2006 prior to the adoption of this policy, moreover, the applicant is not requesting for any new relief or deviations from the Code or the previously established standards with this amendment. However, the applicant has stated that the proposed development will provide these benefits to the City:



- The development will enhance tourism in Palm Springs
- Attract national interests to the Convention Center
- Create additional revenues for the City
- Create additional jobs
- Activate the gateway to the Downtown area

### REQUIRED FINDINGS

According to Section 94.03.00(G) of the Palm Springs Zoning Code, amendments to Planned Development Districts are to be processed in the same manner as the original PDD application. Pursuant to PSZC Section 94.03.00 "Planned Development Districts" findings shall be made in support of approval of the PDD application in accordance with Section 94.02.00 (B)(6). Those findings are listed below with Staff's analysis of the project against those findings.

Findings can be made in support of the proposed Planned Development District Amendment as follows:

- a. *The proposed planned development amendment is consistent and in conformity with the general plan pursuant to Sections 94.07.00 (A)(1) and 94.02.00 (A)(4) of the Palm Springs Zoning Code.*

The proposed planned development amendment is consistent with the General Plan, which includes special provisions for the Central Business District. The project will bring revitalization to the Downtown area with the development of new retail commercial space; also, the boutique hotel could enhance the City's tourism base.

- b. *The subject property is suitable for the uses permitted in the proposed planned development district, in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations.*

The project, as proposed, is consistent with the Downtown Design Guidelines and the vision of the area for the future. The site is physically suitable for the proposed project, and provides sufficient access points for all uses proposed.

- c. *The proposed establishment of the planned development district is necessary and proper, and is not likely to be detrimental to adjacent property or residents.*

The Planned Development District modifies height and setback requirements in a manner which is conducive with the urban development sought for the site in the future. The inclusion of a mixed-use project consisting of a boutique hotel and retail commercial in this area of the City will increase vitality and activity in the Downtown area.

- d. *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The project proposes primary vehicular access to the public streets from Palm Canyon Drive. There is another entry to the northerly portion of the development from Alejo Road; therefore the development will relate to existing streets and highways. Also, traffic and ease of circulation within and around the development were analyzed in the previously adopted MND incorporated into the current document.

- e. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A draft set of conditions of approval are proposed in the attached Exhibit B; these conditions are from different departments of the City which include Planning, Building, Fire and Public Works. All the conditions from the original entitlement and Mitigation Measures from the new analysis to the previously adopted MND also apply to this project. Therefore, staff believes that the conditions imposed are deemed necessary to protect the public health, safety and general welfare.

*Vesting Tentative Tract Map Amendment*

Additional findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and a discussion of the project as it relates to these findings follow:

- a. *The proposed Vesting Tentative Tract Map is consistent with all applicable general and specific plans.*

The previously approved vesting tentative tract map was for a two-parcel condominium map and three lettered lots for the entire project. The applicant is now proposing to modify the condominium map by subdividing the property into one parcel with three lettered lots for street purposes only. The map is consistent with the City's general plan.

- b. *The design and improvements of the proposed Vesting Tentative Tract Map are consistent with the zone in which the property is located.*

The design of the map is consistent with the allowable uses under the Planned Development District for this property. The Planned Development District allows for variations from zoning standards.

- c. *The site is physically suited for this type of development.*

The currently vacant site was previously fully developed with commercial uses and it is surrounded by existing development and City streets. The construction of commercial / retail and hotel buildings on the site is appropriate at this location.

- d. *The site is physically suited for the proposed density of development.*

The site can accommodate the 150-room hotel ancillary commercial uses as proposed.

The approximate 4.1-acre site is physically suited for the size, scope and density of the proposed hotel and ancillary commercial retail.

- e. *The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The Amended Vesting Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration was adopted. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The site has been fully developed for many years, and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

- f. *The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The subdivision is designed to meet or exceed City standards. The 150-room hotel and commercial spaces will be required to meet or exceed City building codes. The project will not cause public health problems.

- g. *The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

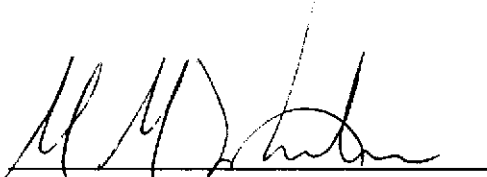
There are no known public easements or access across the subject property, therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

#### ENVIRONMENTAL ASSESSMENT AND DETERMINATION:

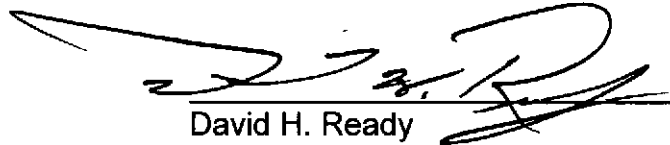
The Planning Department has reviewed this amended project under the provisions of the California Environmental Quality Act (CEQA). On October 4, 2006, and September 7, 2011, the City Council adopted a Mitigated Negative Declaration (MND) No. 2006109032 for the project. An updated traffic study dated July 8, 2011, and a subsequent environmental analysis was prepared under the provisions of the California Environmental Quality Act (CEQA), and a determination was made by the Planning Department that the amended project will not result in any new additional impacts beyond those that were previously identified and addressed and that adequate mitigation measures had already been incorporated into the project. In the new assessment, staff also concluded that the MND covered the issues the City addressed, including topics such as land use policies, safety, aesthetics, biological resources, noise effects and traffic impacts during construction and operation of the project. In addition to the mitigation measures included in the MND, staff has included conditions of approval in support of the subsequent environmental analysis and the previously adopted Mitigated Negative Declaration.

## NOTIFICATION

A public hearing notice was advertised and was mailed to all property owners within 500 feet of the subject property/adjacent property owners. Pursuant to the requirements of the ordinance, on October 24, 2013, the applicant posted a sign of the proposed project at the site. The neighborhood organizations within one half mile of the project site were notified of the public hearing meeting date.



M. Margo Wheeler, AICP  
Director of Planning Services



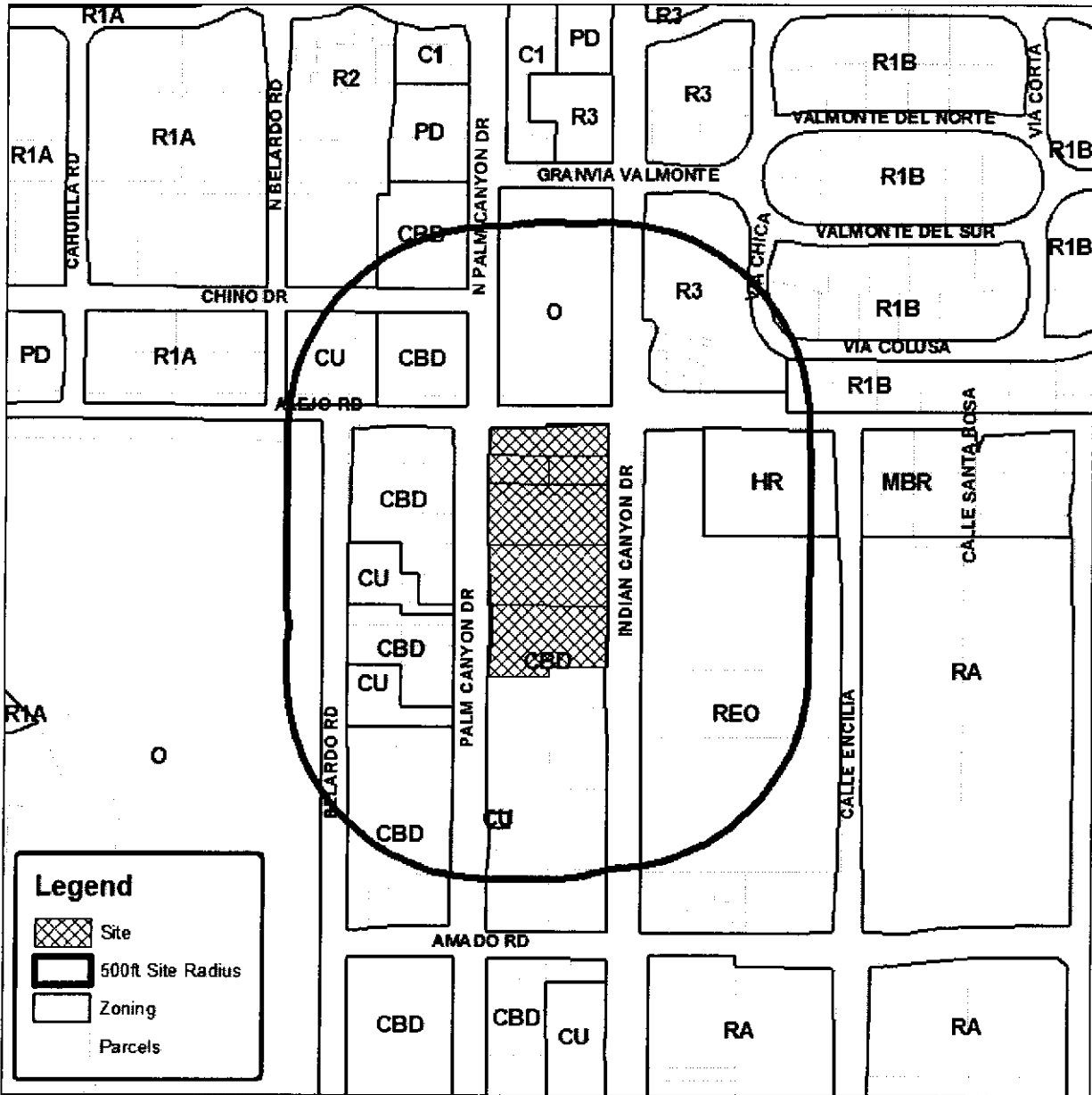
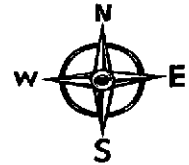
David H. Ready  
City Manager

### Attachments:

1. Vicinity Map
2. Draft Council Resolutions and Conditions of Approval
3. Minutes from the City Council meeting of September 7, 2011
4. Minutes from the Planning Commission meeting of December 11, 2013
5. Minutes from the AAC meetings of October 7 & 21, 2013
6. Environmental Assessment & the original Initial Study from 2006
7. Downtown Urban Design Concept Sketch
8. 11'x17' Booklets of project plans



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** CASE 5.1091  
PD 324 AMND

**APPLICANT:** Palm Springs, LLC

**DESCRIPTION:** To consider an application by Lawrence Rael, Palm Springs LLC, to amend a previously approved Planned Development District 324 consisting of a 150-room hotel, and approximately 32,705 square feet retail commercial development at 414 North Palm Canyon Drive.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, FINDING THAT THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION (MND) IS A SUFFICIENT AND APPROPRIATE ENVIRONMENTAL DOCUMENT AND APPROVING AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 324 AND VESTING TENTATIVE TRACT MAP 34190 FOR PALM SPRINGS, LLC, TO DEVELOP A 150-ROOM HOTEL, ANCILLARY COMMERCIAL RETAIL AND FREE STANDING PARKING STRUCTURES ON APPROXIMATELY 4.1 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF ALEJO ROAD AND NORTH PALM CANYON DRIVE

WHEREAS, Palm Springs, LLC, (the "Applicant") has filed an application with the City to amend a previously approved Planned Development District 324 pursuant to the provisions of Section 94.02.00 (B) of the Palm Springs Zoning Code; and

WHEREAS, the City Council of the City of Palm Springs originally amended Planned Development District 324 (PDD 324), on September 7, 2011, for a mixed-use development consisting of a 175-room hotel and ancillary commercial/retail use; and

WHEREAS, the Amended project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and an Environmental Assessment was previously prepared for this project and was previously distributed for public review and comments in accordance with CEQA; and

WHEREAS, on December 11, 2013, a public hearing on the application was held by the Planning Commission in accordance with applicable law; and

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

WHEREAS, a notice of public hearing of the City Council of the City of Palm Springs to consider Case No. 5.1091-PD324 AMND was given in accordance with applicable law; and

WHEREAS, on April 2, 2014, a public hearing on the application was held by the City Council in accordance with applicable law; and

WHEREAS, the City Council has carefully reviewed and considered all of the evidence presented in connection with the meeting on the project, including but not limited to the staff report, and all written and oral testimony presented.

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

Section 1:

The proposed amended project was reviewed under the provisions of the California Environmental Quality Act (CEQA) and determined that the proposal is a "project". An updated traffic study and a subsequent environmental analysis was prepared under the provisions of the California Environmental Quality Act (CEQA); a determination was made that the proposed amended project will not result in any new additional impacts beyond those that were previously identified and addressed and that adequate mitigation measures had already been incorporated into the project. In the new assessment, it was concluded that the MND and the subsequent environmental analysis covered the issues the City addressed, including topics such as land use policies, safety, aesthetics, biological resources, noise effects and traffic impacts during construction and operation of the project. In addition to the mitigation measures included in the MND, conditions of approval in support of the subsequent environmental analysis and the previously adopted Mitigated Negative Declaration have been included.

Section 2: Pursuant to Section 94.03.00(E) and 94.02.00(B) of the Palm Springs Zoning Code, the Council makes the following findings:

- a. *The proposed planned development amendment is consistent and in conformity with the general plan pursuant to Sections 94.07.00 (A)(1) and 94.02.00 (A)(4) of the Palm Springs Zoning Code.*

The proposed planned development amendment is consistent with the General Plan, which includes special provisions for the Central Business District. The project will bring revitalization to the Downtown area with the development of new retail commercial space; also, the 150-room hotel could enhance the City's tourism base.

- b. *The subject property is suitable for the uses permitted in the proposed planned development district, in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations.*

The amended project, as proposed, is consistent with the Downtown Design Guidelines and the vision of the area for the future. The site is physically suitable for the proposed project, and provides sufficient access points for all uses proposed.

- c. *The proposed establishment of the planned development district is necessary and proper, and is not likely to be detrimental to adjacent property or residents.*

The Amended Planned Development District modifies certain development standards requirements in a manner which is conducive with the urban development sought for the site in the future. The inclusion of a mixed-use project consisting of a 150-hotel and retail commercial in this area of the City will increase vitality and activity in the Downtown area.

- d. *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The project proposes primary vehicular access to the public streets from Palm Canyon Drive. There is another entry to the northerly portion of the development from Alejo Road; therefore the development will relate to existing streets and highways. Also, traffic and ease of circulation within and around the development were analyzed in the previously adopted MND incorporated into the current document.

- e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A draft set of conditions of approval are proposed in the attached Exhibit B; these conditions are from different departments of the City which include Planning, Building, Fire and Public Works. All the conditions from the original entitlement and Mitigation Measures from the new analysis to the previously adopted MND also apply to this project. Therefore, staff believes that the conditions imposed are deemed necessary to protect the public health, safety and general welfare.

*Vesting Tentative Tract Map Amendment*

Additional findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and a discussion of the project as it relates to these findings follow:

- a. The proposed Vesting Tentative Tract Map is consistent with all applicable general and specific plans.*

The previously approved vesting tentative tract map was for a two-parcel condominium map and three lettered lots for the entire project. The applicant is now proposing to modify the condominium map by subdividing the property into one parcel with three lettered lots for street purposes only. The map is consistent with the City's general plan.

- b. The design and improvements of the proposed Vesting Tentative Tract Map are consistent with the zone in which the property is located.*

The design of the map is consistent with the allowable uses under the Planned Development District for this property. The Planned Development District allows for certain variations from zoning standards.

- c. The site is physically suited for this type of development.*

The currently vacant site was previously fully developed with commercial uses and it is surrounded by existing development and City streets. The construction of commercial / retail and hotel buildings on the site is appropriate at this location.

- d. The site is physically suited for the proposed density of development.*

The site can accommodate the proposed 150-room hotel ancillary commercial uses as designed. The approximately 4.1-acre site is physically suited for the size, scope and density of the proposed hotel and ancillary commercial retail.



- e. *The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The Amended Vesting Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration was adopted. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The site has been fully developed for many years, and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

- f. *The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The subdivision is designed to meet or exceed City standards. The 150-room hotel and commercial spaces will be required to meet or exceed City building codes. The project will not cause public health problems.

- g. *The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

There are no known public easements or access across the subject property, therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council approves the proposed amendments to Planned Development District 324 and Vesting Tentative Tract Map 34190; for the development of a 150-room hotel and ancillary commercial retail space on approximately 4.1 acres of vacant land located at southeast corner of North Palm Canyon Drive and Alejo Road, subject to the Conditions of Approval attached to this Resolution as Exhibit A. These approvals shall be valid for two years, unless otherwise extended in a manner authorized under applicable provisions of the Palm Springs Municipal Code.

ADOPTED this 2<sup>nd</sup> day of April, 2014.

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David H. Ready, City Manager

ATTEST:

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James Thompson, City Clerk

RESOLUTION NO. \_\_\_\_\_

EXHIBIT A

Case 5.1091 PDD 324 & TTM 34190 AMND

Port Lawrence  
Southeast corner of Alejo Road and North Palm Canyon Drive

CONDITIONS OF APPROVAL

April 2, 2014

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

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

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1091-PD324 / TTM34190 AMND; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped September 5, 2013, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1091-PDD 324 & TTM 34190 AMND. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or

will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of the Planned Development District (PDD) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
- ADM 10. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply

with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution.

- ADM 11. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 12. Conditional Use Permit/PDD Availability. The applicant shall provide a copy of this Conditional Use Permit/PDD to all buyers and potential buyers

#### ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) NOT required. This project is exempt of payment of the CVMSHCP LDMF pursuant the terms of that plan.
- ENV 2. Notice of Determination. The project is subject to the provisions of the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$50 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be considered final until such fee is paid.
- ENV 3. Mitigation Measures. All the Mitigation Measures contained in the Initial Study are hereby incorporated into these conditions of approval by reference.

#### PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

- PLN 3. Restaurant Use. Restaurant use at the location shall not exceed 25% of the total floor area of development.
- PLN 4. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 5. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 6. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 7. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 8. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 9. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 10. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 11. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by patrons and staff. Location and design shall be approved by the Director of Planning.
- PLN 12. Tree Planting Plan. Tree planting plan for the development shall be consistent with the requirements of the Downtown Urban Design Plan tree planting plan.

#### POLICE DEPARTMENT CONDITIONS

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

#### BUILDING DEPARTMENT CONDITIONS

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

#### FIRE DEPARTMENT CONDITIONS

**FID 1** These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated September 5, 2013. Additional requirements may be required at that time based on revisions to site plans.

**FID 2** Fire Department Conditions were based on the 2010 California Fire Code. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

**FID 3** **Plot Plan:** Prior to completion of the project, an 8.5"x11" plot plan or drawing, and an electronic version in an industry standard file format capable of being used in a geographical information system (GIS) preferably an ESRI shape file(s) shall be provided to the fire department. The GIS file shall be projected in the California State Plane Zone VI coordinate system and capable of being re-projected into the North American Datum 1983 coordinate system. PDF files by themselves will not meet this requirement. The GIS and ESRI shape file(s) shall clearly show all access points, fire hydrants, KNOX™ box locations, fire department connections, dwelling unit or suite identifiers, main electrical panel location(s), sprinkler riser and fire alarm locations. Industry standard symbols used in emergency management and pre-fire planning are encouraged. Large projects may require more than one page. AutoCAD files will be accepted but must be approved prior to acceptance.

**FID 4** **PLANS AND PERMITS**

When there are significant changes in occupancy, water supply, storage heights, type, and quantity of storage, storage configurations, Tenant Improvements or any other changes which may affect the fire sprinkler system design, the owner, tenant or contractor shall submit plans and secure permits. Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain two sets.

Plans shall be submitted to:

City of Palm Springs  
Building and Safety Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262  
Counter Hours: M – TH, 8:00 AM – 11:00 AM and 2:00 PM – 6:00 PM

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. The minimum fee is \$ 208.00. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall

be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

Plot Plan: Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.

**FID 5**      **Public Safety CFD:** The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 et seq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.

**FID 6**      **Radio Communications:** Must install an in-building Public Safety Radio Communications Coverage System composed of a radiating cable system or an internal multiple antenna system with FCC-certified bi- directional 800 MHz and 150 MHz (as required to meet the two indicated 150 MHz frequencies) amplifier(s), distribution system, and subcomponents shall be required for all buildings in excess of three stories, or has subterranean floors, or subterranean parking. Any addition, alteration, or enlargement of twenty percent or more in total floor area of an existing building or structure, then such building or structure shall be retrofitted or otherwise modified to comply with these requirements. This system must meet the City of Palm Springs Public Safety Radio System Coverage Specifications as stated in the Palm Springs Municipal Code Chapter 11.03.

**FID 7**      **Photovoltaic System:** Photovoltaic system design and installation must be approved by the fire department. Detailed plans need to be submitted for review and include allowable roof access to perform fire suppression and rescue operations.

**FID 8**      **Trash Dumpster (CFC 304.3.3)** Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m<sup>3</sup>)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

**Exceptions:**

1. Dumpsters or containers in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.

**FID 9**      **Ceiling Clearance (CFC 315.2.1):** Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings or 18 inches or more below sprinkler head deflectors in sprinklered areas of buildings. Attention to this requirement during installation of storage shelving will reduce problems later.

**FID 10**     **Equipment Room Storage (315.2.3):** Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms.

**FID 11**     **Combustible Outside Storage (CFC 315.3):** Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property line.

**FID 12**     **Storage Beneath Overhead Projections From Buildings (CFC 315.3.1):** Where buildings are protected by automatic sprinklers, the outdoor storage, display and handling of combustible materials under eaves, canopies or other projections or overhangs is prohibited except where automatic sprinklers are installed under such eaves, canopies or other projections or overhangs.

**FID 13**     **Fencing Requirements (8.04.260 PSMC):** Construction site fencing with 20 foot wide access gates is required for all combustible construction over 5,000 square feet. Fencing shall remain intact until buildings are stuccoed or covered and secured with lockable doors and windows.

**FID 14**     **Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.



- FID 15**      **Access Road Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 16**      **Fire Apparatus Access Gates (8.04.260 PSMC):** Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock.
- FID 17**      **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- FID 18**      **Fire Department Access:** Roads/driveways shall be provided so that no portion of the exterior wall of the first floor of any building will be more than 150 feet from such roads.
- FID 19**      **Fences (CFC 503.1.5):** When fences are installed that cause the distance from an approved fire department access road to exceed the maximum distance allowed in Section 503 herein, a gate shall be provided in the fence to maintain the required fire department access. The gate shall be a minimum four (4) feet in width and be equipped with a key box and/or lock accessible from both sides in accordance with Section 506 herein.
- FID 20**      **Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.
- FID 21**      **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities. Decomposed granite (DG), grass, dirt, sand and other materials that can wash away, develop ruts or be dug up shall not be used. Interlocking pavers, turf block or other similar materials may be allowed, subject to the provision of proper base material and compliance with City Engineering Department compaction requirements. Prior to permit sign-off, compaction test results shall be submitted to the City Engineering Department for approval.

- FID 22**      **Aerial Access Proximity to Building (CFC 503.2.8.2):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.
- FID 23**      **Plot Plan:** Prior to completion of the project, a 8.5"x11" plot plan shall be provided to the fire department. This shall clearly show all access points & fire hydrants.
- FID 24**      **Premises Identification (CFC 505.1):** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public* way, a monument, pole or other sign or means shall be used to identify the structure.
- FID 25**      **Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.
- Secured emergency access gates serving apartment, town home or condominium complex courtyards must provide a key box in addition to association or facility locks. The nominal height of Knox lock box installations shall be 5 feet above grade. Location and installation of Knox key boxes must be approved by the fire code official.
- FID 26**      **Key Box Contents (CFC 506.1):** The Knox key box shall contain keys to all areas of ingress/egress, alarm rooms, fire sprinkler riser/equipment rooms, mechanical rooms, elevator rooms, elevator controls, plus a card containing the emergency contact people and phone numbers for the building/complex.
- FID 27**      **Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5):** Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this project is 1,500 gallons per minute (CFC Appendix B) and one available

fire hydrant must be within 250 feet from any point on your lot street frontage. (CFC Appendix C)

- FID 28**      **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 29**      **Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), Double Check Detector Assembly, Fire Department Connection and associated valves.
- FID 30**      **Water Systems and Hydrants (CFC 508.1, 508.2, 508.4, 901.5 & 1412.1):** Underground private fire service mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (903 CFC) Installation, testing, and inspection will meet the requirements of NFPA 24, 2002 Edition. Prior to final approval of the installation, contractor shall submit a completed Contractors Material & Test Certificate for Underground Piping to the Fire Department. (10.10 NFPA 24, 2002 Edition).
- FID 31**      **Identification (CFC 510.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.
- FID 32**      **Elevator Recall Required (CFC 607.1):** Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. **New elevators** shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1.
- FID 33**      **NFPA 13 Fire Sprinkler System is Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA 13, 2010 Edition and using Cp of 0.74 and I/r Ratio of 200. No portion of the fire sprinkler system shall be installed prior to plan approval. Prior to final approval of the installation, contractor shall submit a completed Contractors Material and Test Certificate for Aboveground Piping to the Fire Department. (NFPA 13: Figure 24.1)

**FID 34**      **Balconies and Decks (903.3.1.2.1).** Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

**FID 35**      **Audible Water Flow Alarms (CFC 903.4.2):** An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) to alert the occupants shall be provided in the interior of the building in a normally occupied location.

**FID 36**      **Valve and Water-Flow Monitoring (CFC 903.4):** All valves controlling the fire sprinkler system water supply, and all water-flow switches, shall be electrically monitored. All control valves shall be locked in the open position. Valve and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station.

**FID 37**      **Residential Smoke and Carbon Monoxide Alarms Installation with Fire Sprinklers (CFC 907.2.10.1.2, 907.2.10.2 & 907.2.10.3; CRC R315):** Provide and install Residential Smoke and Carbon Monoxide Alarms (Kidde SM120X Relay / Power Supply Module connected to multi-station Kidde smoke and carbon monoxide alarms or equal system and fire sprinkler flow switch). Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected so that operation of any smoke alarm, carbon monoxide alarm or fire sprinkler flow switch causes all smoke and carbon monoxide alarms within the dwelling to sound and activate the exterior horn/strobe.

The wiring of this system shall be in accordance with Kidde SM120X Relay / Power Supply Module manual. The 120 volt device wired to turn on when alarm sounds is the exterior horn / strobe. The pull for fire device is the fire sprinkler flow switch.

**FID 38**      **Penetrations of Fire Rated Assemblies (CBC 712):** Penetrations of fire sprinkler piping shall maintain fire-resistive assemblies integrity with fire rated caulking or other approved methods compatible with piping materials.

**FID 39**      **Central Station Protective Signaling Service (CFC 903.4.1):** A UL listed and certified Protective Signaling Service (Central Station Service) is

required. Provide the Fire Department with proof of listing and current certificate. The Fire Department shall be notified immediately of change in service.

- FID 40**      **Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.
- FID 41**      **Fire Department Connections (CFC 912.2.1 & 912.3):** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 42**      **Ventilating Hood & Duct System (CFC 904.11 & CMC 507.1):** A Type I ventilating hood and duct system shall be provided for commercial-type food heat-processing equipment that produces smoke or grease-laden vapors.
- FID 43**      **Termination of Exhaust System (NFPA 96: 7.8):** Rooftop termination shall be arranged or provided with the following:  
(a) A minimum of 10 ft of horizontal clearance from the outlet to adjacent buildings, property lines, and air intakes.  
(b) A minimum of 5 ft of horizontal clearance from the outlet (fan housing) to any combustible structure.  
(c) A vertical separation of 3 ft below any exhaust outlets for air intakes within 10 ft of the exhaust outlet.  
(d) Listed grease collection system.
- FID 44**      **Fire Extinguishing System Required (CFC 904.11):** Approved UL 300 automatic fire-extinguishing systems shall be provided for the protection of commercial type-cooking equipment.
- FID 45**      **Automatic Power and Fuel Shutoffs (CFC 904.11.2 & CMC 513.4.1):** The automatic fire extinguishing system shall be interconnected to the fuel or current supply for cooking equipment. The interconnection shall shut off all cooking equipment and electrical receptacles which are located under the hood when the system is actuated. Shutoff valves or switches shall be of a type that requires manual operation to reset.
- FID 46**      **Fire Extinguishing System Annunciation (CMC 513.6.2):** Where a fire alarm signaling system is serving the occupancy where the extinguishing system is located, the activation of the automatic fire-extinguishing system shall activate the fire alarm signaling system.
- FID 47**      **Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4):** In addition to the fixed system, a fire extinguisher listed and

labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.

- FID 48 Standpipe Systems Required (CFC 905.3):** Class 1 Standpipe system is required in addition to the automatic sprinkler system.
- FID 49 Fire Alarm System:** Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2007 Edition.
- FID 50 HVAC Duct Smoke Detection/Shut Down with a Fire Sprinkler Supervision & Alarm System or Fire Alarm System (CFC 907.4.1, CMC 609.0 & NFPA 72):** All HVAC systems supplying greater than 2,000 CFM shall require a duct detector and HVAC shut down when smoke is detected. HVAC shut down shall be on an individual basis, not global. These systems shall supervise the Duct Detectors and activate the notification appliances. An accessory module shall be installed for each unit, including alarm LED, pilot LED and key-operated test/reset switch.
- FID 51 Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 52 Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4):** In addition to the fixed system, a fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.
- FID 53 Posting of Occupant Load (CFC 1004.3):** Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.
- FID 54 Means of Egress Illumination (CFC 1006.1 & 2):** Any time a building is occupied, the means of egress shall be illuminated at an intensity of not less than 1 foot-candle at the floor level.
- FID 55 Means of Egress Illumination Power Supply (CFC 1006.3):** The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. In the event of power supply failure, an

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

- FID 56**      **Required Exit Signs (CFC 1011.1):** Exits & exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or path is not immediately visible to occupants. No point in the corridor shall be more than 100 feet or the listed viewing distance for the sign, which ever is less, from the nearest visible sign.
- FID 57**      **Exit Sign Illumination (CFC 1011.2, 4 & 5):** Exit signs shall be internally or externally illuminated. When the face of an exit sign is illuminated from an external source, it shall have an intensity of not less than 5 foot-candles from either of two electric lamps. Internally illuminated signs shall provide equivalent luminance and be listed for the purpose.
- FID 58**      **Exit or exit access doorways required. (CFC 1015.1)** Two exits or exit access doorways from any space shall be provided. Occupant load noted in the Conditional use permit is greater than 49 and thus requires two exits.
- FID 59**      **Two exits or exit access doorways. (CFC 1015.2.1)** Where two exits or exit access doorways are required from any portion of the exit access, the exit doors or exit access doorways shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between exit doors or exit access doorways.
- FID 60**      **Fire Dampers (CMC 606.2):** They shall be provided where air ducts penetrate fire-rated walls or ceilings.
- FID 61**      **Elevator Stretcher Requirement (CBC 3002.4):** Elevator shall be designed to accommodate medical emergency service in buildings four or more stories above grade plane or four or more stories below grade plane, at least one elevator shall be provided for fire department emergency access to all floors. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches.

## ENGINEERING DEPARTMENT CONDITIONS:

Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

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

### STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a California Registered Civil Engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.

### PALM CANYON DRIVE

- ENG 3. All existing decorative street improvements, landscaping, and lighting improvements shall be protected in place, except removals approved by the City Engineer. The applicant shall be responsible for the repair, removal and replacement of existing improvements damaged as a result of the construction of this project, as directed by the City Engineer.
- ENG 4. Remove the existing driveway approaches and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards. Existing decorative concrete pavers shall be removed and salvaged to the City Corporation Yard, or reused in replaced street improvements. New sidewalk shall be constructed of decorative concrete pavers to match existing.
- ENG 5. Remove the existing street improvements as necessary to construct a 40 feet wide new private street intersection with the centerline of the new street intersection located approximately 225 feet north of the south property line. The new street intersection shall be constructed with 25 feet radius curb returns and spandrels, and a 6 feet wide cross-gutter, in accordance with City of Palm Springs Standard Drawing No. 200 and 206. Any removal or relocation of existing landscaping, irrigation, electrical and lighting improvements shall be coordinated with the City Engineer prior to removal or relocation. Existing decorative concrete pavers shall be removed and salvaged to the City Corporation Yard, or reused in replaced street improvements. Access shall be limited to left-turn ingress and egress only.
- ENG 6. Construct a Type A curb ramp meeting current California State Accessibility standards on either side of the proposed private street intersection in accordance with City of Palm Springs Standard Drawing No. 212. The curb ramps shall be constructed of colored Portland cement concrete to match existing decorative street improvements.



- ENG 7. Construct a new decorative landscape planter to match existing planters along Palm Canyon Drive, on either side of the new private street intersection. The applicant shall furnish and install new *Washingtonia filifera* palm trees within each new decorative landscape planter. The palm trees shall have a trunk height and diameter equal to other palm trees along the project frontage, as approved by the City Engineer. Irrigation, electrical and lighting improvements for the new palm trees shall be connected to the existing systems, as required by the City Engineer.
- ENG 8. New palm trees shall be subject to a one-year plant establishment period. The applicant shall ensure that adequate irrigation of new palm trees is provided during the plant establishment period, until such time as the existing irrigation system is sufficient to irrigate the palm trees. Any palm trees that fail during the one-year plant establishment period shall be replaced with a new palm tree of similar trunk height and diameter to the satisfaction of the City Engineer, and shall be subject to a subsequent one-year plant establishment period.
- ENG 9. The applicant shall obtain specific approvals for alternative decorative streetscape improvements along Palm Canyon Drive, including but not limited to: alternative decorative pavers in a pattern inconsistent with the established pattern along Palm Canyon Drive; circular tree wells in lieu of octagonal tree wells; lighting and electrical system; and landscape palette along the Palm Canyon Drive frontage. The applicant shall clearly specify the requested alternative streetscape design as part of the Final Development Plan approval by the Planning Commission. The applicant shall be required to enter into an Encroachment Agreement for all alternative decorative streetscape improvements, which shall be privately maintained.
- ENG 10. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### INDIAN CANYON DRIVE

- ENG 11. Dedicate additional right-of-way to provide the ultimate half street right-of-way width of 50 feet along the entire frontage.
- ENG 12. All existing street improvements and palm trees shall be protected in place, except as otherwise required by the City Engineer. The applicant shall be responsible for the repair, removal and replacement of existing improvements damaged as a result of the construction of this project, as directed by the City Engineer.
- ENG 13. Remove the existing driveway approaches and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.
- ENG 14. The proposed diagonal street parking as shown on the Site Plan for the Palm Springs Hotel is not approved, pending the City Council decision on the Indian Canyon Drive Two-Way Study, in December, 2013.

- ENG 15. Remove the existing street improvements as necessary to construct a 20 feet wide and a 26 feet wide driveway approach for the northerly access points with the centerline of the driveway approaches located approximately 265 feet south and 320 feet south of the centerline of Alejo Road, respectively. The driveway approaches shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205. Any removal or relocation of existing landscaping and irrigation improvements shall be coordinated with the City Engineer prior to removal or relocation. Access shall be limited to left-turn ingress and egress only for both driveway approaches.
- ENG 16. Remove the existing street improvements as necessary to construct a 24 feet wide driveway approach for the southerly access point with the centerline of the new driveway approach located approximately 80 feet north of the south property line. The new driveway approach shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205. Any removal or relocation of existing landscaping and irrigation improvements shall be coordinated with the City Engineer prior to removal or relocation. Access shall be limited to left-turn ingress and egress only.
- ENG 17. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the three proposed driveway approaches on Indian Canyon Drive, in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveways, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
- ENG 18. Remove and reconstruct the decorative pedestrian crosswalk across Indian Canyon Drive at Alejo Road, as necessary to align with the new proposed curb ramp to be located at the southwest corner of the intersection of Indian Canyon Drive and Alejo Road.
- ENG 19. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ALEJO ROAD

- ENG 20. Dedicate additional right-of-way to provide the ultimate half street right-of-way width of 50 feet along the frontage (where required).
- ENG 21. Remove the existing curb and gutter located 32 feet south of centerline, and construct an 8 inch curb and gutter located 38 feet south of centerline along the frontage (where required), with a 25 feet radius curb return and spandrel at the southwest corner of the intersection of Alejo Road and Indian Canyon Drive, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 22. Remove the existing catch basin and reconstruct a new catch basin and extend the existing storm drain connector pipe in accordance with Riverside County Flood

Control and Water Conservation District standards and requirements, as necessary to relocate the existing curb and gutter along Alejo Road.

- ENG 23. Remove the existing driveway approaches and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.
- ENG 24. Remove the existing street improvements as necessary to construct a minimum 20 feet wide driveway approach for the access point into the parking level area, with the centerline of the driveway approach located approximately 155 feet east of the centerline of Palm Canyon Drive. The driveway approach shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205. Access shall be limited to right-turn ingress and egress only.
- ENG 25. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the proposed driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the proposed driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
- ENG 26. Construct a sidewalk from back of curb to property line along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 27. Remove the existing curb ramp and construct a new Type A curb ramp meeting current California State Accessibility standards at the southwest corner of the intersection of Alejo Road and Indian Canyon Drive, in accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 28. Construct a 4 feet wide raised, decorative median island from Palm Canyon Drive to Indian Canyon Drive. The raised, decorative median shall follow the general alignment of the existing centerline striping. The interior of the median shall be constructed with decorative stamped concrete.
- ENG 29. Construct pavement with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the frontage (where required) in accordance with City of Palm Springs Standard Drawing No. 110 and 340. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 30. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

## ON-SITE

- ENG 31. All on-site two-way parking area drive aisles shall be a minimum of 24 feet wide and shall be privately maintained.
- ENG 32. The minimum pavement section for all on-site pavement shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 33. Parking shall be restricted along the drive aisles as necessary to maintain a 24 feet wide clear two-way travel way, except for designated parking spaces and parking bays. Regulatory Type R26 "No Parking" signs or red curb shall be installed along the drive aisles as necessary to enforce parking restrictions. The regulation and maintenance of required no parking restrictions, shall be included in Covenants, Conditions, and Restrictions required for the development.
- ENG 34. An accessible pedestrian path of travel shall be provided throughout the development, as may be required by applicable state and federal laws. An accessible path of travel shall be constructed of Portland cement concrete, unless alternative materials meeting state and federal accessibility standards is approved by the City Engineer.

## SANITARY SEWER

- ENG 35. All sanitary facilities shall be connected to the public sewer system. Existing sewer service laterals to the property may be used for new sanitary facilities. New laterals shall not be connected at manholes.
- ENG 36. Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

## GRADING

- ENG 37. Submit a Precise Grading and Paving Plan prepared by a California registered civil engineer to the Engineering Division for review and approval. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the

Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at [www.AQMD.gov](http://www.AQMD.gov). A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan. The Precise Grading and Paving Plan shall be approved by the City Engineer prior to issuance of grading permit.

a) The first submittal of the Precise Grading and Paving Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Tentative Tract Map; a copy of current Title Report; a copy of Soils Report; and a copy of the Final Project-Specific Water Quality Management Plan.

ENG 38. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 39. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 40. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

ENG 41. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

ENG 42. Contact Desert Water Agency at (760) 323-4971 Ext. 146 to determine impacts to any existing Whitewater Mutual Water Company water lines and other facilities that may be located within the property if any. Make appropriate arrangements to protect in place or relocate any facilities that are impacted by the development. A

letter of approval for relocated or adjusted facilities from Desert Water Agency shall be submitted to the Engineering Division prior to approval of the Grading Plan.

- ENG 43. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 44. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 45. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 46. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 47. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 48. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 49. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Precise Grading and

Paving Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

## WATER QUALITY MANAGEMENT PLAN

- ENG 50. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 51. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 52. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.
- ENG 53. Prior to issuance of certificate of occupancy or final City approval (OR of "final" approval by City), the applicant shall:
- a) Demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications;

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

## DRAINAGE

- ENG 54. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Palm Canyon Drive, Indian Canyon Drive, or Alejo Road. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
- ENG 55. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

## GENERAL

- ENG 56. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.
- ENG 57. All proposed utility lines shall be installed underground.
- ENG 58. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 59. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD



2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 60. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 61. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 62. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed per City of Palm Springs Standard Drawing No. 904.

#### MAP

- ENG 63. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcels and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.
- ENG 64. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council.
- ENG 65. In accordance with Section 66434 (g) of the Government Code, the easterly 10 feet of public right-of-way for Palm Canyon Drive adjacent to a portion of the parcel currently identified by Assessor's Parcel Number (APN) 513-081-006, generally described as the westerly 10 feet of the northerly 100 feet of Lot 4, Block 24, of Palm Springs Townsite, as shown on map filed in Book 9, Page 432 (records of San Diego County), may be abandoned upon the filing of a Final Map identifying the abandonment of the right-of-way granted to the City of Palm Springs. Prior to approval of a Final Map, the applicant shall coordinate with each public utility company and determine specific requirements as to the abandonment and/or relocation of existing underground utilities that may exist within that portion of the public right-of-way to be abandoned. Prior to approval of a Final Map, the applicant shall provide the City Engineer a letter of approval regarding the

proposed abandonment of a portion of public right-of-way for Palm Canyon Drive from each public utility agency.

- ENG 66. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

#### TRAFFIC

- ENG 67. As determined by the Rael Development Traffic Impact Study submitted by RK Engineering Group, Inc. (as amended on 7/8/11), the following mitigation measures will be required:
- a) Pay a fair share contribution determined as 7.7% (or \$15,400) for the future installation of a traffic signal at the intersection of Indian Canyon Drive and Tamarisk Road. The applicant shall pay the fair share contribution prior to approval of a final map.
  - b) Install a 24 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at all project access points, in accordance with City of Palm Springs Standard Drawing Nos. 620-625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
  - c) The project access point on Alejo Road is restricted to right-turn ingress and egress only; install traffic striping and signage improvements to implement the access restrictions as required by the City Engineer. The applicant shall install a Type R6-1 "One Way" sign within the Alejo Road median, opposite the egress driveway, as required by the City Engineer.
  - d) The project access points on Palm Canyon Drive and Indian Canyon Drive are restricted to left-turn ingress and egress only; install traffic striping and "One Way" signage improvements at all Palm Canyon Drive and Indian Canyon Drive egress driveways to implement the access restrictions as required by the City Engineer.
- ENG 68. Relocate and modify the existing traffic signal at the intersection of Indian Canyon Drive and Alejo Road, in conjunction with the associated proposed street improvements at the southwest corner of the intersection. The applicant shall submit traffic signal modification plans prepared by a California registered Civil Engineer or Traffic Engineer for review and approval by the City Engineer. The

traffic signal shall be relocated and operational prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

- ENG 69. Revise the traffic striping on Alejo Road to accommodate construction of the four feet wide median, as required by the City Engineer. Submit traffic striping and signage plans prepared by a California registered Civil Engineer or Traffic Engineer for review and approval by the City Engineer.
- ENG 70. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 71. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks or pedestrian paths of travel shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Palm Canyon Drive, Indian Canyon Drive, and Alejo Road frontages of the subject property.
- ENG 72. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 73. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 74. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

END OF CONDITIONS

~~City Manager Ready reviewed the new City Information website on Measure "B".~~

**REPORT OF CLOSED SESSION:** City Attorney Holland stated the meeting was called to order at 4:00 p.m., and the City Council recessed into Closed Session to discuss items on the posted Closed Session Agenda. No reportable actions were taken.

**ACCEPTANCE OF THE AGENDA:**

City Clerk Thompson requested that the City Council remove staff recommendation 2 for their motion for Consent Calendar Item 2.N. pertaining to the approval of a change order.

Councilmember Hutcheson noted his property related abstention on Consent Calendar Item 2.I.

Councilmember Foat noted her business related abstention on Consent Calendar Item 2.C. Warrant No. 1050635.

Councilmember Mills noted his business related abstention on Consent Calendar Items 2.I. and 2.L.

Mayor Pougnet noted his abstention on Consent Calendar Item 2.B., Minutes of July 6, 2011. Councilmember Hutcheson and Mayor Pro Tem Weigel noted their abstention on Consent Calendar Item 2.B., Minutes of August 25, 2011.

**ACTION:** ~~Accept the Agenda as amended. Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.~~

**1. PUBLIC HEARINGS:**

**1.A. PALM SPRINGS, LLC, PROPOSAL TO AMEND THE PREVIOUSLY APPROVED PORT LAWRENCE MIXED-USE DEVELOPMENT FROM THE DEVELOPMENT OF UP TO 118 CONDOMINIUM UNITS AND APPROXIMATELY 25,000 SQUARE FEET OF RETAIL COMMERCIAL TO A 175-ROOM BOUTIQUE HOTEL AND 30,000 SQUARE FEET OF RETAIL COMMERCIAL AND APPEAL THE PLANNING COMMISSION'S DECISION DENYING THE REVISED SITE PLAN ON APPROXIMATELY 4.1 ACRES OF VACANT LAND LOCATED AT THE SOUTHEAST CORNER OF ALEJO ROAD AND NORTH PALM CANYON DRIVE (CASE NO. 5.1091 PDD 324):**

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated September 7, 2011.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

**LAWRENCE RAEL**, Applicant, commented on the history of the property and the original project due to the economic conditions, commented on the height of the project, the step backs in the design, and the parking requirements.

Councilmember Mills requested staff address the parking requirements and the excess parking provided.

Councilmember Foat requested staff clarify the changes to the project, the height of the project as originally proposed.

**JAMES CIOFFI**, Representing Applicant, commented on the site plan, frontage on Alejo, and the addition of boutique store fronts.

**ROBERT HELBLING**, Palm Springs, noted his positive discussion and interactions with the Applicant, commented on the improvements in design along Indian Canyon, noted the approval is just for the massing of the project, and the benefits of the project to the community.

**MATT TAPSCOTT**, noted the improvements to the revised project and spoke in support of the project.

**PAT O'DELL**, noted the improvements to the revised project and spoke in support of the project.

**JOY MEREDITH**, Palm Springs, stated her support for the project, stated the project is an inspiration at the location, commented on the improvements to the project and working with the community, and noted the quality of the developer.

**JOAN MARTIN**, stated the project is looking pretty good and the changed use is better for the City, stated the Developer has been working with the community, but hoped that more study should be done on the Planning Commission recommendations that have not been addressed.

**CHRIS BROOKS**, stated the Developer went above and beyond, and noted his support for the project.

**WAYNE GOTTLIEB**, Palm Springs, spoke in support of the project, but expressed concerns about the ability to complete the project.

**AFTAB DADA**, noted the benefits to the community and the Downtown merchants, and stated his support for the project.

**FRANK TYSEN**, stated the proposed use is much better, noted the lower profile, but stated his concerns with height and density of the project, and requested the City Council approve the use, but allow the Planning Commission to review the revised project.

**MARK DAVIS**, noted the relocation issues for the previous tenants of the property and stated his support for the project.

**JULIUS KAZEN**, noted the benefits of the project and Downtown businesses, stated the City has a capacity issue and needs a new hotel project.

**LAWRENCE RAEL**, Applicant Rebuttal, requested the City Council approve the site plan and grant the authority to return to the AAC and the Planning Commission for architecture.

No further speakers coming forward, the public hearing was closed.

Councilmember Foat requested the Applicant address the look of the garage, and the height of the project at Alejo and Palm Canyon,

Councilmember Hutcheson requested the Applicant address the posting of a completion bond for the project, the street level parking, the height of the structure parking, the possible installation of solar structures, stated the project is compliant with the City's Downtown Design Guidelines, and stated his support for the project.

Councilmember Mills commented on the character of the project on the site, provided a comparison of the Downtown Design Guidelines, provided general comments on the original site plan, noted the Planning Commission and ACC have some valid points, and stated his support for the project.

Mayor Pro Tem Weigel stated the Applicant has demonstrated sensitivity to the community and the surrounding area, and stated his support for the project.

Mayor Pougnet requested the Applicant consider parking bays for electric vehicles, noted the Developer has been creative with the project and continued to work with the community and the City to bring a project forward, and commented on the height increase.

**ACTION:** 1) Adopt Resolution No. 23003-1, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO CASE NUMBER 5.1091, PLANNED

DEVELOPMENT DISTRICT 324, FOR PALM SPRINGS LLC, A PROPOSED 175 ROOM BOUTIQUE HOTEL, APPROXIMATELY 30,000 SQUARE FEET RETAIL COMMERCIAL AND A TWO-LEVEL FREE STANDING PARKING STRUCTURE ON APPROXIMATELY 4.1 ACRES OF VACANT LAND LOCATED AT THE SOUTHEAST CORNER OF ALEJO ROAD AND NORTH PALM CANYON DRIVE;" and 2) Direct Staff to submit the City Council comments and recommendations for the project to the Planning Commission and the AAC. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

**1.B. PALM SPRINGS TREATMENT CENTERS, LLC REQUEST FOR APPROVAL OF PLANNED DEVELOPMENT DISTRICT 359 FOR AN ASSISTED LIVING FACILITY/SUBSTANCE ABUSE RECOVERY CENTER USE AT A RENOVATED EXISTING FACILITY LOCATED AT 1910 SOUTH CAMINO REAL, "MICHAEL'S HOUSE" (CASE 5.1266 PDD 359):**

Craig Ewing, Director of Planning Services, provided background information as outlined in the staff report dated September 7, 2011.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

KRISTA GILBERT, Applicant, commented on the programs offered by Michael's House, and commented on the staff ratio proposed, noted the compliance with the City's current ordinances and noted Michael's House will collaborate with the City in the development of additional regulations regarding such facilities, and commented on public benefit.

ROBERT HELBLING, Palm Springs, commented on the benefits to the community, noted the proposed improvements to the property, and stated his support for the project.

STEVE BAKER, Palm Springs, stated they run adjacent to the property, and stated his support for the project.

JAMES CIOFFI commented on the services offered by Michael's House, noted the benefits of the project, and requested the City Council support the project.

MITCH MITCHELL, Palm Springs, Sahara Mobile Home Park, stated the Applicant has met with the adjacent neighborhoods and has met the concerns of the surrounding neighbors, and spoke in support of the project.

~~**FIELDS AND ALLOWABLE ZONES AND DESIGN STANDARDS (CASE 5.1094 ZTA). (MW)**~~

Director Wheeler reported that this project would be brought back for the Commission's review once all issues have been addressed.

**ACTION:** Table.

**Motion:** Commissioner Lowe seconded by Commissioner Roberts and unanimously carried on a roll call vote.

**AYES:** Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk, Vice Chair Hudson, Chair Donenfeld.

**2C. PALM SPRINGS, LLC, FOR AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 324 AND VESTING TENTATIVE TRACT MAP 34190 FOR A 150-ROOM HOTEL AND ANCILLARY COMMERCIAL RETAIL DEVELOPMENT AT 414 NORTH PALM CANYON DRIVE; ZONE PDD 324, (CASE NO. 5.1091-PD324 / TTM 34190 AMND). (ER)**

Principal Planner Robertson presented an overview of the proposed project as outlined in the staff report. He corrected an error on page 7 regarding parking where 212 spaces were listed and 226 is correct.

Chair Donenfeld opened the public hearing portion of the meeting:

LAWRENCE RAEL, president, Rael Development, introduced the architect who will be providing the presentation and all the consultants will be available to answer questions.

HAGY BELZBURG, project architect, presented a computer simulation of the proposed project relating to the reduction of density for the hotel creating small bungalows and allowing continuation of the retail fabric down the street. Mr. Belzburg addressed the height, setbacks, massing, rooms, swimming pools, courtyard connectivity and desert landscaping.

BOB HELBLING, commented that this project is even better and liked the idea of the modern bungalow concept; he spoke in favor of the project.

KIM WESTBROOK, commercial developer, spoke in favor of the proposed project and commended the applicant.



JOY MEREDITH, downtown business owner and president of MainStreet, commented that having this new project connecting downtown and uptown would be incredible. She said that lots of changes have been made and spoke in support of the project.

FRANK TYSEN, said architecturally nice features, however, is concerned with the scale of the building and project should have an E.I.R. and more discussion on public benefit. He questioned adding another 150 rooms to the city.

LAWRENCE RAEL, applicant, thanked all the speakers for their comments and was available to answer questions from the Commission.

There being no further appearances the public hearing portion was closed.

Commissioner Calerdine said the plans look really exciting and asked the architect to walk them through one of the plans from the lobby to the third or fourth floor hotel rooms next to Amado.

Commissioner Roberts thanked the applicant for a great new design. He asked about the design on level two and why consideration was not taken for retail opportunities on Indian Canyon. Mr. Belzburg addressed his concerns and explained the concept of the project.

Vice-Chair Hudson noted that the parking portion is split into two areas and questioned if the northern parking will be controlled or paid for parking. Mr. Rael responded that discussions have been on-going with the City in designing this parking and they were working on a negotiated agreement to make the north parking public and the south side will be valet parking. Vice-Chair Hudson asked if there will be access to the parking from Indian Canyon. Mr. Rael answered as it is currently designed no; but there may be something that might be able to be incorporated into the project.

Vice-Chair Hudson expressed concern that the bungalow village will not be visible from the street and commented on the lack of activity given to Indian Canyon. He feels the Indian Canyon elevation needs more attention to the pedestrian streetscape.

Commissioner Weremiuk reiterated concern about access from the retail parking on Palm Canyon. She expressed concern with the lack of pedestrian streetscape on Indian Canyon and would like to see trees that provide shade and encourage walking.

Commissioner Klatchko concurred with the comments from the Commissioners and suggested perhaps lowering the plateau about five feet on the north end to give better visibility of the hotel rooms from the street. He has the same concerns with the north parking and pedestrian access. It would be helpful for more access points for parking.

Chair Donenfeld commented that it is unfair to expect the developer to make Indian Canyon more viable; that is the City's responsibility.

Lawrence Rael appreciated the Commission's comments and agrees with the comments made regarding the corner on Indian Canyon; but the project is still a work in progress and they will be back with an even better project.

**ACTION:** Find that the previously adopted mitigated negative declaration is sufficient and appropriate environmental document and approve the amended project and the Final PD to return to the Commission with the following considerations:

- 1.) The Indian Canyon side to be reconsidered to allow more pedestrian circulation.
- 2.) Activate the Alejo / Indian corner.
- 3.) Utilize extra space on the 2nd floor over the garage to give more connectivity to the 3rd level hotel rooms from the street view.
- 4.) Pedestrian access to be created from the ground level parking garage on the north onto Palm Canyon.
- 5.) Replace some of the northern ground floor parking to allow for commercial space on Indian Canyon and/or Alejo Road.
- 6.) Parking structure lighting to be shielded from the street.

**Motion:** Commissioner Roberts, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

**AYES:** Commissioner Calderine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk, Vice Chair Hudson, Chair Donenfeld

A recess was taken at 3:23 pm.

The meeting reconvened at 3:35 pm.

~~**2B. CITY OF PALM SPRINGS APPLICATION FOR AN UPDATE TO ITS HOUSING ELEMENT OF THE 2007 GENERAL PLAN ADDRESSING THE HOUSING NEEDS OF ALL ECONOMIC SEGMENTS OF THE COMMUNITY (CASE 5 1204-GPA). (ER)**~~

Chair Donenfeld opened the public hearing portion of the meeting:

JUDY DEERTRACK, submitted 2 documents and spoke about a general plan amendment that was adopted that changed the density limitations for land use classification and how it has impacted the Housing Element and will compromise the city's ability to provide low income housing.

~~There being no further appearances the public hearing was closed.~~

~~Committee Member Fredricks requested that the shrub material be at least 5 gallon size with trees in 36 inch boxes. He asked for details of all the mounted A/C units and that brick planters are painted the same color as building walls.~~

Committee Member Purnel stated that the size of plants in parking area is too small and the landscape plan is under-developed. He recommended decomposed granite and opposed the Salmon trim color.

Committee Member Hirschbein stated that the parking lot is in disrepair and area in the front entry drive area should be substantially landscaped.

Chair Secoy-Jensen supports the rehabilitation of the building and requested three color options for trim.

M/S/C (Fauber/Secoy-Jensen 9-0-1 absent Song) Recommend approval with review by subcommittee (Fauber, Purnel, Fredricks) to review the following items:

1. Revise landscape plan to include shrubs at 5 gallons, trees in 36 inch box and greater quantity of plants.
2. Increase size of shade tree planter areas in parking lot.
3. Provide three alternate trim colors.
4. Provide detail of wall mounted A/C units and window details.
5. Paint brick planter boxes same color as walls.
6. Repair parking lot beyond patching

**3D. PALM SPRINGS, LLC, FOR AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT APPLICATION FOR A MIXED-USE DEVELOPMENT LOCATED AT 400 NORTH PALM CANYON DRIVE; ZONE PDD 324 [REDACTED] (FB)**

Principal Planner Robertson stated that the plans before the AAC are for preliminary review only; no action will be taken by the AAC at this time.

Belzberg Architects conducted a power point presentation of the proposed project.

Committee Members discussed the operations of the building and restated comments that were made at the 2011 AAC review of the previous project. Continued issues include the Indian Canyon Drive elevation and its relationship to the street; and signature architecture on the corner of Alejo Road and North Palm Canyon Drive.

There was overall support of the project concept.

No action was taken.

~~FOOT SECOND STORY SIGN WITH AUTOMATED TIKI TOWER FEATURE  
LOCATED AT 254 NORTH PALM CANYON DRIVE, ZONE CBD (CASE 13-  
071). (GM)~~

~~Approve, as submitted.~~

#### UNFINISHED BUSINESS:

2. **PALM SPRINGS, LLC, FOR AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 324 FOR A MIXED-USE DEVELOPMENT LOCATED AT 400 NORTH PALM CANYON DRIVE, ZONE PD 324 (CASE 6.1091 PD324-AMND). (ER)**

Project architect, Hagy Belzburg described the changes from the last presentation on October 7th.

MATTHEW BOUSQUETTE, adjacent property owner, said that he wants something built that doesn't leave trash and utility dock adjacent to his property. He said that police would not be able to patrol the roadway in between. He wants to do a restaurant and sculpture garden on his property but will not be able to do if this moves forward.

FRANK TYSEN, historic inn owner, disagreed with the architect saying the project did not look at all like Palm Springs. He said it is the absence of large projects why people come here. He said that the developer should do community meetings, there should be a new EIR and the project should be sent back to the drawing board.

FERNANDO SILVA, architect, said the project was not out of scale and that Palm Springs is no longer a small 19th century village.

JAMES CIOFFI, architect, said that the developer had previously done community meetings. This site is identified as a high intensity gateway site in the Downtown Design Plan. The architect has done an outstanding job; the trash locations can be handled.

MR. BELZBURG followed up saying the trash location on the south can be removed; he designed the building breaking up the massing and so as not to cast shadows on adjacent properties.

COMMITTEE MEMBER FAUBER asked for the architect to describe the changes on Indian Canyon.

MR. BELZBURG said there was greater activation on the ground floor with meeting space enhanced lighting and landscaping.

COMMITTEE MEMBER SONG had concerns about headlights shining directly into the meeting space, blunt edges and driveways. The architect agreed to look into the headlight issue and enhanced overhangs.

COMMITTEE MEMBER FREDRICKS asked about the height on the corner at Palm Canyon and Alejo Road.

MR. BELZBURG responded 45 feet.

COMMITTEE MEMBER FAUBER commented he was originally concerned with the project changes to hotel from residential but the design has assuaged his misgivings. He asked about the south property line.

MR. BELZBURG indicated it is a landscaped setback. Their preference is that the retail be continuous along Palm Canyon.

COMMITTEE MEMBER HIRSCHBEIN had questions regarding the landscape planter in front of stores. He supports extending the storefronts to the south.

COMMITTEE MEMBER FREDRICKS stated that he is pleased with the setbacks but is still concerned with the massing.

CHAIR SECOY-JENSEN wants to see stronger effort on the south. The retail needs to continue. Although she may be in the minority, she preferred the previous elevations, specifically the northwest corner.

VICE-CHAIR FAUBER indicated that he felt that the North Palm Canyon needs high quality railings. The applicant should work with the neighbor to the south.

M/S/C (Secoy-Jensen/Fauber, 6-0-1 absent Cassady) Approve request with the following to be re-submitted:

- Exhibits showing: south side compatible with neighbor with additional retail and remove trash area
- Overhang on the east details
- Bulkhead on east blocking car lights
- Northwest corner options

~~DISCUSSION:~~

~~COMMITTEE MEMBER HIRSCHBEIN asked to ensure it doesn't impede with schedule.~~

~~DIRECTOR Wheeler said enough of a recommendation to go forward to the Planning Commission. These items of study are to return to the AAC.~~

# PORT LAWRENCE CEQA DETERMINATION ANALYSIS

## Mitigated Negative Declaration No. 2006109032

### 1. Project Summary:

The project is a proposed amendment to a previously approved Planned Development District 324 (PDD 324) and a modification to the previously approved Vesting Tentative Tract Map 34190, for the construction of a 150-room boutique hotel with approximately 32,750 square feet of ancillary commercial retail, restaurant and free standing parking structure. The property is a vacant 4.1-acre site bounded by Alejo Road on the north, North Palm Canyon Drive on the west, North Indian Canyon Drive on the east, and existing commercial development on the south.

### 2. Previous Environmental Documentation:

On September 7, 2011, the City Council of the City of Palm Springs found a Mitigated Negative Declaration to be sufficient and appropriate for a proposed 175-room hotel and ancillary commercial and approved Case No. 5.1091-PDD 324, a Planned Development District application and Vesting Tentative Tract Map 34190. The approval also included a parking structure on the approximately 4.1 acres located at the southeast corner of Alejo Road and North Palm Canyon Drive. The project consists of the following components; a 175-room boutique hotel, approximately 24,285 square feet of retail commercial development and a free standing parking structure.

In finding that the MND was sufficient and appropriate, the City Council determined that the 2011 amended project will have no significant environmental impacts and that any other potentially significant environmental impacts would be reduced to a level of insignificance through the incorporation of mitigation measures.

### 3. Purpose and Basis for this Assessment:

Pursuant to Sections 15051 and 15367 of the California Environmental Quality Act ("CEQA") Guidelines (Title 14 California Code of Regulations SS 1500-15387), the City is the Lead Agency for CEQA compliance. Based on the analysis in this assessment, the City determined that the potential impacts of the project were previously analyzed, and substantially similar to the 2011 project's impacts analyzed in the MND, and that none of the conditions identified in Public Resources Code Section 21166 or Section 15162 of the CEQA Guidelines apply. Since the project not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects. This assessment serves as the appropriate form of environmental documentation under CEQA and the preparation of a subsequent MND or other document under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 is not warranted. The assessment is intended to do the following:

- (a) Compare the project's environmental impacts as analyzed in the MND,
- (b) Document the City's findings with respect to the project and its environmental determinations,
- (c) To evaluate the need for a new, supplemental or subsequent Environmental Impact Report (EIR), Negative Declaration or Mitigated Negative Declaration in connection with the project

#### **4. Project Description:**

On September 9, 2013, the owner of the previously approved Port Lawrence project submitted an application to modify the previously approved project. The modified project calls for a 150-room boutique hotel, ancillary retail commercial space and associated parking structure. The project also includes a previously approved Vesting Tentative Tract Map 34190 (TTM 34190) to subdivide the approximately 4.1-acre property. As proposed, the amendment will not affect the intent of the previously established Planned Development District design standards but will modify site configuration and Vesting Tentative Tract Map 34190. As proposed, the project will not affect the intent of the previously established PDD 324 design standards but will modify site and lot configuration as detailed in the staff report.

Staff conducted an environmental analysis of the modified project under CEQA and made a finding that "Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, the preparation of a Subsequent MND, Addendum to the MND or further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The modified development, a proposal for 150-room hotel and ancillary commercial retail spaces would not result in any new environmental impacts beyond those already assessed in the previously adopted Mitigated Negative Declaration. (MND No. 2006109032). Additionally, no new mitigation measures are proposed with the 2011 project.

The Table on the following page compares the previously approved PDD 324 and the modified proposal, PDD 324.

**PROJECT ANALYSIS:**

Comparison of Approved Project and Proposed PD-324 Amendment		
Type of Standard	Approved Project	Proposed PD-324 Amendment
Location	414 North Palm Canyon Drive	414 North Palm Canyon Drive
Proposed Use	Mixed-use; Hotel & Commercial	Mixed-Use; Hotel & Commercial
Lot Size	4.1 Acres	4.1 Acres
FAR:		
Total Area	171,160 Sq. ft.	171,160 Sq. Ft.
Building Coverage	73,599 Sq. Ft. (44%)	57,969 Sq. ft. (34%)
GP & ZO Density Approved PDD 324	Hotel: 70 units/acre Residential: 43 Units per acre	37 Units per acre
Architecture	Contemporary	Contemporary
Phasing	N/A	N/A
Building Coverage	43%	34%
Front Setbacks:		
North Palm Canyon	0-4 Feet	9.10-13.0 Feet
Indian Canyon	3-7 Feet	12.5-17.5 Feet
Side Setbacks:		
Alejo Road	N/A	4.5-13.0 Feet
South Side	N/A	11.7-14.8 Feet
Stories	5	5
Height	58 feet	51 feet
Hotel Units	175	150
Commercial Space	25,000 Sq. Ft.	32,705 Sq. Ft.
Restaurant Space	Yes	Yes
Event Spaces	Yes	Yes
Swimming Pools	2	2
Roof Top Terrace	None	None
Restaurant	One	Two
Parking; Hotel	Free standing parking structure	Free standing and surface parking
Parking; Commercial	Free standing parking structure	Free standing and surface parking
Total Parking Spaces:		
Required:	234	226
Provided:	238	283
Site Circulation	Ingress, egress, access and parking per City Standards	Ingress, egress, access and parking per City Standards
Access into hotel	Street Level Entry Point	Street Level Entry; Palm Canyon Drive
Common Open Space	13.2%	17% excluding hotel patios & balconies
Mitigation Measures	Mitigation Measures from previously adopted MND	Same Mitigation Measures will apply to the proposed modified project

**Aesthetics:**

The project will not result in new significant aesthetics impacts or a substantial increase in the severity of previously identified significant aesthetics impacts, when compared to the 2011 project. The overall permitted height of the project has been reduced throughout the project site, resulting in reduced aesthetic impacts, including reduced impacts to view corridors. On the whole, due to a slightly lower profile and increased setbacks, the project will have no new or more severe view impacts when compared to



the 2011 project. The conclusions in the MND that the 2011 project would have no impacts to the aesthetics apply to the project.

*Agriculture Resources:*

The project will not result in new significant agricultural resources impacts or a substantial increase in the severity of previously identified agricultural resources impacts when compared to the 2011 project. The current project site is identical to the 2011 project site. The project site is surrounded by developed commercial properties and neither the site nor its adjacent uses are designated as farmland or are subject to a Williamson Act contract. Therefore, the conclusions in the MND that the 2011 project would have no impacts to aesthetics apply to the project.

*Air Quality:*

The project will not create additional air quality impacts beyond those already evaluated in the MND, or increase the severity of those impacts. This is due to the fact that the project represents a reduction in both size and scope as compared to the 2011 project (e.g. 25 hotel rooms, although the MND as a whole considered 175 hotel rooms); the amended project will involve less construction and operational-related emissions than the 2011 project. The mitigation measures proposed in the MND will apply to the project and no new mitigation measures are required in order for the project to have a less than significant air quality impact. Therefore, the MND's conclusion of a less than significant air quality impact with incorporation of mitigation measures also applies to the project.

*Biological Resources:*

The project will not result in new significant biological resources impacts or a substantial increase in the severity of previously identified biological resources impacts when compared to the 2011 project. The current project site is identical to the 2011 project site. The project will be located in the downtown area which was previously fully developed and disturbed. Therefore, the conclusions in the MND that the 2011 project will have no impacts to biological resources also apply to the project.

*Cultural Resources:*

The project will not result in new significant cultural resources impacts or a substantial increase in the severity of previously identified cultural resources impacts when compared to the 2011 project. The current project site is identical to the 2011 project site. The project will be located in a downtown area which was previously fully developed and disturbed. The MND noted that there is always the possibility of buried cultural and paleontological resources on the project site. The MND therefore included mitigation measures in the event these resources are uncovered during the 2011 project development. Those mitigation measures will apply to the project as well, reducing the project's potential cultural resources impacts to less than significant.

### *Geology and Soils:*

The project will not result in new significant geology and soils impacts or a substantial increase in the severity of previously identified geology and soils impacts when compared to the 2011 project. The current project site is identical to the 2011 project site. The geologic conditions and location of the project site are unchanged. Therefore, the conclusions in the MND that the 2011 project would have no impact on geology and soils apply to the project.

### *Hazards and Hazardous Materials:*

The project will not result in new significant hazards and hazardous materials impacts or a substantial increase in the severity of previously identified hazards and hazardous material impacts when compared to the 2011 project. The project's proposed uses are substantially similar to the 2011 project, albeit somewhat less intense given the project's reduced density. As a result, the amount of household cleaners and chemicals typically used for hotel development will be less than the proposed project. Therefore, the conclusions in the MND that the 2011 project would have no impact on hazards and hazardous material apply to the project.

### *Hydrology and Water Quality:*

The modified project will not result in new significant hydrology and water quality impacts or a substantial increase in the severity of previously identified hydrology and water quality impacts when compared to the 2011 project. The modified project is less intense than the 2011 project analyzed in the MND (e.g. 25 fewer hotel rooms) and thus, water demand from the project will be less than the 2011 project. Therefore, the conclusions in the MND that the 2011 project would have no impacts on hydrology and water quality apply to the project.

### *Land Use:*

The modified project will not result in new significant land use impacts or a substantial increase in the severity of previously identified land use impacts when compared to the 2011 project. The proposed changes to the project have not changed the designated land use of the subject site; moreover there are no significant changes in the surrounding land uses that could change the circumstances of the project. The surrounding land uses are predominantly commercial and that has not changed since the MND was adopted. The 2011 project evaluated in the MND included a 175-room hotel and approximately 24,285 square feet of commercial retail. The modified project proposes a 150-room hotel and approximately 32,000 square feet of ancillary commercial retail development, which is consistent with PDD 324 and the General Plan. Thus, there is no conflict with the applicable land use designation. Therefore, the conclusions in the MND that the 2011 project would have no impacts on land use apply to the project.

*Mineral Resources:*

The modified project will not result in new significant mineral resources impacts or a substantial increase in the severity of previously identified mineral resources impacts when compared to the 2011 project. The current project site is identical to the 2011 project site. The project will be located in the developed Central Business District downtown area. The site was previously fully developed and disturbed. As was concluded in the previously adopted MND, no significant mineral resources have been identified in the project area. Therefore, the conclusions in the MND that the 2011 project would have no impact to mineral resources apply to the project.

*Noise:*

The project will not result in new significant noise impacts or a substantial increase in the severity of previously identified noise impacts, when compared to the 2011 project. The MND identified potential noise impacts and required that specified construction and operational mitigation measures (e.g., compliance with all construction regulations including construction hours prescribed in the City's Municipal Code) be implemented to ensure those potential impacts are reduced to less than significant levels. Implementation of noise related Mitigation Measures fully mitigated all of the 2011 project's construction and operational noise impacts. As with the 2011 project, the proposed project upon completion will not generate significant additional noise in the project area beyond current levels. Given the project's reduced size, construction noise and post-construction noise will be reduced over that analyzed for the 2011 project. Therefore, the conclusions in the MND that with mitigation measures the 2011 project's noise impacts would be less than significant apply to the project.

*Population and Housing:*

The modified project will not result in new significant population and housing impacts or a substantial increase in the severity of previously identified population and housing impacts, when compared to the 2011 project. The modified project is substantially the same as the 2011 project analyzed in the MND in that it will not displace any existing housing, but the project proposes fewer hotel rooms than the 2011 project. Therefore, the conclusions in the MND that the 2011 project would have no impacts on population and housing apply to the project.

*Public Services:*

The modified project will not result in new significant public services impacts or a substantial increase in the severity of previously identified public services impacts when compared to the 2011 project. Given that the project contains fewer hotel rooms than the 2011 project, the modified project will have fewer impacts on public services than the 2011 project analyzed in the MND. Therefore, the conclusions in the MND that the 2011 project's impacts on public services would be less than the significant apply to the project.

*Recreation:*

The modified project will not result in new significant recreation impacts or a substantial increase in the severity of previously identified recreation impacts, when compared to the 2011 project. Given that the project contains significantly fewer hotel rooms, and slightly higher overall ancillary commercial retail space compared to the 2011 project, the amended project will be providing on-site recreational opportunities, the project will have fewer impacts on recreation than the 2011 project. Therefore, the conclusions in the MND that the 2011 project's recreation will be less than significant apply to the project.

*Traffic:*

The amended project is for a 150-room boutique hotel with approximately 32,750 square feet of ancillary retail / commercial, restaurant and parking structure. The project site is surrounded by existing public roadways on three sides. North Palm Canyon and North Indian Canyon provide cross-town access through the City. Alejo Road is a local roadway which provides east-west access through the project area. A Traffic Impact Analysis based on a 175-room hotel and approximately 24,285 square feet of commercial retail space was conducted by the RK Engineering Group in 2011. The study reviewed the potential trip generation for the revised project in comparison to the approved project included in the previous traffic impact study.

*Trip Generation:* Trip generation represents the amount of trips produced to and from the proposed project site. The analysis indicated that the previously approved project would generate 2,053 trip-ends per day with 102 vehicles per hour during the AM peak hour and 151 vehicles per hour during the PM peak hour. The amended project would generate 2,126 tri-ends per day with 87 vehicles per hour during the AM peak hour and 140 vehicles per hour during the PM peak hour. The report added that amended project would generate approximately 73 more daily trips; however, it would generate 15 less vehicles per hour during AM peak hour and 11 less vehicles per hour during the PM peak hour. And as a result of this analysis, there would be no significant change in trip generation or traffic impacts as a result of the amended project.

Overall, the amended project would generate comparable trip generation from a daily and AM/PM peak hour standpoint than the original project. The analysis further indicated that the revised project would not have significantly different traffic impacts than the previously approved project. Therefore, the conclusions of the original study are still relevant and all previous recommendations still apply to the proposed revised project. All the mitigation measures from the previous MND will apply to the amended project.

*Utilities and Service Systems:*

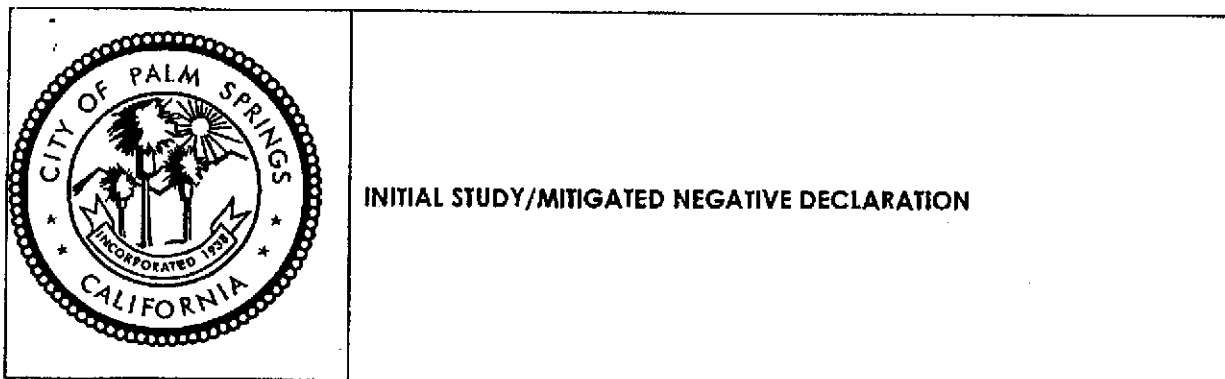
The modified project will not result in new significant utilities and service systems impacts, or a substantial increase in the severity of previously identified utilities and service systems impacts, when compared to the 2011 project. The project will have

fewer hotel units than the 2011 project. Thus, its impacts on utilities and service systems will be less than the 2011 project analyzed in the MND. Therefore, the conclusions in the MND that the 2011 project will have less than significant impacts to utilities and service systems apply to the project.

*Findings:*

Based on the above, the modified project would not result in any new environmental impacts or substantially increase in the severity of previously identified impacts as compared to the 2011 project as analyzed in the adopted MND. Additionally, no new mitigation measures are necessary. Since the project does not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects, this assessment serves as the appropriate form of environmental documentation under CEQA and the preparation of a subsequent MND or other document under Public Resource Code Section 21166 and CEQA Guidelines Section 15162 is not warranted.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**



Project Title:	"4 One 4 North Palm Canyon"/Palm Springs LLC	
Case No.	5.1091 – PD 324: 3.2933, TTM 34190	
Assessor's Parcel No.	513-081-002 through -006, -023	
Lead Agency Name and Address:	City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Project Location:	South side of Alejo Road, between North Palm Canyon and North Indian Canyon.	
Project Sponsor's Name and Address:	Palm Springs LLC Lawrence Rael	2415 Campus Drive, #140 Irvine, CA 92612
General Plan Designation(s):	CBD	
Zoning:	CBD	
Contact Person:	Edward O. Robertson, Principal Planner	
Phone Number:	(760) 323-8245	
Date Prepared	August 7, 2006	

**Description of the Project**

The proposed project will result in the construction of 118 condominium units and 24,474 square feet of retail commercial space on a 4.1 acre site. A Planned Development District is proposed to set standards for development of the site; and a condominium tract map will subdivide the site for sale. Additional applications may be required by the City to implement the proposed project.

The project also includes, but is not limited to:

1. Demolition of existing structures within the project boundary. The site is fully developed.
2. The construction of a subterranean garage with 96 parking spaces for the retail uses and 281 spaces for the residential uses.
3. The construction of multiple buildings within the site, ranging from 3 to 5 stories, with a maximum building height of 56'6".
4. The construction of two central courtyards with pool and recreational amenities.
5. The creation of a new street in the southern quadrant of the site connecting North Palm Canyon to North Indian Canyon
6. The creation of a pedestrian way at the middle of the site connecting North Palm Canyon to North Indian Canyon.
7. A development agreement between the City and the applicant.

**Environmental Setting and Surrounding Land Uses**

The proposed project occurs in a fully developed portion of the City. The project site has been developed for many years, and portions of the site have become run-down and blighted in recent years. Specific uses surrounding the site include:

North: Alejo Road, Frances Stevens Park.

South: Fully developed Central Business District retail commercial uses.

East: North Indian Canyon, fully developed two & three story condominium, two story commercial uses.

West: Fully developed Central Business District, retail commercial uses.

**Other public agencies whose approval is required**

Redevelopment Agency of the City of Palm Springs  
Regional Water Quality Control Board

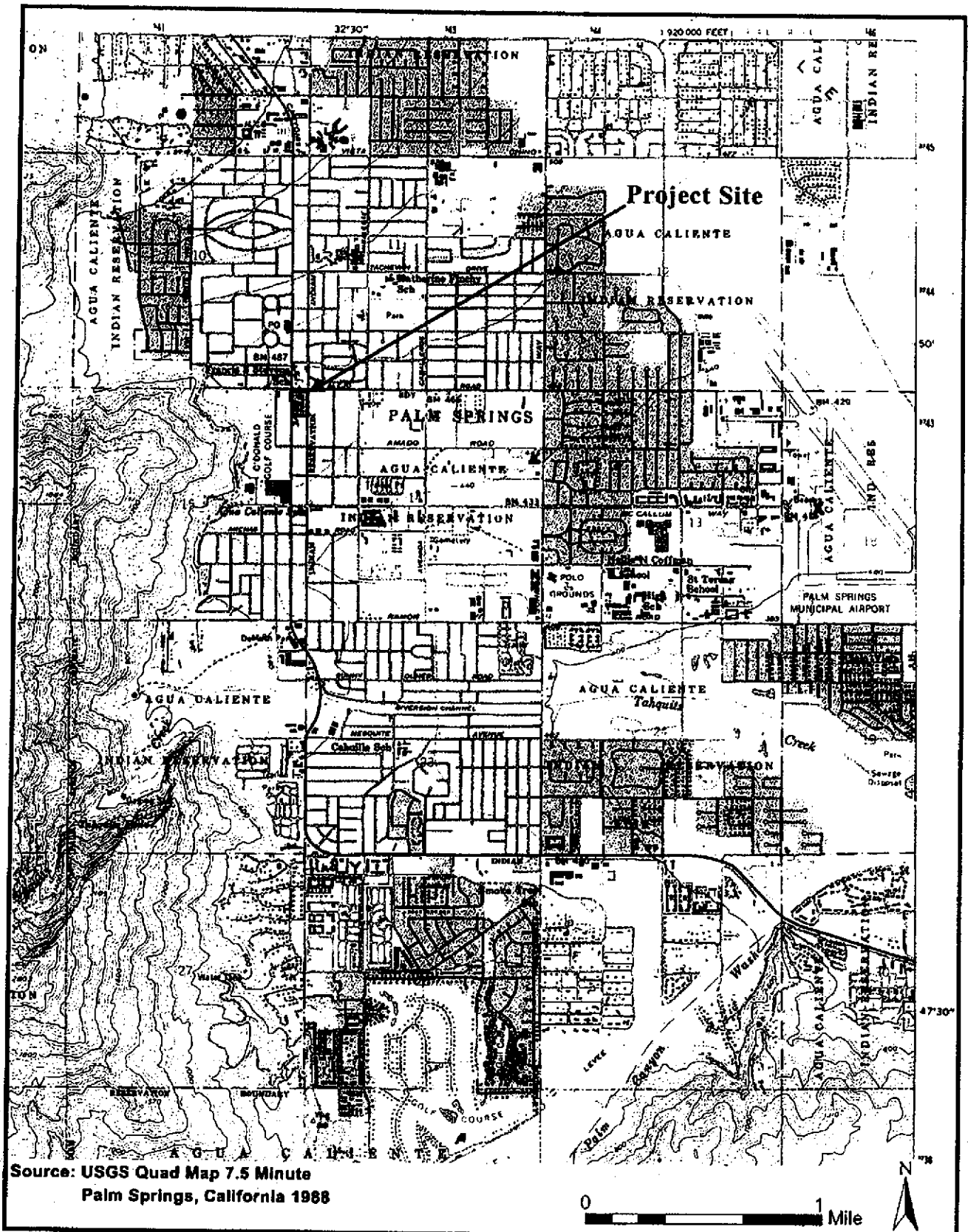
## INITIAL STUDY/NEGATIVE DECLARATION

### Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agricultural Resources             | <input checked="" type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources                     | <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Geology/Soils                     |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning                 |
| <input type="checkbox"/> Mineral Resources                        | <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Population/Housing                |
| <input type="checkbox"/> Public Services                          | <input type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems                | <input type="checkbox"/> Mandatory Findings of Significance |  |

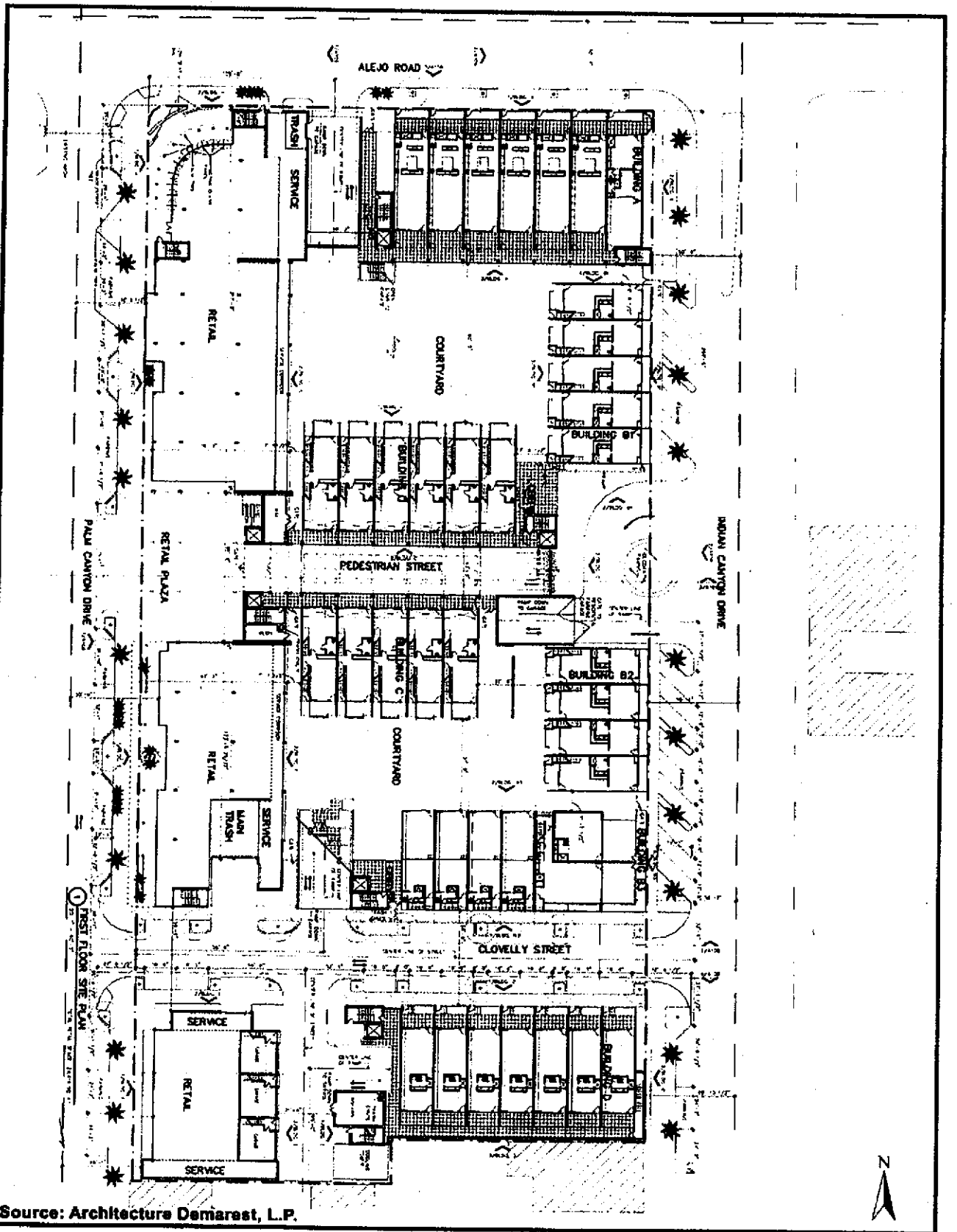




**TERRA NOVA**<sup>®</sup>  
Planning & Research, Inc.

4 One 4 North Palm Canyon  
Vicinity Map  
Palm Springs, California

Exhibit  
[ ]



Source: Architecture Demarest, L.P.



**4 One 4 North Palm Canyon  
Site Plan  
Palm Springs, California**

Exhibit



**INITIAL STUDY/NEGATIVE DECLARATION**

**DETERMINATION:** The City of Palm Springs Planning Department

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Craig A. Ewing, AICP  
Director of Planning Services

August 7, 2006

\_\_\_\_\_  
Date

**PURPOSE OF THIS INITIAL STUDY**

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the "4 One 4 North Palm Canyon" project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

## INITIAL STUDY/NEGATIVE DECLARATION

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- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

**INITIAL STUDY/NEGATIVE DECLARATION**

<b>I. AESTHETICS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

The proposed project is located in the City of Palm Springs, the western-most city in the Coachella Valley. The City is bordered on the west by the San Jacinto Mountains, on the north by the San Bernardino Mountains, on the east by the City of Cathedral City, and on the south by the Santa Rosa Mountains.

The project site is located north of the center of the Palm Springs downtown core, in an area that is entirely built out. A two and three story condominium and two story commercial buildings occur on the east. One and two story retail commercial buildings occur on the west and south sides of the site. Frances Stevens Park occurs north of the site.

Views in the area of the project site are primarily to the west, and focus on the San Jacinto Mountains. Views to the east, north and south are limited by existing development, and limited visual resources in those areas.

**Discussion of Impacts**

a) **Less Than Significant Impact.** Development of the proposed project will result in 3 to 5 story buildings extending to heights ranging from 33 to 56 feet. The buildings vary considerably in elevation, and will be distributed as follows: from south to north on North Palm Canyon, buildings are proposed to be 33', 34' (with projections on either side of the plaza at 45'6", and 47' at the corner of Alejo and North Palm Canyon. From south to north on Indian Canyon, the buildings are proposed to be 35'6", 37'6", and 56'6" at the corner of Alejo and Indian Canyon. In the center of the site, the two buildings are proposed to be 55'. The larger masses of the buildings, therefore, are proposed for the center and northern portions of the site.

As previously stated, views from surrounding properties are primarily to the west. As a result, the land uses to the east of the site, across Indian Canyon, will have the most potential for view obstruction from the proposed project. These buildings consist of a two

and three story condominium project, and one and two story commercial buildings. Persons in the ground and second floors of the condominium building will have limitations on their views of the foothills to the west. The top half of the hillsides and mountain ridge lines will still be visible above the top of the buildings. Persons in the commercial buildings on the east side of Indian Canyon will also experience some view obstruction, but due to the lower elevations of the buildings in this portion of the site, and the distance to the structures, more of the mountain hillside will be visible.

Residential development on the northeast corner of Alejo and Indian Canyon will not be impacted by the height of the proposed buildings, insofar as the view corridor through Alejo Road, and views through the park will remain as they currently are.

Commercial land uses on the west side of Palm Canyon currently have in their primary view the existing buildings on the site. There are no significant vistas to the east, although the Little San Bernardino Mountains and Indio Hills can be seen in the far distance through the existing parking lot. The views to the east will be blocked by the proposed project, but because of the lack of vistas in this direction, impacts are expected to be extremely limited.

Views of the mountains from Calle Encilia and points to the east will not be significantly affected by development of the proposed project, insofar as distance from the site will allow the hillsides and ridge lines of the San Jacinto Mountains to be clearly visible above the structures. This view is expected to be similar to the view from Indian Canyon and Amado westerly, where the Hyatt hotel occurs, at a building height of approximately 60 to 70 feet.

In summary, the primary area of impact will be from the east side of Indian Canyon, looking westerly. The residents and businesses will lose some of the views of the foothills of the San Jacinto Mountains, but are expected to retain the views of the upper hills and ridgelines. These impacts are not expected to be significant.

- b) **No Impact.** There are no significant trees, rock outcroppings, historic buildings or other significant aesthetic resources on the project site. The project site is not located on a scenic roadway.
- c) **Less Than Significant Impact.** The proposed project site is currently occupied by older, poorly maintained buildings which have in recent times been the subject of code enforcement and public safety actions. The site in its current condition does not contribute to the successful redevelopment of the downtown area, as envisioned in the City's Redevelopment Plan. Under current conditions, therefore, the site degrades the visual character of this portion of the downtown.

The proposed project architecture includes components and elements which are consistent with the mid-century modern style typical of Palm Springs. The buildings will add to the eclectic character of the Palm Canyon corridor, which currently is host to a broad range of styles. The proposed architecture includes a mix of materials and colors which will provide visual interest in this area. The height of the proposed buildings is consistent with the recently approved Downtown Design Guidelines, which were prepared to allow for the creative redevelopment of the Palm Canyon corridor, and encourage greater building heights. The proposed project will somewhat change the character of the block on which it is located, but not in a manner which will be significant.

- d) **Less Than Significant Impact.** The proposed project is fully developed, and has generated light for many years. The proposed project will also generate light, both on site and from vehicles associated with the project. However, the site is located in the City's central business district, an area already impacted by high levels of night-time activity. The construction of the subterranean garage of the site may reduce light impacts, by removing vehicles from the street surface which would currently park on the streets surrounding the project site. The project will be required to comply with Zoning Ordinance Section 93.21.00, Outdoor Lighting Standards. Exterior lighting plans must be submitted to the Director of Planning Services for review and approval prior to the issuance of building permits. Therefore, impacts associated with light and glare are expected to be less than significant.



**II. AGRICULTURAL RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The City of Palm Springs is located in a desert environment. Soils are characterized as sandy and rocky. Due to their low organic content and dry, granular nature, most soils in the City are not well suited to support vegetation (Smith, Peroni and Fox, 1992). The project site is in the central business district, and is fully developed.

**Discussion of Impacts**

- a) **No Impact.** The project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the Farmland Mapping and Monitoring Program of the California Resources Agency. The site is fully developed. No impact to farmland would occur.
- b) **No Impact.** The project site is not covered by a Williamson Act contract. Furthermore, no Williamson Act Contracts are located in the vicinity of the project site. No farming activity occurs within several miles of the project site. Therefore, no impacts to Williamson Act Contracts would occur.
- c) **No Impact.** The project site is located in the City's central core, and no agricultural activities occur in the vicinity. Redevelopment of the site will therefore not cause the conversion of farmland to non-agricultural use.

**III. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

Air quality is evaluated based on Federal and State air quality standards and regulations and guidelines developed by individual air quality management districts. Mobile sources of air pollutants are primarily controlled through Federal and State agencies while stationary sources are regulated by the SCAQMD.

Development within the City is governed by the 2003 Air Quality Management Plan (2003 AQMP) and the 2002 Coachella Valley PM<sub>10</sub> State Implementation Plan (CVPM<sub>10</sub>SIP). The AQMP sets forth a comprehensive program to bring Palm Springs and the other areas within its jurisdiction into compliance with Federal and State air quality standards. CEQA requires that projects be consistent with the applicable AQMP.

The City of Palm Springs is in the Coachella Valley. Palm Springs' climate is characterized by low annual rainfall (2 to 6 inches per year) and low humidity with temperatures ranging from 80° F to 108° F in July and 40° F to 57° F in January.

The City is located in the Salton Sea Air Basin, under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

The SCAQMD maintains two stations in the Coachella Valley. The stations monitor criteria pollutants ozone, nitrogen dioxide, carbon monoxide, particulate matter under 10 microns (PM<sub>10</sub>) and fine particulate matter 2.5 microns in size (PM<sub>2.5</sub>). Criteria air pollutants are contaminants for which the state and federal air quality standards have been established. They are show in Table III-1 and described in detail below. The Coachella Valley is currently designated as a "severe-17" ozone non-attainment area. This designation indicates that the attainment date for the federal ozone standards is November 15, 2007 (17 years from the date of enactment of the federal Clean Air Act). The South County Air Basin and Riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

TABLE III-1  
FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS

Pollutant	AVERAGING TIME	Federal Primary Standard	State Standard
Ozone (O <sub>3</sub> )	1-Hour	0.12 ppm	0.09 PPM
	8-Hour	0.08 ppm	--
Carbon Monoxide (CO)	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Oxide (NO <sub>x</sub> )	Annual	0.05 ppm	--
	1-Hour	--	0.25 ppm
Sulfur Dioxide (SO <sub>2</sub> )	Annual	0.03 ppm	--
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	--	0.25 ppm
PM <sub>10</sub>	Annual	50 $\mu\text{g}/\text{m}^3$	30 $\mu\text{g}/\text{m}^3$
	24-Hour	150 $\mu\text{g}/\text{m}^3$	50 $\mu\text{g}/\text{m}^3$
PM <sub>2.5</sub>	Annual	15 $\mu\text{g}/\text{m}^3$	--
	24-Hour	65 $\mu\text{g}/\text{m}^3$	--
Lead	30-Day Avg.	--	1.5 $\mu\text{g}/\text{m}^3$
	Month Avg.	1.5 $\mu\text{g}/\text{m}^3$	--

Source: California Air Resources Board, "Ambient Air Quality Standards," July 9, 2003.

ppm = parts per million

$\mu\text{g}/\text{m}^3$  = Micrograms per Cubic Meter

**Ozone (O<sub>3</sub>)** is the most prevalent of a class of photochemical oxidants formed in the urban atmosphere. The creation of ozone is a result of complex chemical reactions between hydrocarbons and oxides of nitrogen in the presence of sunshine. Unlike other pollutants, ozone is not released directly into the atmosphere from any sources. The major sources of oxides of nitrogen and reactive hydrocarbons, known as ozone precursors, are combustion sources such as factories and automobiles, and evaporation of solvents and fuels. The health effects of ozone are eye irritation and damage to lung tissues.

**Carbon Monoxide (CO)** is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO concentrations are generally higher in the winter, when meteorological conditions favor the build-up of directly emitted contaminants. CO health warning and emergency episodes occur almost entirely during the winter. The most significant source of carbon monoxide is gasoline powered automobiles, as a result of inefficient fuel usage in internal combustion engines. Various industrial processes also emit carbon monoxide.

**Nitrogen Oxides (NO<sub>x</sub>)** the primary receptors of ultraviolet light initiating the photochemical reactions to produce smog. Nitric oxide combines with oxygen in the presence of reactive hydrocarbons and sunlight to form nitrogen dioxide and ozone. Oxides of nitrogen are contributors to other air pollution problems including: high levels of fine particulate matter, poor visibility and acid deposition.

**Sulfur Dioxide (SO<sub>2</sub>)** results from the combustion of high sulfur content fuels. Fuel combustion is the major source of SO<sub>2</sub>, while chemical plants, sulfur recovery plants, and metal processing are minor contributors. Sulfates result from a reaction of sulfur dioxide and oxygen in the presence of sunlight. SO<sub>2</sub> levels are generally higher in the winter than in the summer (when sunlight is plentiful and sulfate is more readily formed).

**Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>)** consists of particles in the atmosphere as a by-product of fuel combustion, through abrasion such as tire wear, and through soil erosion by wind. Particulates can also be formed through photochemical reactions in the atmosphere. PM<sub>10</sub> refers to finely divided solids or liquids such as soot, dust, and aerosols which are 10 microns or less in diameter and can enter the lungs. Fine particles are those less than 2.5 micrometers in diameter and are also referred to as PM<sub>2.5</sub>.

**Lead** is found in old paints and coatings, plumbing and a variety of other materials. Once in the blood stream, lead can cause damage to the brain, nervous system, and other body systems. Children are most susceptible to the effects of lead. The South County Air Basin and Riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

The SCQAMD has daily significance thresholds for operational and construction-related emissions as shown in Table III-2.

TABLE III-2  
EMISSIONS SIGNIFICANCE THRESHOLD CRITERIA (POUNDS/DAY)

POLLUTANT	CO	ROG	NO	SO	PM <sub>10</sub>
Operational Emissions Pounds/Day	550	55	55	150	150
Construction Emissions Pounds/Day	550	75	100	150	150

Source: SCAQMD, CEQA Air Quality Handbook, November 1993.

Projects in the Coachella Valley with peak (highest daily) operation-related emissions that exceed any of these emissions thresholds should be considered significant.

- a) **No Impact.** The proposed project is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Development at the project site will be governed by the 2003 Air Quality Management Plan (2003 AQMP) and the 2002 Coachella Valley PM<sub>10</sub> State Implementation Plan (CVPM<sub>10</sub> SIP). CEQA requires that projects be consistent with the applicable AQMP. The project is consistent with the General Plan land use designation in which it is located. Projects that are consistent with local General Plans are considered consistent with the air quality related regional plans including the current AQMP, the Coachella Valley PM<sub>10</sub> SIP and other applicable regional plans. No impacts associated with compliance with applicable management plans are expected.
- b-d) **Less Than Significant Impact** The proposed project will generate air emissions from three activities on the site: demolition of existing structures, construction of new buildings, and operation of the project in the long term. Each of these categories is analyzed individually below.

Demolition

The air quality impacts associated with the demolition of the existing buildings on the site include emissions from heavy equipment associated with site demolition, and emissions from worker trips to and from the project site for work each day. The existing buildings on the site were demolished using limited equipment, due to the small size of the site. Three off highway trucks, three tractor/loader backhoe and one rubber tired loader (as

defined by the SCAQMD) were used for the demolition phase. These types of emissions are relatively short-term. The following table summarizes the moving emissions generated at the site by demolition related equipment.

TABLE III-3  
AGGREGATE DAILY DEMOLITION RELATED EMISSIONS (POUNDS/DAY)

Pollutant	CO	ROG	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>
Demolition Equipment Emissions	117.3	3.75	91.3	15.69	3.78
Workers' Vehicle Emissions	5.01	0.54	0.54	0.00	0.04
<b>Total Demolition Emissions</b>	<b>122.51</b>	<b>4.29</b>	<b>91.84</b>	<b>15.69</b>	<b>3.82</b>
SCAQMD Thresholds of Significance	550.0	75.0	100.0	150.0	150.0

Sources: URDEMIS2002 Version 8.7 Emissions Estimation for Land Use Development Projects, Appendix H, South Coast Air Quality Management District, April 2005; California Air Resources Board's EMFAC 2002 Version 2.2 Emissions Tables, Scenario year 2006, model years 1965 - 2006; SCAQMD, CEQA Air Quality Handbook, Table A9-B-A, November 1993.

As shown in the Table, impacts associated with demolition of the existing structures did not exceed any of the SCAQMD thresholds of significance. Therefore, demolition of the project had a less than significant impact on air quality.

The removal of the existing buildings will involve buildings which were constructed or renovated between the 1920s and the 1990s. The applicant prepared asbestos sampling studies for the buildings on the site. These studies identified asbestos in a number of locations. Asbestos removal is subject to the requirements of the California Division of Occupational Safety and Health, which shall assure that impacts are reduced to levels below significance. Further discussion of the asbestos occurring on the site can be found under the Hazards and Hazardous Materials section of this Initial Study.

Construction

Grading activities on the project site will generate fugitive dust. The City and surrounding region are in severe non-attainment for PM10, or particulate matter of 10 microns or less. The generation of fugitive dust on the site could contribute to PM10 concentrations, if it exceeds thresholds of significance established by SCAQMD.

Table III-4, Fugitive Dust Potential, illustrates the anticipated fugitive dust which would be generated each day during grading of the site. The total of 108.24 pounds per day is below the threshold of significance of 150 pounds established by SCAQMD. Therefore, impacts associated with fugitive dust are expected to be less than significant.

TABLE III-4  
CALCULATIONS OF FUGITIVE DUST POTENTIAL

Total Acres to be Disturbed or Bulldozed	Factor (lb./day/acre)	Total Potential Dust Generation (lb./day)
4.1	26.4	108.24

Source: SCAQMD, CEQA Air Quality Handbook, Table A9-9, November 1993

Construction-related emissions associated with the proposed project include emissions from heavy equipment and emissions from worker trips to and from the project site for work each day, and are considered relatively short-term emissions. As previously stated, the site is small, and will require relatively few pieces of equipment to complete the grading process. For purposes of this analysis, it has been assumed that one scraper, two tractor/loader/backhoe, two motor graders and one off-highway truck would be used on the site. The following table summarize the moving emissions generated at the site by construction related equipment.

TABLE III-5  
AGGREGATE DAILY CONSTRUCTION RELATED EMISSIONS (POUNDS/DAY)

Pollutant	CO	ROG	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>
Construction Equipment Emissions	99.48	12.06	79.49	8.53	3.38
Workers' Vehicle Emissions	5.85	0.63	0.63	0.00	0.05
<b>Total Construction Emissions</b>	<b>105.33</b>	<b>12.69</b>	<b>80.12</b>	<b>8.53</b>	<b>3.43</b>
SCAQMD Thresholds of Significance	550.0	75.0	100.0	150.0	150.0

Sources: URBEMIS2002 Version 8.7 Emissions Estimation for Land Use Development Projects, Appendix H, South Coast Air Quality Management District, April 2005; California Air Resources Board's EMFAC 2002 Version 2.2 Emissions Tables, Scenario year 2006, model years 1965 - 2007; SCAQMD, CEQA Air Quality Handbook, Table A9-8-A, November 1993.

As shown in the Table, emissions associated with grading and construction on the site are not expected to exceed SCAQMD thresholds of significance, and impacts are expected to be less than significant.

Operations

A number of sources of long term air emissions will result from build out of the proposed project, including power plant emissions, emissions associated with the consumption of natural gas and vehicular emissions. While the level of impact anticipated from project operation is not expected to be significant, there will be an incremental, if limited, increase to the cumulative impacts on air quality in the Coachella Valley region. As the majority of the area's electrical power is generated in the air basins outside the Coachella Valley, other projects within the City will also contribute to the cumulative impacts on air quality elsewhere. Air emissions associated with vehicle trips will be the most significant contributor to air emissions in the area. As described in the Traffic and Circulation section of this Initial Study, the proposed project will generate approximately 2,053 trips per day. These trips have been assumed in the analysis. The following table summarizes the potential generation and emission of pollutants associated with project build out.

TABLE III-6  
AGGREGATE DAILY OPERATIONAL EMISSIONS AT PROJECT BUILDOUT (POUNDS/DAY)

Pollutant	Stationary Source Emissions		Moving Source Emissions	Total Anticipated Emissions	SCAQMD Threshold Criteria
	Power Plants	Natural Gas Consumption	Vehicles	Total	
<b>Carbon Monoxide (CO)</b>	0.6	0.4	394.8	395.8	550.0
<b>Nitrogen Oxides (NO<sub>x</sub>)</b>	3.5	2.5	41.9	47.9	55.0
<b>Sulfur Oxides</b>	0.4	0.0	42.6	43.0	150.0
<b>Particulates</b>	0.1	0.0	3.5	3.7	150.0
<b>Reactive Organic Gases</b>	0.0	0.1	42.6	42.7	55.0

Sources: Sources: URBEMIS2002 Version 8.7 Emissions Estimation for Land Use Development Projects, Appendix H, South Coast Air Quality Management District, April 2005; California Air Resources Board's EMFAC 2002 Version 2.2 Emissions Tables, Scenario year 2006, model years 1965 - 2007; SCAQMD, CEQA Air Quality Handbook, Tables A9-8-A, A9-11-A & B, A9-12-A & B, November 1993.

As shown in the Table, no SCAQMD thresholds of significance will be exceeded as a result of operation of the proposed project. Impacts associated with long term operation of the project, therefore, will have a less than significant impact on air quality in the City and region.

- e) **Less Than Significant Impact.** The proposed project will result in increased auto and truck emissions, and demolition and construction activities. Residential development occurs to the east of the proposed project. Desert Hospital occurs approximately one mile north of the proposed project, and a school occurs about one mile northeast of the proposed

project. The emissions generated by the proposed project during demolition, construction or operation, will not, however, exceed thresholds of significance established by SCAQMD. Therefore, impacts associated with sensitive receptors are expected to be less than significant.

- f) ***Less Than Significant Impact.*** The proposed project may include restaurant uses, and will include residential kitchens. These are expected to generate odors associated with food preparation. However, these odors are not expected to be noxious or annoying to surrounding properties or to residents and customers within the project site. Impacts associated with odors are not expected to be significant.

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<b>IV. BIOLOGICAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The project site is located in the City's core, an area which has been fully developed for a number of years. The project site is currently fully developed. Limited ornamental vegetation from landscaped areas currently occurs throughout the site. No native habitats occur on the site.



**Discussion of Impacts**

- a-e) The project site is fully developed, and is surrounded by development. No habitat for sensitive species occurs on or near the site. No sensitive species are expected to occur on the site.

There is no riparian habitat or other native community on the site. No wetlands occur on the property.

The site is not within a migratory corridor, nor is it suitable for a wildlife corridor.

The proposed project will not interfere with any City policies regarding the preservation of plants or animals.

- f) **No Impact.** The City currently participates in the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan, and will participate in the Coachella Valley Multiple Species Habitat Conservation Plan, when adopted. The City will require the applicant to participate if required, through the payment of fees, in the applicable Plan at the time that building permits are issued. The project does not lie within the Agua Caliente Tribal lands and not included within the Tribal Conservation Plan (Tribal HCP).

**INITIAL STUDY/NEGATIVE DECLARATION**

**V. CULTURAL RESOURCES**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

The City occurs in the traditional territory of the Desert Cahuilla, with a history dating back to 1,000 BC. Evidence of Cahuilla occupation in the Coachella Valley dates to over 500 years ago, when the Tribe settled around ancient Lake Cahuilla, in the area of present day La Quinta and Indio. The canyons surrounding the City also have yielded evidence of use by the Tribe, which took advantage of water sources, food sources from plants and animals, and rock for tool-making.

The City's modern history began in the early 1870s, when John Guthrie McCallum purchased land in the area, and later subdivided it. Rapid expansion in the area began in the 1920s, with the City's spreading reputation as a health resort, and the increased interest from the Hollywood movie community. Until the end of World War II, architecture in the town site consisted primarily of Mission Revival and Spanish Colonial Revival structures. Development was centered around Palm Canyon Drive, as hotels and shops were constructed. After World War II, the style turned to modern architecture, as the traditional architectural styles were considered too traditional and old fashioned. The modern style of architecture flourished in Palm Springs in the 1950s and 1960s, with the work of architects Albert Frey, and Richard Neutra, among others.

The City occurs well outside the boundary of ancient Lake Cahuilla, an area where paleontological resources have occurred. Further, soils in the City are generally post-Pleistocene age alluvium from the surrounding mountains, too new in the context of paleontology to yield fossilized remains.

**Discussion of Impacts**

- a) As previously stated, the project site is currently fully developed. Buildings within the project boundary range in age from the 1920s to 1969. A historic resource survey was conducted on the project site, because of the age of some of the structures within the

project boundary<sup>1</sup>. The survey included extensive research into historical records, as well as on-site investigations and documentation. The research included numerous contacts with historical society representatives, as well as review of historic photographs provided by these individuals. The results of the survey are summarized below.

Six buildings currently occur on the project site, at the following addresses: 155 and 179 East Alejo, 497 North Indian Canyon, and 414, 428-456 and 476 North Palm Canyon. 155 and 179 East Alejo were built in 1955 and 1960, respectively, and have no architectural, historic or aesthetic merit. 497 North Indian Canyon was built in 1958, and although a typical example of modernist architecture, but is not an important example, and has no historic significance in terms of association with persons or events in Palm Springs' history. 476 North Palm Canyon was constructed in either 1936 or 1941 as a residence, but was completely remodeled between 1993 and 1998, thereby losing much of its historic character, and eliminating the historic style of its façade. These buildings do not have historic potential, and do not warrant further consideration.

The buildings located at 414 North Palm Canyon were formerly part of the Monte Vista Hotel, portions of which were constructed in the 1920s. The hotel was originally owned by the Miller family, who acquired the property in 1922. The hotel consists of a complex of buildings, including three pre-World War II bungalows; a two story building constructed from 1947 to 1955; and a 1960s lobby building. The bungalows were originally in the Mission Revival style, but have been altered over time. The two story building exhibits Spanish/Monterey elements. The lobby building reflects modern interpretation of the Mission Revival style. As a whole, however, the complex does not display a cohesive architectural style.

428-456 North Palm Canyon, known as the Strebe Building, was built in 1946, and designed by Albert Frey and John Porter Clark. The building was originally designed to include a movie theatre, office, restaurants, retail spaces and apartments. The theatre was never completed. A portion of the building housed the Desert Farmers Market in the 1950s, while offices and retail spaces have operated throughout the building over the years. Two fires have occurred at the property, one in 1954 and one in 1979. The latter fire forced the demolition of the northern end of the building in 1991. Over time, many additions and modifications have been made, both permitted and un-permitted, to the inside and outside of the building, including a southern extension of the original structure.

The study considered the relationship of the two potentially significant buildings to the requirements of CEQA for historic resources, which require that "a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing on the California Register of Historical Resources." These criteria state that a resource can be considered if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important to our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

<sup>1</sup> "Historic-Period Building Survey Report, Assessor's Parcel Numbers 513-081-002 to -006 and -023" prepared by CRM Tech, March 2006.

On this basis, the Monte Vista Hotel property is not considered historically significant. The historical investigation found that the historic integrity of the buildings has been significantly compromised by the alterations and additions made to the various structures. The result of this remodeling is that the property no longer relates to the pre-World War II period, which is the period during which the buildings would have a historic significance. The study did find, however, that the heightened historical interest in the property, as a component of the City's history, was significant, and should be mitigated.

Also on this basis, the Strebe building is not considered historically significant. The historical analysis found that although several of the elements of the structure have the potential for significance, none is sufficient to make the building eligible for listing in the California Register of Historic Resources. The basis for this finding include:

1. Although a good example of Desert Modern architecture, the building is not a significant example of the style.
2. The building is not an important example of locally significant architects Albert Frey and John Porter Clark.
3. Unlike other buildings built and operated by Earl Strebe, who was a locally significant civic leader, there is no close association between his life or career and this building.

The historic survey further found that the property is not eligible for designation under the City's Historic Preservation Ordinance, because of the extensive remodeling and demolition which has occurred on the property. The study did find, however, that the heightened historical interest in the building, as a component of the City's history, was significant, and should be mitigated.

The Historic Site Preservation Board and the City Council considered the findings of the historic survey, and found that no historic structures occurred on the site.

#### Mitigation Measures

- MM V-1** On-site commemorative displays of the Strebe building and the Monte Vista Hotel shall be incorporated into the proposed project's public spaces.
- MM V-2** Selected features of the Strebe building should be incorporated into the architectural design of the proposed project.

With implementation of these mitigation measures, the impacts associated with historic resources on the site will be reduced to less than significant levels.

- b) **No Impact.** Due to the existing construction on the project site, the probability for significant archaeological resources on the project site is considered low. Should buried deposits be encountered during construction activities, activities shall be halted and a qualified archaeologist shall be notified to analyze the deposits. An archaeologist may be required to prepare a mitigation plan for submission to the City prior to the resumption of work on the site.
- c) **No Impact.** The City and project site are outside the shoreline of ancient Lake Cahuilla. The site is underlain by alluvium which is not suitable for paleontological resources. No impact is expected to occur as a result of the proposed project.

- d) **Less than Significant Impact.** The project site is not known to have been used as a burial ground or cemetery in the past. It is not anticipated that any human remains will be encountered during construction of the proposed project. However, should any previously unidentified or unanticipated human remains be discovered during project construction, the proposed project would be subject to State law regarding the discovery and disturbance of human remains. This requires that law enforcement be notified, that the coroner determine the nature of the remains (historic or pre-historic, human or not), and that the coroner supervise the proper removal and potential re-burial of the remains. Therefore, impacts to human remains are expected to be less than significant.

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**VI. GEOLOGY AND SOILS**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Settling**

The San Andreas Fault zone is the major fault in the Coachella Valley. Breaks associated with the Fault cover a generally northwest-southeast trending zone approximately 10 miles wide, north and east of the project site (Smith, Peroni & Fox, 1992).

Soils at the site have been previously compacted for the existing construction. As previously stated, soils in the City consist of alluvial deposits which originated in the surrounding mountains.

Discussion of Impacts

- a)
- i) **Less Than Significant Impact.** The San Andreas Fault system is located approximately five miles northeast of the project site. The San Jacinto Fault System is approximately 6 miles south of the project site. The project site is not located within an Alquist-Priolo Earthquake Fault Zone. Therefore, active fault rupture is unlikely to occur at the project site. Compliance with Uniform Building Code (UBC) requirements imposed by the City will reduce potential impacts to a less than significant level.
  - ii) **Less Than Significant Impact.** The project site will be subject to significant ground shaking during a significant earthquake on either the San Andreas or the San Jacinto fault. The project shall be designed and constructed to conform to the California Building Code (CBC) requirements for Seismic Zone 4, as required by the City. The implementation of these codes will assure that construction of the proposed project will result in less than significant impacts associated with ground shaking.
  - iii) **No Impact.** The project site does not occur in an area of shallow groundwater, and is located on primarily alluvial soils. The potential for liquefaction on the site is therefore considered negligible. In addition, the City will require site specific geotechnical analysis in conjunction with the submittal of building permits for the proposed project. This analysis will include analysis for the potential for liquefaction on the site.
  - iv) **No Impact.** The project site is flat, and is surrounded by lands which are equally flat. The foothills of the San Jacinto Mountains occur to the west of the site, approximately one mile away. There is no potential for landslide hazards on the project site.
- b) **Less than Significant Impact.** The site will be subject to soil erosion during demolition and grading. This erosion can be caused by either wind or rain storms. The City will require that the applicant prepare a PM10 Management Plan to address the potential for wind erosion at the site, as a standard requirement of project approval. The City also enforces the requirements of the National Pollution Discharge Elimination System (NPDES), as a co-permittee with Riverside County. NPDES requirements include the implementation of best management practices (BMP's) to assure that during construction, sediment displaced by rain storms is not transported off the site. The City will require the implementation of necessary best management practices on the project site as a standard requirement of project approval.
- The City may also require, as a condition of approval, that the project install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's), including mechanical or other means for pre-treating storm water runoff during long term project operation, in compliance with the requirements of the Regional Water Quality Control Board at the time that the project is constructed.
- Impacts associated with soil erosion, therefore, are expected to be less than significant.
- c) **No Impact.** The potential for unstable soils at the site is negligible. The site is currently constructed upon, and has therefore been stable for a number of years. The City will require geotechnical analysis and structural engineering to accompany building plans

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for the proposed project. These analyses will include requirements for excavation, re-compaction and fill at the project site. These standard requirements are expected to assure that impacts associated with soil stability are less than significant.

- d) **No Impact.** The soils at the project site are not expansive. No impact is expected.
- e) **No Impact.** The proposed project will be required to connect to the City's sanitary sewer system. There will be no impact associated with the use of septic tanks.



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<b>VII. HAZARDS AND HAZARDOUS MATERIALS</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The project site was fully developed. Buildings on the site were constructed between the 1920s and the 1990s. The time period for construction poses a potential that asbestos products were used in the existing buildings.

**Discussion of Impacts**

a)-b) **Less Than Significant Impact.** The proposed project includes the demolition of existing buildings built or remodeled between the 1920s and the 1990s. Due to the age of the buildings, the potential for asbestos in construction materials was suspected, and a Phase I Environmental Site Assessment was requested of the applicant. The applicant submitted test results from samples taken in all the structures within the project site. The tests indicated that asbestos-containing materials, including roof and floor tile mastic, acoustical ceiling materials, insulation materials, floor tile, and similar materials occurred. Asbestos is not considered hazardous until disturbed, when particles of the materials can affect the air. The removal of asbestos materials is highly regulated by regional and state agencies. Therefore, the removal of these materials is subject to the requirements of the California Division of Occupational Safety and Health. Prior to demolition, the City required the proper remediation of asbestos materials in conformance with state standards. This requirement assures that potential impacts associated with hazardous asbestos removal were reduced to less than significant levels.

Once operational, the residential units and commercial retail space users are likely to store small amounts of cleaning fluids and similar materials on the site. The City contracts with Palm Springs Disposal Services for the disposal of household hazardous waste. These programs include an ABOP (Acid, Batteries, Oil, Paint) facility, located immediately west of the airport on Alejo Road. In addition, regional household hazardous waste programs are held throughout the year in various Coachella Valley cities. These existing programs will assure that household hazardous waste is disposed of properly, and that potential impacts associated with these materials are less than significant.

The long term operation of the project site is not expected to result in the transport, use or storage of hazardous materials.

- c) **No Impact.** There are no schools located or planned within one quarter mile of the project site. Further, the uses within the project are not expected to store or use hazardous materials. There will be no impact to schools.
- d) **No Impact.** The project site is not listed as a potential hazardous materials dump or leak site on the Department of Toxic Substances' (DTSC) Hazardous Waste and Substance Site List (Cortese List). The subject property is not known to previously have been a hazardous materials site, and therefore, the proposed project is not expected to create a significant hazard to the public or the environment.
- e-f) **No Impact.** The Palm Springs International Airport is located two miles east of the project site. The project site is not located within the boundaries of the airport's land use plan. There are no private airstrips in Palm Springs.
- g) **No Impact.** The proposed project includes access through the site on the new Clovelly Street, as well as multiple access points to the underground parking garage. The Fire Department will continue to review project plans, and require adequate access to and

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from the property, according to City standards. The proposed project will not obstruct existing roadways which would be used by emergency personnel in implementing emergency response plans. No impact is expected.

- h) **No Impact.** The site is not located within a wild land area. Lands to the west are fully developed. Lands in the foothills of the San Jacinto Mountains are located approximately one mile west of the project site. The proposed project will not expose people or structures to a significant risk of loss, injury, or death involving wild land fires. Therefore, no impact is expected.

**VIII. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VIII. HYDROLOGY AND WATER QUALITY**

Would the project: levee or dam?	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

Groundwater has historically been the principal source of domestic water in the City. The project site will be served by Desert Water Agency (DWA), which supplies domestic water to the City. The DWA pumps water from a number of wells throughout the area for domestic use. DWA also recharges groundwater through recharge basins located in the northwestern portion of the City. Sanitary sewer services at the project site are currently provided at the City treatment plant, and will continue to be so.

The proposed project is located outside the boundaries of a flood zone, in an area of the City which is fully developed. The site is currently covered with impervious surfaces, including structures and parking lots. Very little if any percolation currently occurs on the site.

**Discussion of Impacts**

- a) **Less Than Significant Impact.** The proposed project will result in the demolition of existing structures and parking lots, and the construction of 118 residential units and over 24,000 square feet of commercial retail space. Demolition and construction at the site will be subject to NPDES regulations implemented by the City for all project construction activities. The applicant shall be required to implement these requirements, including the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which must include best management practices to assure that storm water leaving the site is not polluted, and does not impact water quality standards. The project will be required to meet all applicable water quality standards or waste discharge requirements of the City. These standard requirements will assure that impacts associated with water quality are less than significant.
- b) **Less than Significant Impact.** The proposed project site has had domestic water service for some time. It is expected that the use of domestic water will increase at the site, because of the increase in residential units. Commercial retail water use would be approximately equivalent to current conditions. Residential water use at the site previously consisted of the approximately 34 rooms of the Monte Vista Hotel. The proposed project will construct 118 condominiums on the site. Therefore, residential domestic water use will increase. However, due to its age, it is likely that fixtures and plumbing within the hotel were not efficient, and that water use was higher on a per unit basis than would occur in a modern structure. Based on a consumption rate of 4.13 acre feet/acre/year for condominiums<sup>2</sup>, the residential units on the project site will generate a need for 16.6 acre feet of water per year, while the commercial space will generate a need for 0.99 acre feet of water annually, for a total water demand of 17.59 acre feet.

<sup>2</sup> Water consumption factors 2004, Coachella Valley Water District.

The Desert Water Agency (DWA) has adopted an Urban Water Management Plan which details the availability of water for its service area through the year 2030. As demonstrated in that document, DWA has sufficient supplies, or plans for additional supplies to service its service area through that period. Since the Plan is based on General Plan land uses, and the proposed project is consistent with the General Plan, the proposed project has been included in the DWA's assumptions for water use. DWA will continue to plan for the recharge and supplementation of groundwater to serve the City. In addition, the City requires the implementation of water conserving measures in all new development. These standards and policies will help to reduce potential impacts on water resources. Impacts are expected to be less than significant.

- c-d) **Less Than Significant Impact.** The proposed project site is fully developed. At the time development initially occurred on the site, storm water planning was limited. The site is currently covered with impermeable surfaces consisting of structures and parking lots which drain to the surrounding streets.

As previously stated, the project will be required to comply with the City's standards associated with surface water management, including the preparation of an NPDES permit for non-point pollution associated with construction activities. A SWPPP is also required to be prepared for this project to ensure compliance with NPDES. These requirements assure that storm water is not contaminated by on-site pollutants, silts or debris during construction. Compliance with NPDES requirements would reduce the potential of erosion and siltation during the short term construction and long term operation phases of the project. The Best Management Practices (BMPs) that are required in these documents will prevent construction pollutants from impacting storm water.

A hydrology study will be required by the City Engineer for the proposed project to assure compliance with City standards relating to storm water. Additionally, the recreational areas within the site, which are designed to include landscaped zones, may actually increase the amount of permeable land on the project site, as compared to existing conditions. The City's standard requirements for the control of on and off site storm flows, both during construction and operation of the proposed project, will assure that impacts associated with storm water are reduced to less than significant levels.

- e) **Less Than Significant Impact.** The downtown area, as with most of the City, uses City streets for the conveyance of storm flows. The proposed project, as a currently developed property, already drains to surrounding streets. The City Engineer will review project plans, including SWPPP and NPDES best management practices, to assure that storm flows entering the streets do not exceed current volumes, and are not polluted. These are standard conditions of approval which will assure that impacts associated with storm flows are reduced to less than significant levels.
- f) **No Impact.** Potential impacts associated with storm water quality will be controlled through the implementation of existing City standard requirements. No other potential impacts to water quality will be created by development of the project site. No impacts are expected.
- g-h) **No Impact.** The project site is located in Flood Zone C, which designates areas that are not subject to flooding. The City Engineer will review hydrologic and hydraulic analyses for the project site to ensure that storm water generated on and off the site does not impact downstream facilities. No impacts associated with flood zones are expected.

- i)- j) **No Impact.** The project site is not in the vicinity of a levee or dam. The Whitewater River is located approximately 3 miles north and east of the project site. The City is not located in the vicinity of a body of water which could be subject to either seiche or tsunami. The project site is located one mile east of the nearest hillsides, and will not be subject to hazards associated with mudflows.

**INITIAL STUDY/NEGATIVE DECLARATION**

<b>IX. LAND USE AND PLANNING</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The proposed project is located in the City's downtown core, an area that was recently the subject of a planning effort to establish Downtown Design Guidelines, which have been approved by the City Council.

The site is fully developed, but structures within the project area are currently vacant. The project site consists of retail commercial structures and a hotel property. The entire site is designated and zoned Central Business District. Lands to the south and west are developed with commercial land uses. Lands to the north consist of Frances Stevens Park. Lands to the east include condominium units and commercial retail and office development.

The City currently implements the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan. The City has also approved the Coachella Valley Multiple Species Habitat Conservation Plan, whose implementation is pending permitting by state and federal agencies.

**Discussion of Impacts**

- a) **No Impact.** The project site is currently fully developed with commercial retail and a hotel property. There is no established neighborhood on the project site. The intent of the project is to further the goals of the City's Redevelopment Plan, General Plan and Downtown Design Guidelines, and create a mixed use neighborhood on Palm Canyon Drive. There will be no impact on established community.
- b) **No Impact.** The proposed project is designed, in part, to comply with the recently approved Downtown Design Guidelines. To that end, the project provides residential development in the central business district. It also creates an entry statement at Alejo Road, the northerly extension of the downtown core. Finally, it implements the additional height included in the Guidelines to create an urban space for downtown. The project is also consistent with the General Plan in its goal to revitalize the downtown area. The project's implementation of a Planned Development District will assure that the project is consistent with zoning ordinance requirements. No impacts associated with plans or policies are expected.



- c) **No Impact.** The City will require the applicant to comply with the requirements of either the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan, or the Coachella Valley Multiple Species Habitat Conservation Plan, whichever is active at the time of issuance of building permits.

**X. MINERAL RESOURCES**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The majority of the City is located in Mineral Resource Zone 3 MRZ-3 (an area containing mineral deposits the significance of which cannot be evaluated from available data). Minerals in the Palm Springs area are limited to sand and gravel for aggregate and/or decorative stone purposes and limestone (Smith, Peroni and Fox, 1992).

**Discussion of Impacts**

a-b) **No impact.** The proposed project occurs within the City's urban core. Although alluvial soils which may be suitable for aggregate production underlie the site, the area has never been one reserved for mineral extraction. There will be no impact to mineral resources.

**INITIAL STUDY/NEGATIVE DECLARATION**

**XI. NOISE**

<b>Would the project result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Settling**

The City of Palm Springs requires that the community noise equivalent level (CNEL) does not exceed 65 dB at the exterior living areas (rear yards) or 45 dB at the habitable interior living area for residential land uses.

The project area is located in the downtown core, which is an area of considerable activity, and which currently experiences higher noise levels. Existing noise levels at the project site currently range from 63.0 dBA CNEL to 65.8 dBA CNEL. The primary source of noise in and around the project site is that generated by vehicular traffic, as is the case with most of the City.

An acoustical study was prepared for the proposed project to assess both impacts of existing and future noise on the project, and the project's contribution to area noise levels<sup>3</sup>. The study's findings are summarized below.

<sup>3</sup> "Rael Development Preliminary/EIR Acoustical Study," prepared by RK Engineering, June 2006.

Discussion of Impacts

- a) **Less Than Significant Impact with Mitigation Incorporated.** The project site will result in temporary noise impacts associated with demolition and construction, as well as long term noise impacts associated with operation of the project.

The most intense short term noise generating activities at the site would be those associated with grading activities. The peak noise level for most of the equipment that would be used during construction ranges from 70 to 95 dBA at a distance of 50 feet. A reduction of 6 dBA can be expected with each doubling of distance, so that it can be expected that the noise levels at the condominiums on the east side of Indian Canyon, approximately 80 feet away, would experience noise levels ranging from 66.5 to 91.5 dBA during construction activities immediately adjacent to the west side of Indian Canyon Drive. As grading equipment is mobile, it would be expected that these noise levels would be of short duration, and would not exceed the City's noise ordinance. The City's Municipal Code prohibits construction before 7:00 AM or after 8:00 PM, Monday through Friday, before 8:00 AM or after 5:00 PM on Saturdays, and at any time on Sunday or any federal holiday. Compliance with these restrictions and the mitigation measures identified below would reduce construction noise impacts to less than significant levels.

In the long term, two potential noise impacts were analyzed: the noise environment on the project site for residential units, which are considered sensitive receptors; and that noise level increase resulting from the addition of project traffic to area roadways. On-site impacts are analyzed below. Off site noise levels are discussed under item (c), below.

On-Site Noise Levels

The existing noise levels at the project site range from 63.0 to 65.8 dBA CNEL. In order to determine the potential noise levels on the project site, noise modeling was conducted using the project site plan, to determine the noise levels at the patios or balconies of the affected units. The units on Alejo Road and Indian Canyon have the potential to experience unacceptable noise levels (in excess of 65 dBA CNEL on their patios or balconies. As a result, noise impacts will be potentially significant, and require mitigation. The buildings affected, and the barrier height required, is illustrated in the Table below.

**Table 6  
Future Exterior Patio/Balcony Noise Levels (dBA CNEL)**

Building	Floor	Unmitigated Exterior Noise Level From				Noise Barrier Minimum Height (in feet)	Final Projected Exterior Noise Level
		Alejo Rd.	Indian Canyon	Palm Canyon	Combined Noise Sources		
A	1	64.6	67.2	--	69.1	5.5	64.2
	2	64.5	67.1	--	69.0	4.0	63.1
	4	64.0	66.5	--	68.4	3.0	59.7
B1 & B2	1	--	67.8	--	--	5.0	63.9
	3	--	67.3	--	--	4.5	62.0
D	1	--	66.7	--	--	5.5	61.0
	2	--	66.6	--	--	4.0	60.9
	3	--	66.4	--	--	3.0	60.1

Source: "Rael Development Preliminary/EIR Acoustical Study," prepared by RK Engineering, June 2006.

As demonstrated in the Table, exterior noise levels for buildings along Alejo and Indian Canyon can be reduced to less than significant levels with the implementation of mitigation measures.

Interior noise levels are required to be 45 dBA or less for all residential units. The noise protection provided by buildings and windows results in a noise reduction of 12 dBA with the windows open, and 20 dBA with the windows closed (from the noise levels shown in Table 6). With the windows open, buildings depicted in Table 6 will experience noise levels in excess of 45 dBA. Even with a "windows closed" condition, the units in buildings A, B1, B2 and D will still experience interior noise levels in excess of 45 dBA. In order to achieve an interior noise level of 45 dBA in the units in buildings A, B1, B2 and D, mitigation measures are required.

**Mitigation Measures**

In order to assure that noise impacts are reduced to less than significant levels, the following mitigation measures shall be implemented.

- MM XI-1** Construction activities on-site shall occur only between 7:00 a.m. and 8:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, as specified by the Palm Springs Noise Ordinance (11.74.041). The Construction Site Regulations (Chapter 8.04.220) also identify specific limits on hours of operation for construction equipment as not between 5 p.m. and 8 a.m. if the noise produced is of such intensity or quality that it disturbs the peace and quiet of any other person of normal sensitivity.
- MM XI-2** All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.
- MM XI-3** All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.
- MM XI-4** Stockpiling and vehicle staging areas shall be located as far as practical from the northeast corner of the site.
- MM XI-5** Parking, refueling and servicing operations for all heavy equipment and on-site construction vehicles shall be located as far as practical from the northeast corner of the site.
- MM XI-6** Stationary equipment should be placed such that emitted noise is directed away from noise-sensitive receptors.
- MM XI-7** Noise barriers shall be constructed for all units located in buildings A, B1, B2 and D, as depicted in Table 6. The barrier's weight shall be a minimum of 3.5 pounds per square foot of face area, with no decorative cutouts or line of sight openings between the shielded areas and roadways. The following materials may be used: masonry block; stucco veneer over wood framing; 1-inch tongue and groove wood of sufficient weight per square foot; ¼ inch thick glass or other transparent material with sufficient weight per square foot; earthen berm (patios only). All gaps, except for weep holes shall be filled.

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**MM XI-8** All units in buildings A, B1, B2 and D will be constructed with mechanical ventilation, as specified in the "Rael Development Preliminary/EIR Acoustical Study," prepared by RK Engineering, to allow for a "windows closed" condition.

**MM XI-9** The final acoustical study for the proposed project shall include interior noise analysis and recommendations for upgraded windows to assure that interior noise levels in any of the units in buildings A, B1, B2 and D are maintained at 45 dBA or better.

- b) **Less Than Significant Impact.** Ground borne vibration may occur during demolition and construction of the project. However, this would be short term in nature and is not expected to be a significant impact. In addition, any potential impacts would be reduced by implementation of best management construction practices. Operation of proposed project will not result in exposure of persons to groundborne vibration.
- c) **Less Than Significant Impact.** The proposed project will generate noise from the vehicle trips it will add to area roadways. The acoustical study considered these trips, when added to existing conditions, to determine whether the proposed project would significantly increase noise levels on area roadways. Existing, year 2007 and year 2025 noise levels were modeled for the proposed project, based on the project traffic study<sup>4</sup>. The findings of the noise modeling are depicted in the Tables below.

Roadway	Segment	CNEL at 100'	Distance to Contour Line (in feet)			
			70 dBA	65 dBA	60 dBA	55 dBA
Alejo Rd.	Palm Canyon to Indian Canyon	62.4	17	54	172	544
Indian Canyon	Tamarisk to Alejo	65.1	32	102	323	1,021
	Alejo to Amado	61.8	15	48	153	484
	Amado to Tahquitz Canyon	62.3	17	54	170	538
Palm Canyon	Tamarisk to Alejo	64.7	30	94	296	936
	Alejo to Amado	60.1	10	32	102	323
	Amado to Tahquitz Canyon	60.7	12	37	1188	373

<sup>4</sup> "Rael Development Traffic Impact Study (revised 5/16/06)," prepared by RK Engineering.

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**Table 8**  
**Year 2007 Noise Contours, with and without Project**

Road-way	Segment	CNEL @ 100' w/out project	CNEL @ 100' w/ project	70 dBA w/out project	70 dBA w/ project	65 dBA w/out project	65 dBA w/ project	60 dBA w/out project	60 dBA w/out project	55 dBA w/out project	55 dBA w/ project
Alejo	Palm Canyon to Indian Canyon	62.6	62.6	18	18	58	58	182	183	575	580
Indian Canyon	Tamarisk to Alejo	65.8	65.9	38	38	120	122	380	385	1,203	1,217
	Alejo to Amado	62.6	62.6	18	18	57	58	182	184	574	582
	Amado to Tahquitz Canyon	62.9	63.0	20	20	62	63	197	199	622	629
Palm Canyon	Tamarisk to Alejo	65.3	65.4	34	34	108	109	341	344	1,077	1,087
	Alejo to Amado	60.9	61.0	12	13	39	40	123	126	390	397
	Amado to Tahquitz Canyon	61.4	61.5	14	14	44	44	139	140	438	443

**Table 9**  
**Year 2025 Noise Contours, with and without Project**

Road-way	Segment	CNEL @ 100' w/out project	CNEL @ 100' w/ project	70 dBA w/out project	70 dBA w/ project	65 dBA w/out project	65 dBA w/ project	60 dBA w/out project	60 dBA w/out project	55 dBA w/out project	55 dBA w/ project
Alejo	Palm Canyon to Indian Canyon	64.1	64.1	26	26	82	82	258	260	815	821
Indian Canyon	Tamarisk to Alejo	67.2	67.2	52	53	165	167	522	527	1,652	1,666
	Alejo to Amado	64.0	64.0	25	25	79	79	248	251	785	793
	Amado to Tahquitz Canyon	64.3	64.4	27	27	86	87	271	274	858	865
Palm Canyon	Tamarisk to Alejo	66.7	66.7	47	47	148	150	469	473	1,485	1,495
	Alejo to Amada	62.3	62.3	17	17	53	54	168	170	531	539
	Amado to Tahquitz Canyon	62.8	62.8	19	19	60	61	191	192	603	608

As can be seen in the tables, the noise generated by the proposed project will increase area noise levels by 0.0 to 0.1 dBA CNEL in both 2007 and 2025. The human ear is not capable of discerning noise increases of less than 3 dBA. Therefore, the off-site traffic noise generated by the project will not significantly impact the noise environment, either when it opens or in the long term. No mitigation is required.

- d) **Less Than Significant Impact.** Please see response (b), above.
- e, f) **No Impact.** Palm Springs International Airport is located two miles east of the proposed project, and does not conduct flight operations over the proposed project. There are no private airstrips in Palm Springs. No impacts associated with aircraft operational noise levels are expected.

**XII. POPULATION AND HOUSING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The City of Palm Springs population grew from 40,181 to 42,807 from 1990 to 2000. This represents a 6.5 increase over the ten year period. In 2006, the City's population is estimated at 46,437, an increase of 8.5% in five years. Housing units increased from 30,517 to 30,823 from 1990 to 2000, and to 32,841 in 2006. The City has an average of 2.1 persons per household.

The downtown area has in the past included limited housing opportunities. Many commercial buildings built prior to the 1970s included apartments on the second floor.

**Discussion of Impacts**

- a) **Less Than Significant Impact.** The proposed project will add 118 units to the City's housing inventory. Given the rapid growth in population and housing units in the last 6 years, this addition is consistent. Based on current household size, the proposed project will add 248 persons to the City's population. This represents an increase of 0.06%, and will not be a significant increase in population.
- b, c) **No Impact.** The existing structures on the property have provided some transient housing, at the Monte Vista Hotel. However, the hotel had limited function in the last several years, and with only 34 rooms did not represent a substantial housing stock. The existing structures are currently vacant, including the hotel, and have been for at least six months. No one will be displaced by the proposed project. Impacts are expected to be less than significant.



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**XIII. PUBLIC SERVICES**

<b>Would the project result in:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

**Fire Protection.** The Palm Springs Fire Department will provide service to the proposed project site. The Department currently operates five fire stations located throughout the city. The station closest to the project site is station #441, located at 277 North Indian Canyon, less than one mile from the project site. The station houses one 75' ladder truck, one medical response vehicle, and one Quick Attack vehicle. The station is manned on a 24 hour basis with one Captain, one Engineer, and one Firefighter/Emergency Medical Technician. Also available to serve the project site are station #443, located at 590 E. Racquet Club Road, about two miles from the project site, and station #442, located at 300 N. El Cielo, also about two miles from the project site.

The City has established maximum fire response time at five minutes. Areas located outside of the 5 minute threshold are required by the City's Fire protection Plan to install automatic fire sprinklers. Residential fire flows are 1,250 gallons per minute (gpm) and commercial/industrial flows are 1,500 gpm. The Department currently has an Insurance Office Rating (ISO) of 3. The Department receives funding for operational and capital improvements through the City's General Fund (Smith, Peroni & Fox, 1992).

**Police Protection.** The City of Palm Springs Police Department provides law enforcement services within the City Limits. The Department has a Services Division and an Operations Division. The Department does not have a standard ratio of officers to population, but does have a desired response time of 6 minutes for emergency calls and 20 minutes for non-emergency calls. The Department is funded from the City's General Fund (Smith, Peroni & Fox, 1992).

**Schools.** The Palm Springs Unified School District (PSUSD) provides educational services for grades K-12 in the City of Palm Springs. Currently, there are 4 elementary schools, 1 middle school and 1

high school in the City. PSUSD receives funding from school facilities fees, state funding, and local funding. PSUSD is authorized to collect school facilities fees as provided for in Government Code Section 53080 et. seq. and 65995 et seq. in the amount of \$2.35 per square foot of residential development.

**Parks.** The City of Palm Springs has seven parks located on approximately 140-acres within its boundaries. These include Desert Highland Park, Victoria Park, Ruth Hardy Park, Sunrise Park, Baristo Park, Demuth Park and Palm Springs dog park. The City has a standard park ratio of 5 acres of parkland for every 1,000 population as required by City Ordinance 1632.

**Discussion of Impacts**

- a) **Less Than Significant Impact.** The proposed project will generate additional need for fire protection for the City Fire Department, but is not expected to require additional services beyond those currently available. The site is currently built out, and the Fire Department has been providing service to the site for a number of years. The addition of the residential component of the project, however, is likely to marginally increase the numbers of calls made to the project site. The Fire Department will continue to review project plans to assure that the site design can be effectively serviced in case of emergency, and will provide conditions of approval for the project. The City includes, as a standard condition of approval, requirements that projects participate in Community Facilities District(s) to assure that the costs associated with added emergency services are recovered. This standard requirement will assure that impacts to fire services are reduced to less than significant levels.
- b) **Less Than Significant Impact.** The proposed project will generate additional need for police protection, because of the addition of the residential component to the project site. As with fire protection, the existing properties on the site have generated a need for police service for a number of years. The Police Department will be provided building plans for review prior to the approval of the project, to assure that defensible space is provided within the project boundaries. The City includes, as a standard condition of approval, requirements that projects participate in Community Facilities District(s) to assure that the costs associated with added police services are recovered. This standard requirement will assure that impacts to police services are reduced to less than significant levels.
- c) **Less Than Significant Impact.** School services for the project site are provided by the Palm Springs Unified School District (PSUSD). The project proponent will be required to pay the mandated school fees in place at the time that building permits are issued. The payment of these fees is designed to offset the additional students generated by the proposed project. This fee will assure that the impacts to schools are reduced to less than significant levels.
- d) **Less Than Significant Impact.** The City has implemented a "Quimby" or park fee ordinance to assure that adequate park space is provided for future residents. The project proponent will be required to pay the park fees in place at the time that building permits are issued. This fee will assure that the impacts to City parks are reduced to less than significant levels.

**INITIAL STUDY/NEGATIVE DECLARATION**

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- e) **Less Than Significant Impact.** The addition of 118 housing units and about 25,000 square feet of retail commercial space will not impact general government or other municipal services.

**INITIAL STUDY/NEGATIVE DECLARATION**

**XIV. RECREATION**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

In addition to the 140-acres of developed parkland and public and private golf courses which occur in the City, the City also includes the Whitewater Wilderness Study Area and the Murray, Andreas and Palm Canyon recreation areas which are operated by the Agua Caliente Band of Cahuilla Indians (Smith, Fox & Peroni, 1992).

**Discussion of Impacts**

a-b) **Less Than Significant impact.** The proposed project will include recreational facilities for residents, including pool and spa facilities. In addition, the proposed project will participate in the City's parkland fee program, to offset impacts associated with parks generated by the 292 new residents of the project. Impacts are expected to be insignificant.

**INITIAL STUDY/NEGATIVE DECLARATION**

**XV. TRANSPORTATION/TRAFFIC**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

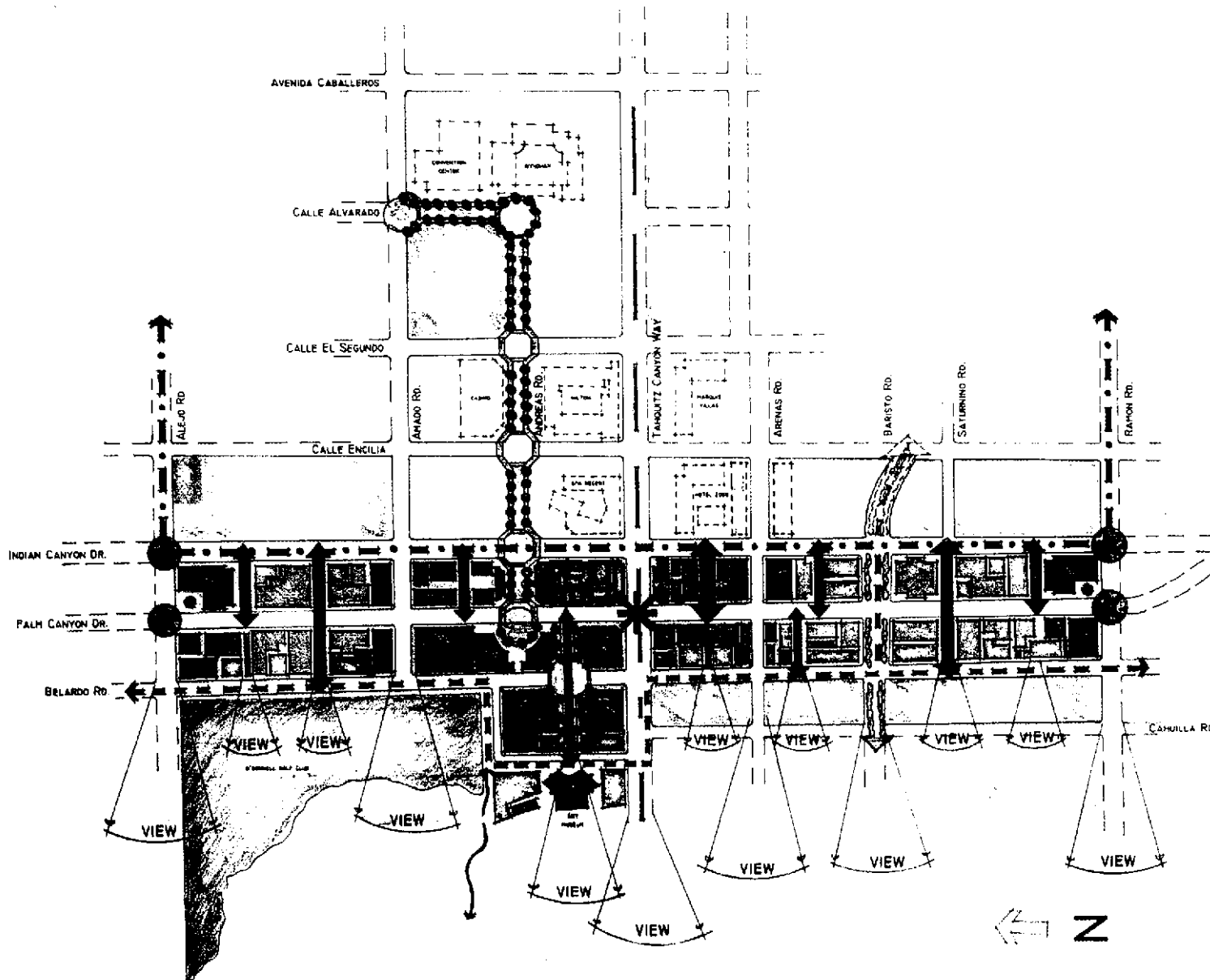
The project site is surrounded by roadways on three sides. North Palm Canyon and North Indian Canyon provide cross-town access through the City. Alejo Road is a local roadway which provides east-west access through the project area.

A Traffic Impact Analysis was prepared for the proposed project<sup>5</sup>. The study was conducted based on coordination and scoping with the City Engineer. A total of 10 intersections were studied. Because of the project site's location in the downtown core, existing and future conditions were evaluated for typical weekday morning and evening peak hours, but also for Thursday night conditions (during Village Fest), and for Saturday morning and afternoon conditions. During Village Fest, Palm Canyon is closed to traffic from Amado Road to Baristo Road, south of the project site. The findings of the study are summarized below.

<sup>5</sup> "Rael Development Traffic Impact Study (Revised 5/16/06)," prepared by RK Engineering.

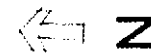
# Downtown Urban Design Concept Sketch

*concept sketch*



LEGEND	
	SECTION II BOUNDARY
	DOWNTOWN GATEWAY
	VIEW CORRIDOR
	MID-BLOCK PEDESTRIAN CONNECTION
	HERITAGE TRAIL
	WATER ELEMENT
	PEDESTRIAN LINKAGE
	MIXED-USE CORE (COMM./RES.)
	MIXED-USE (OFFICE/RES.)
	HIGH INTENSITY GATEWAY (COMM./RES.)
	TENNIS CLUB DISTRICT (RES./RESORT)
	PARKING
	PUBLIC/INSTITUTIONAL
	LANDSCAPING/OPEN SPACE
	SECTION II LOCAL SERVING COMMERCIAL
	SECTION II RESIDENTIAL HIGH
	SECTION II RETAIL/ENTERTAIN./OFFICE
	SECTION II RESORT/ATTRACTION
	DOWNTOWN SQUARE (SIZE AND LOCATION TO BE DETERMINED)

SECTION I



**CITY OF PALM SPRINGS  
PUBLIC HEARING NOTIFICATION**



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Date: April 2, 2014  
Subject: Case 5.1091 PD 324 AMND at 414 North Palm Canyon Drive

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**AFFIDAVIT OF PUBLICATION**

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on March 22, 2014.


I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Cynthia A. Berardi, CMC  
Deputy City Clerk

**AFFIDAVIT OF POSTING**

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk and on March 20, 2014.


I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Cynthia A. Berardi, CMC  
Deputy City Clerk

**AFFIDAVIT OF MAILING**

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on March 20, 2014, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (463 notices)

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Cynthia A. Berardi, CMC  
Deputy City Clerk

## Cindy Berardi

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**From:** Joanne Bruggemans  
**Sent:** Wednesday, March 19, 2014 11:44 AM  
**To:** Vista Las Palmas; Old Las Palmas; Historic Tennis Club; Movie Colony East  
**Cc:** Cindy Berardi; Edward Robertson  
**Subject:** FW: CC Public Hearing Notice for April 2 2014 for Rael  
**Attachments:** CC PHN 4 2 14 Rael.pdf

Please find the attached Public Hearing Notice of the City Council for April 2, 2014 of a proposed project in the vicinity of your neighborhood organization.

*Joanne*

Joanne Bruggemans  
City of Palm Springs  
Planning Services Department  
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262  
Phone: (760) 323-8245 Fax: (760) 322-8360  
Email: [joanne.bruggemans@palmspringsca.gov](mailto:joanne.bruggemans@palmspringsca.gov)





# City of Palm Springs

Office of the City Clerk

3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262  
Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

March 20, 2014

Ms. Claudia Salgado  
Bureau of Indian Affairs  
P. O. Box 2245  
Palm Springs, CA 92263

Fax To: Brenda Diaz  
(760) 416-2687

RE: City Council Meeting – April 2, 2014  
Public Hearing Notice – Hotel & Retail Development at 414 N. Palm Cyn. Dr.

Dear Ms. Salgado:

The City Council will be conducting a public hearing at 6:00 p.m. on April 2, 2014, to consider an Amendment of Planned Development District 324 for a Hotel and Retail Development at 414 N. Palm Canyon Drive.

I have enclosed copies of the notice for distribution and your file; however, please advise if additional notices are required.

APN	Allotment Number
508-531-001 through 508-531-018	1022
508-531-020 through 508-531-064	1022
508-031-016	66A
508-031-017	T39A
508-031-018	8A, 24A

Thank you for your continuous assistance and support. Please feel free to contact me at (760) 322-8355 if there are any questions or concerns.

Sincerely,

Cynthia A. Berardi, CMC  
Deputy City Clerk

Encl: Public Hearing Notices (65 copies)  
Envelopes

NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

CASE 5.1091 - PD 324 AMND  
AMENDMENT OF PLANNED DEVELOPMENT DISTRICT 324  
HOTEL & RETAIL COMMERCIAL DEVELOPMENT  
414 NORTH PALM CANYON DRIVE

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of April 2, 2014. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider an application by Lawrence Rael, Palm Springs LLC, to amend a previously approved Planned Development District 324 and Vesting Tentative Tract Map 34190, for the construction of a 150-room hotel with ancillary retail, restaurant and parking structure. The property is approximately 4.1-acres bounded by Alejo Road on the north, North Palm Canyon Drive on the west, North Indian Canyon Drive on the east, and existing commercial development on the south.

**ENVIRONMENTAL DETERMINATION:** A Mitigated Negative Declaration was prepared for this project under the guidelines of the California Environmental Quality Act (CEQA) and was previously approved by City Council Resolution No. 21724 on October 4, 2006. Pursuant to Section 15162 of the California Environmental Act (CEQA), the preparation of further environmental assessment for the proposed amendment is not necessary since the circumstances of the amended project have not changed or intensified. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the City Council hearing.

**REVIEW OF PROJECT INFORMATION:** The staff report and other supporting documents regarding this project are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.


**COMMENT ON THIS APPLICATION:** Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

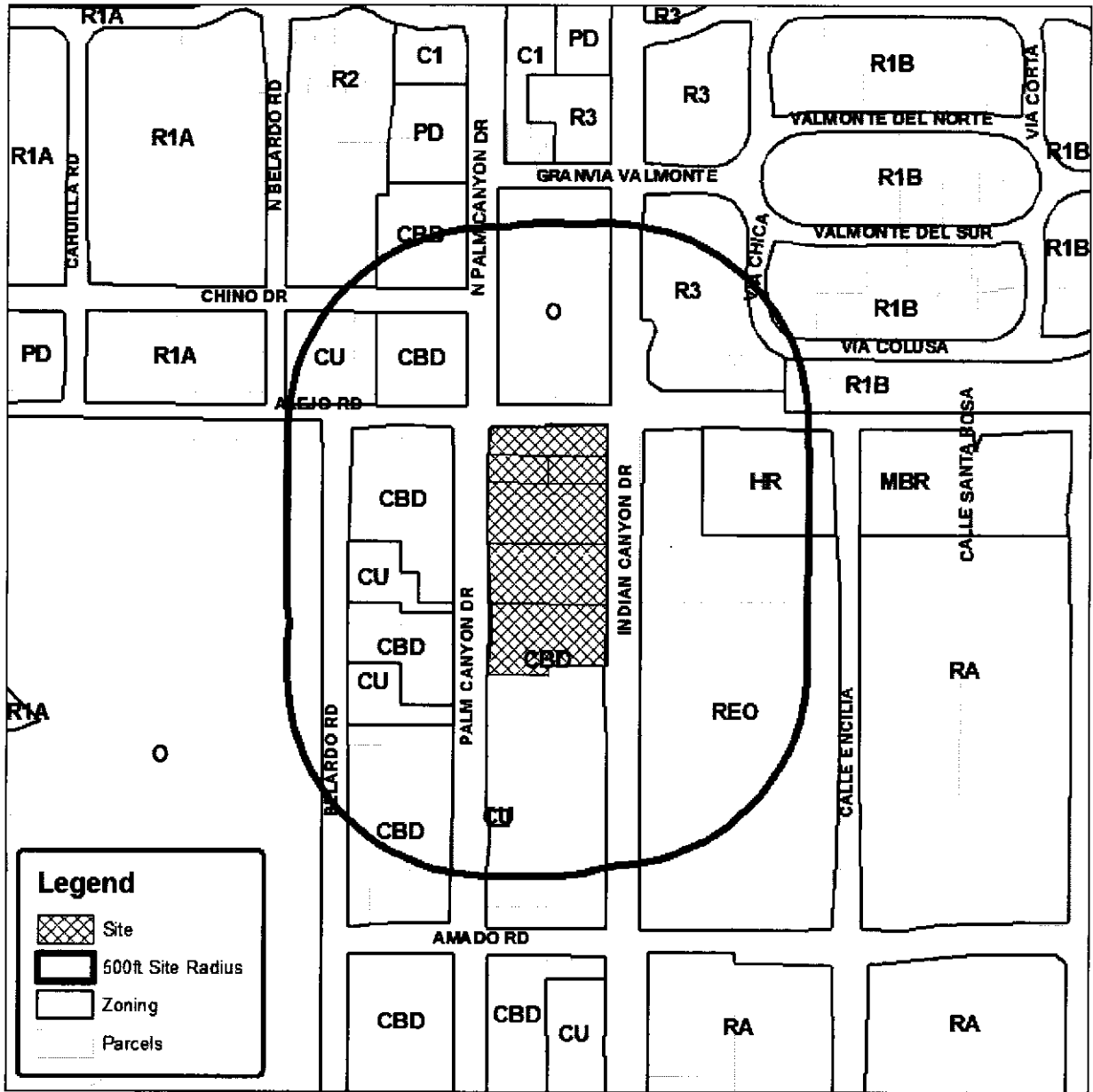
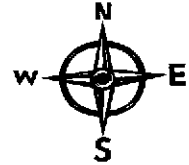
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Edward O. Robertson, Principal Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.

  
James Thompson, City Clerk



# Department of Planning Services Vicinity Map



**Legend**

- Site
- 500ft Site Radius
- Zoning
- Parcels

## CITY OF PALM SPRINGS

**CASE NO:** CASE 5.1091  
PD 324 AMND

**APPLICANT:** Palm Springs, LLC

**DESCRIPTION:** To consider an application by Lawrence Rael, Palm Springs LLC, to amend a previously approved Planned Development District 324 consisting of a 150-room hotel, and approximately 32,705 square feet retail commercial development at 414 North Palm Canyon Drive.

**LOT COVERAGE**

TOTAL LOT AREA = 171,160 SF (~4.1 ACRES)  
 TOTAL AREA OF BUILDING COVERAGE = 57,969 SF (33.87%)  
 TOTAL AREA OF DRIVES & PARKING = 85,607 SF (50.01%)  
 TOTAL AREA OF OPEN SPACE = 27,584 SF (16.12%)

\*AREAS CALCULATED AT GROUND LEVEL  
 \*FOR ROOM AREAS OF BUILDING, SEE A600

**PARKING ANALYSIS**

HOTEL @ 150 ROOMS  
 150 ROOMS REQUIRE 18 SPACES  
 REMAINING 100 ROOMS X .75 REQUIRE 75 SPACES  
 HOTEL SUB-TOTAL 93 SPACES

MIXED-USE DEVELOPMENT IN CENTRAL BUSINESS DISTRICT (>20,000 SF)  
 \*INCLUDES SPA, RESTAURANTS & LOUNGE  
 \*CONSIDERS RESTAURANTS ARE LESS THAN 25% OF TOTAL FLOOR AREA  
 COMMERCIAL/RETAIL (25,000SF) @ 1 SPACE / 325 SF 77 SPACES  
 MIXED-USE DEVELOPMENT SUB-TOTAL 77 SPACES

EVENT SPACE  
 \*150 HOTEL ROOMS @ 30 SF / ROOM ALLOWS FOR 4,500 SF EVENT SPACE  
 \*PROPOSED EVENT SPACE AREA = 4,499 SF, THEREFORE NO ADDL. PARKING REQ'D.  
 EVENT SPACE 0 SPACES  
 EVENT SPACE SUB-TOTAL 0 SPACES

CITY PUBLIC PARKING  
 AT GRADE WITHIN PARKING STRUCTURE 38 SPACES  
 SURFACE PARKING ALONG STREET 43 SPACES  
 CITY PUBLIC PARKING SUB-TOTAL 81 SPACES

GRAND TOTAL / PARKING SPACES PROVIDED 283 SPACES



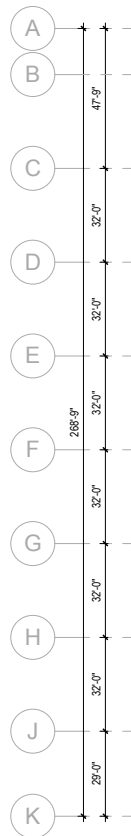
ENTRANCE TO ONE-LEVEL PARKING STRUCTURE WITH 119 TOTAL PARKING SPACES

ENTRANCE TO TWO-LEVEL PARKING STRUCTURE WITH 122 TOTAL PARKING SPACES

21 ON-STREET PARKING SPACES ALONG N. INDIAN CANYON DR. + 23 ON-STREET PARKING SPACES ALONG N. PALM CANYON DR. = 44 TOTAL ON-STREET PARKING SPACES

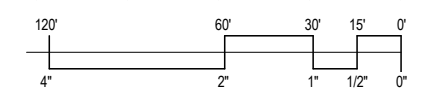
APPROXIMATE LOCATION OF ADJACENT ONE-STORY BUILDING AT APPROXIMATELY 12-16' IN HEIGHT

APPROXIMATE LOCATION OF ADJACENT ONE-STORY BUILDING AT APPROXIMATELY 14-18' IN HEIGHT



**LEGAL DESCRIPTION**

REAL PROPERTY IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
 TENTATIVE TRACT NO. 34190, BEING A SUBDIVISION OF THE FOLLOWING:  
 PARCEL A: (513-081-023)  
 THE NORTHERLY RECTANGULAR 80 FEET OF LOT 1 IN BLOCK 24 OF PALM SPRINGS, AS SHOWN BY MAP ON FILE IN BOOK 9 PAGE 432 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA  
 PARCEL B: (513-081-002 AND 003)  
 THE SOUTHERLY RECTANGULAR 70 FEET OF LOT 1 IN BLOCK 24 OF PALM SPRINGS, AS SHOWN BY MAP ON FILE IN BOOK 9 PAGE 432 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA  
 PARCEL C: (513-081-004)  
 LOT 2 IN BLOCK 24 OF PALM SPRINGS, AS SHOWN BY MAP ON FILE IN BOOK 9 PAGE 432 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA  
 PARCEL D: (513-081-005)  
 LOT 3 IN BLOCK 24 OF PALM SPRINGS, AS SHOWN BY MAP ON FILE IN BOOK 9 PAGE 432 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA  
 PARCEL E: (513-081-006)  
 LOT 4 AND THE NORTHERLY 25 FEET OF THE WESTERLY 145.5 FEET OF LOT 5, IN BLOCK 24 OF PALM SPRINGS, AS SHOWN BY MAP ON FILE IN BOOK 9 PAGE 432 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA  
 EXCEPTING THEREFROM THE WESTERLY 10.00 FEET OF THE NORTHERLY 100.00 FEET OF LOT 4 IN BLOCK 24, AS GRANTED TO THE CITY OF PALM SPRINGS, BY DEED RECORDED SEPTEMBER 26, 1996 AS INSTRUMENT NO. 95406, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.



GRAPHIC SCALE 1" = 30'-0"  
 INCH INCREMENTS SHOWN ARE AT FULL SCALE ON THE SHEET



NORTH INDIAN CANYON DRIVE

EAST ALEJO ROAD

NORTH PALM CANYON DRIVE

13'-2"

15'-11"

17'-3"

17'-2"

15'-11"

10'-0" SETBACK

XOVBLS 2'-21"

MAINTENANCE AND TRASH PICKUP SERVICE ALLEY

XOVBLS 9'-26"

15'-0" SETBACK

INDOOR PARKING AREA  
107  
44,107 SF

TRUCK UNLOADING STALLS AND DOCK  
005  
809 SF

EVENT FACILITIES / STUDIOS RELATED AREAS  
012  
10,032 SF

BREAK-OUT PATIO

PASS-THROUGH WALKWAY & GARDEN FROM INDIAN CANYON DR. & BUS

INDOOR PARKING AREA  
1311  
23,589 SF

F&B STOREROOMS & PREPARATION AREAS  
010  
1,567 SF

GUEST ELEV.  
GUEST ELEV.  
GROUND LEVEL LOBBY  
016  
977 SF

ENGINEERING OFFICES  
31  
250 SF

BREAK-OUT PATIO

DISPLAY KITCHEN  
020  
686 SF

RESTAURANT & BAR  
018  
2,682 SF

DINING PATIO

TRASH  
1295  
ENGINEERING SERVICES  
1276  
284 SF

14'-7"  
RETAIL  
101  
1,480 SF

RETAIL  
102  
2,020 SF

RETAIL  
103  
2,015 SF

RETAIL  
104  
2,014 SF

RETAIL  
100  
2,017 SF

RETAIL  
104  
2,020 SF

RETAIL  
105  
2,020 SF

RETAIL  
106  
2,043 SF

RETAIL  
1300  
2,197 SF

RETAIL  
1299  
1,580 SF

RETAIL  
1280  
1,569 SF

RETAIL  
1275  
1,554 SF

RETAIL  
1274  
2,344 SF

11'-0" SETBACK

15'-1" SETBACK

PROPERTY LINE

0'-21"

ENTRY DIAGRAM

EXIT DIAGRAM

GROUND FLOOR

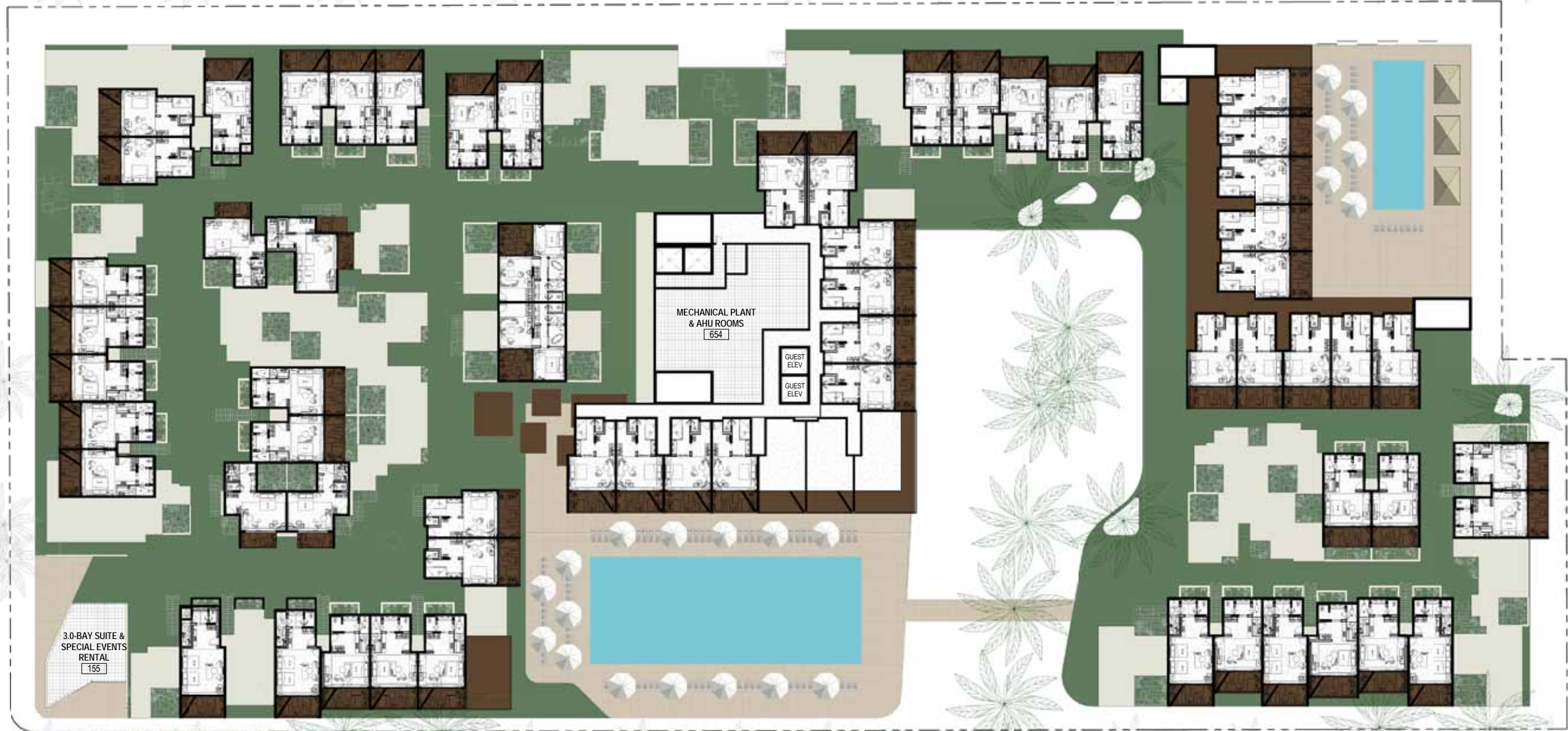
1

SCALE: 3/64" = 1'-0"



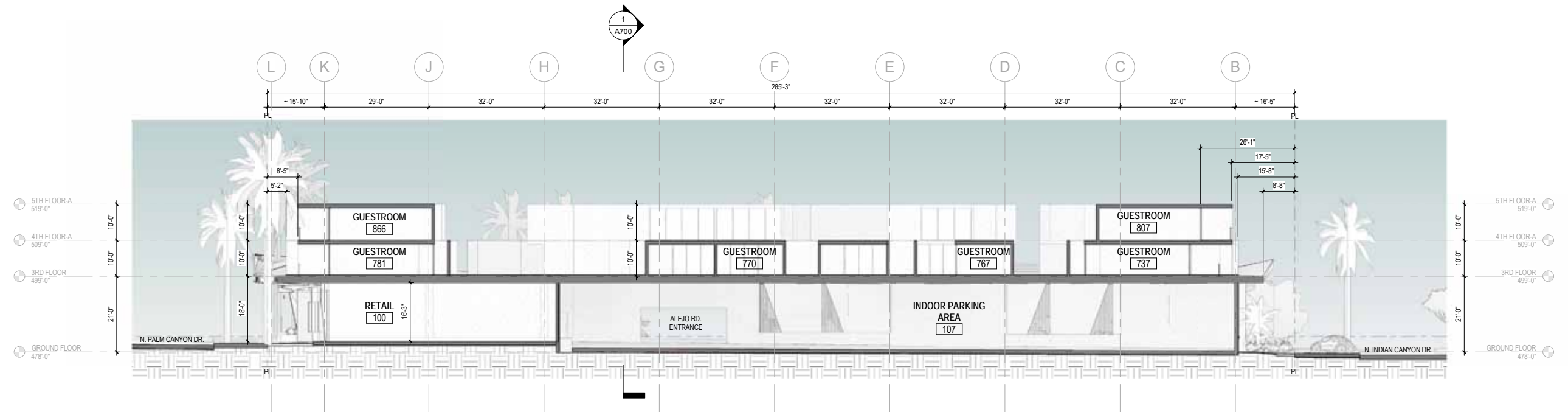




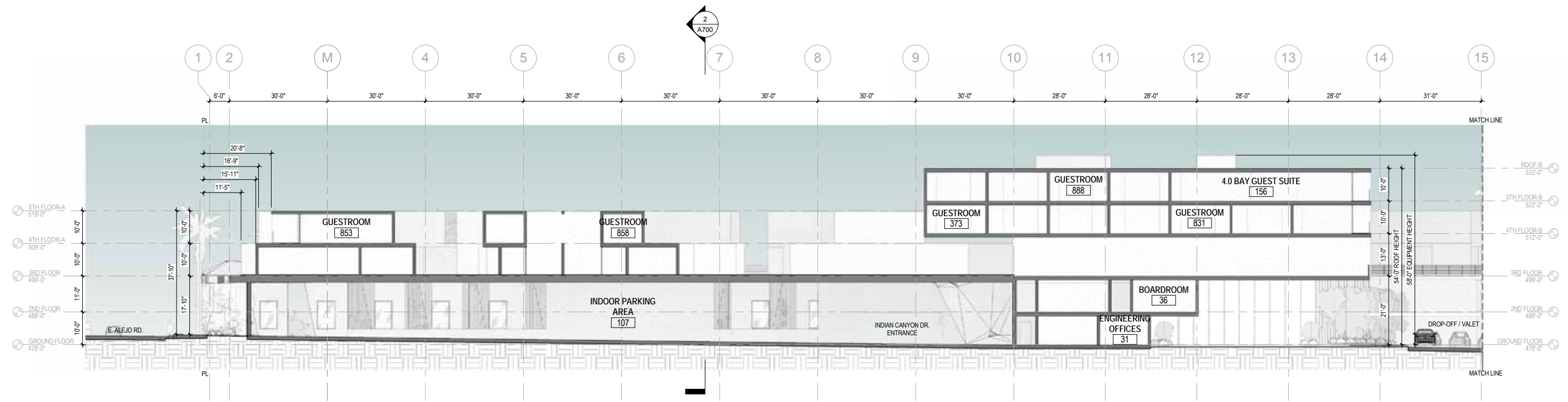








**EAST-WEST SECTION 2**  
SCALE: 1/16" = 1'-0"

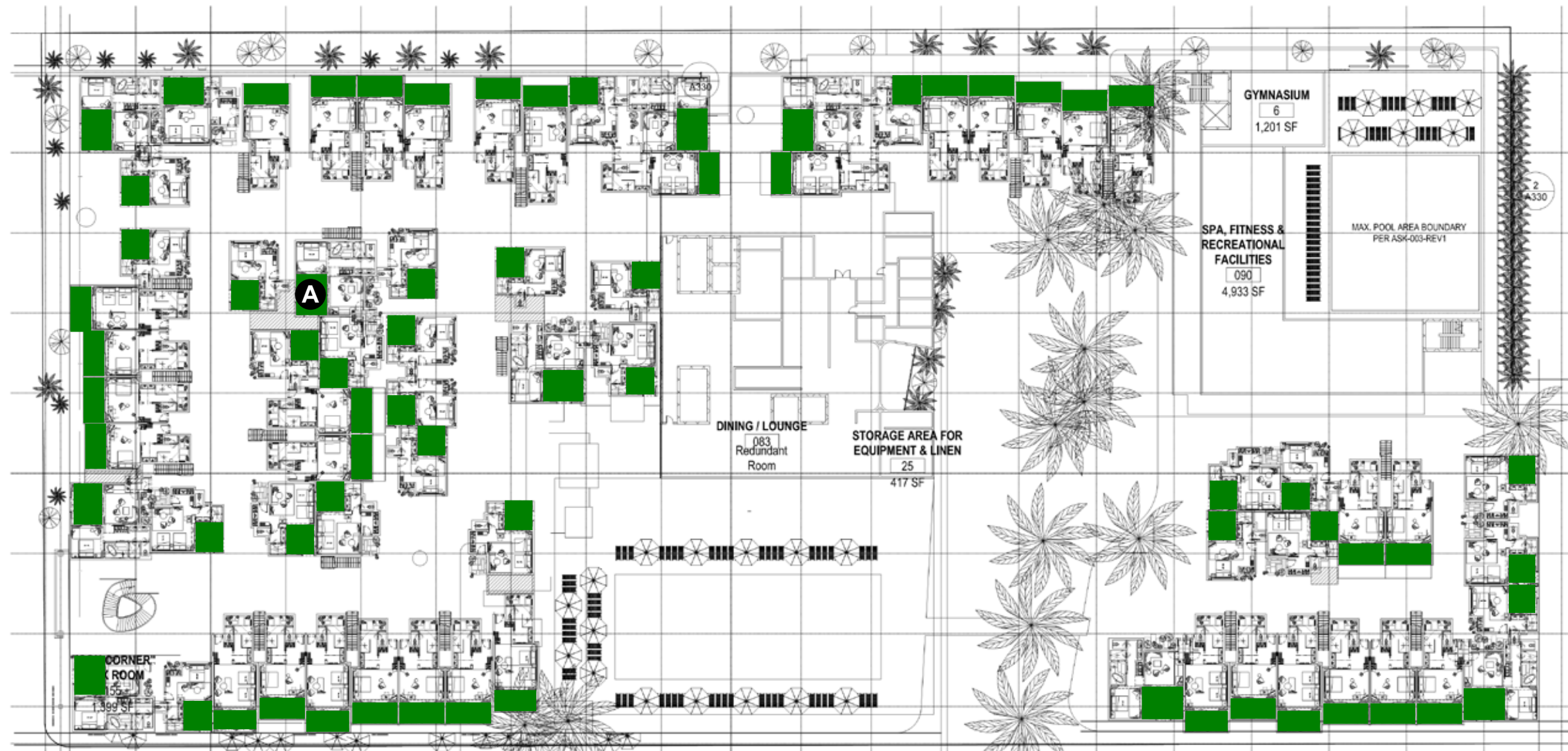


**NORTH-SOUTH SECTION 1**  
SCALE: 1/16" = 1'-0"



Aesthetically, and conceptually, we envision the outdoor areas of the project to be the prominent and defining feature. The idea of outdoor rooms translates through various scales of the building through different means.

**A** At the finest scale, each room contains a private garden as a focal point (the guestroom acts as the boundary of the garden.--as opposed to thinking "the garden just outside the doors").



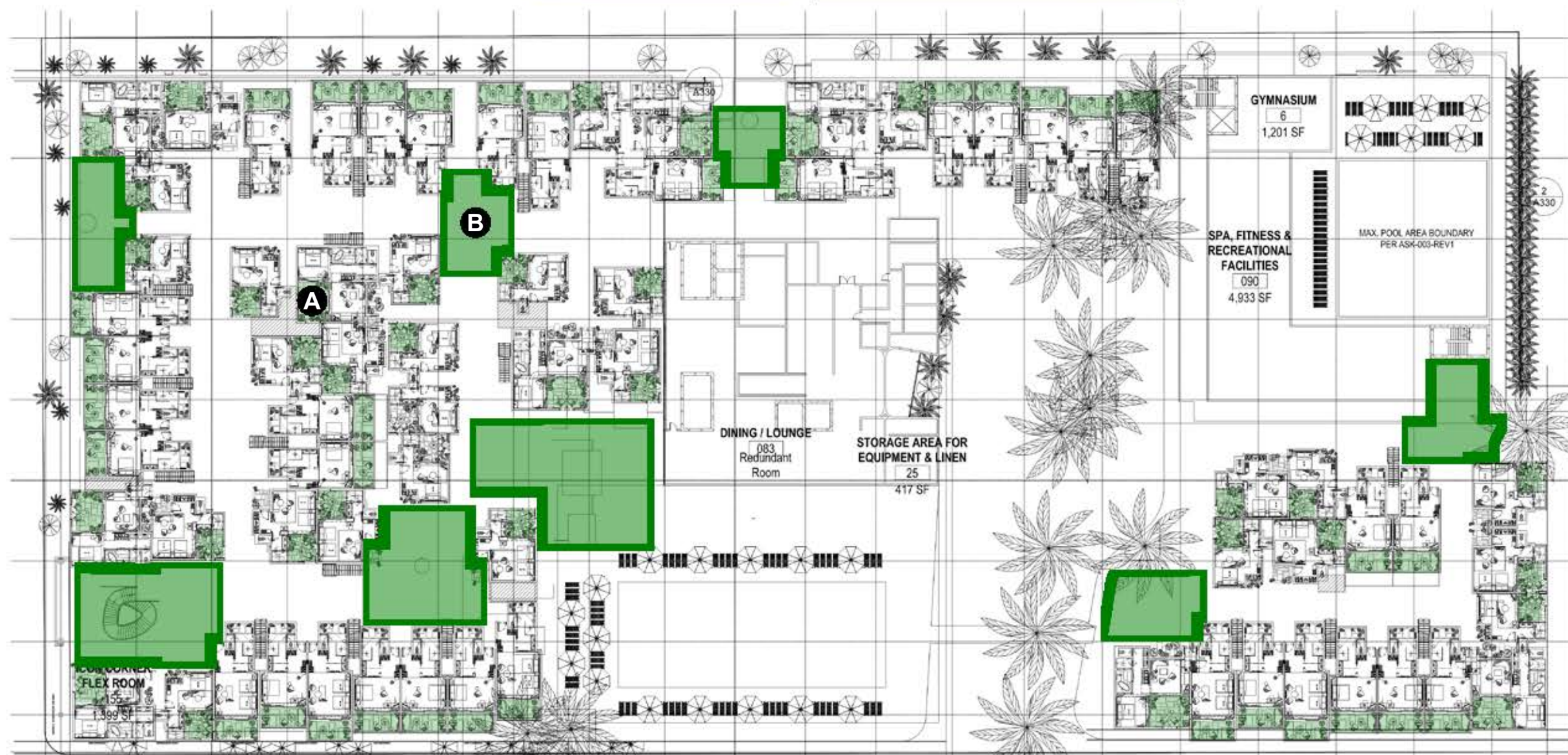


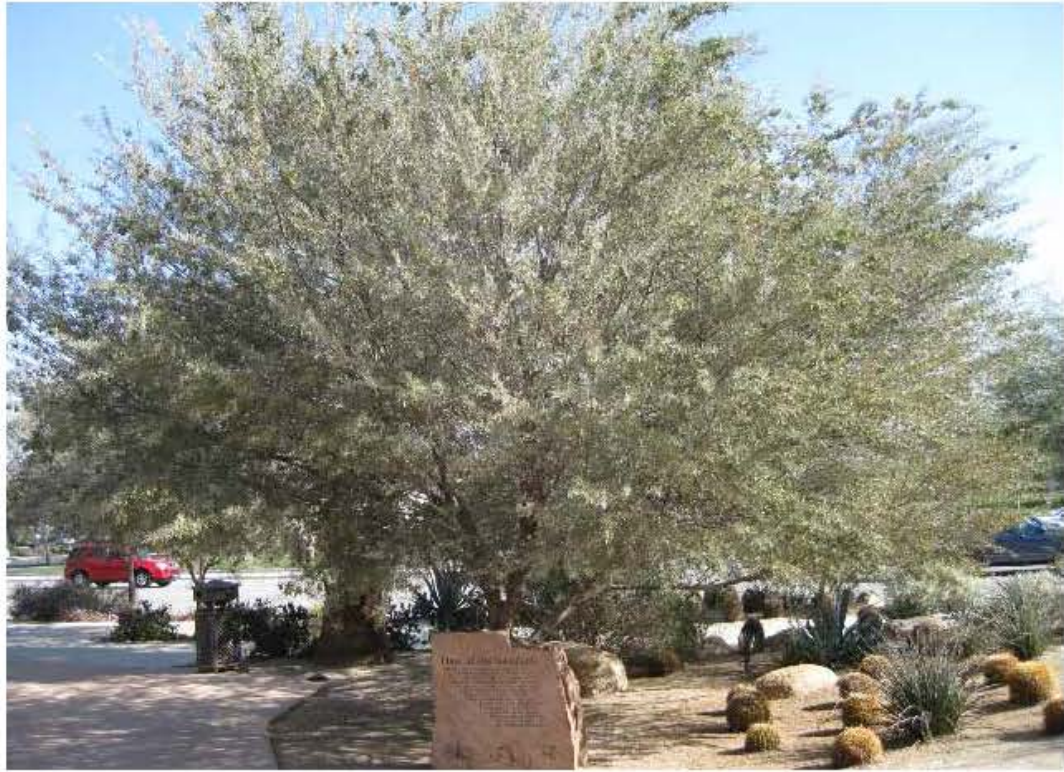
**B** The Parker Hotel provides activity nodes throughout their lawn. These activities allow guests to relax and enjoy their time in a manner they please irregardless of group size or privacy preference. Important to note, however, is the enclosure afforded by lush landscape. Large, sculptural planters may be considered to bring this element of scale in vegetation to the podium.

Aesthetically, and conceptually, we envision the outdoor areas of the project to be the prominent and defining feature. The idea of outdoor rooms translates through various scales of the building through different means.

**A** At the finest scale, each room contains a private garden as a focal point (the guestroom acts as the boundary of the garden.--as opposed to thinking "the garden just outside the doors").

**B** At a slightly larger scale, "nodes" are created--intended for informal, public gathering and to provide intermittent respite from long circulation routes. Again, the architecture is envisioned to be minimal--more as minimalist sculpture--at the periphery of the node.





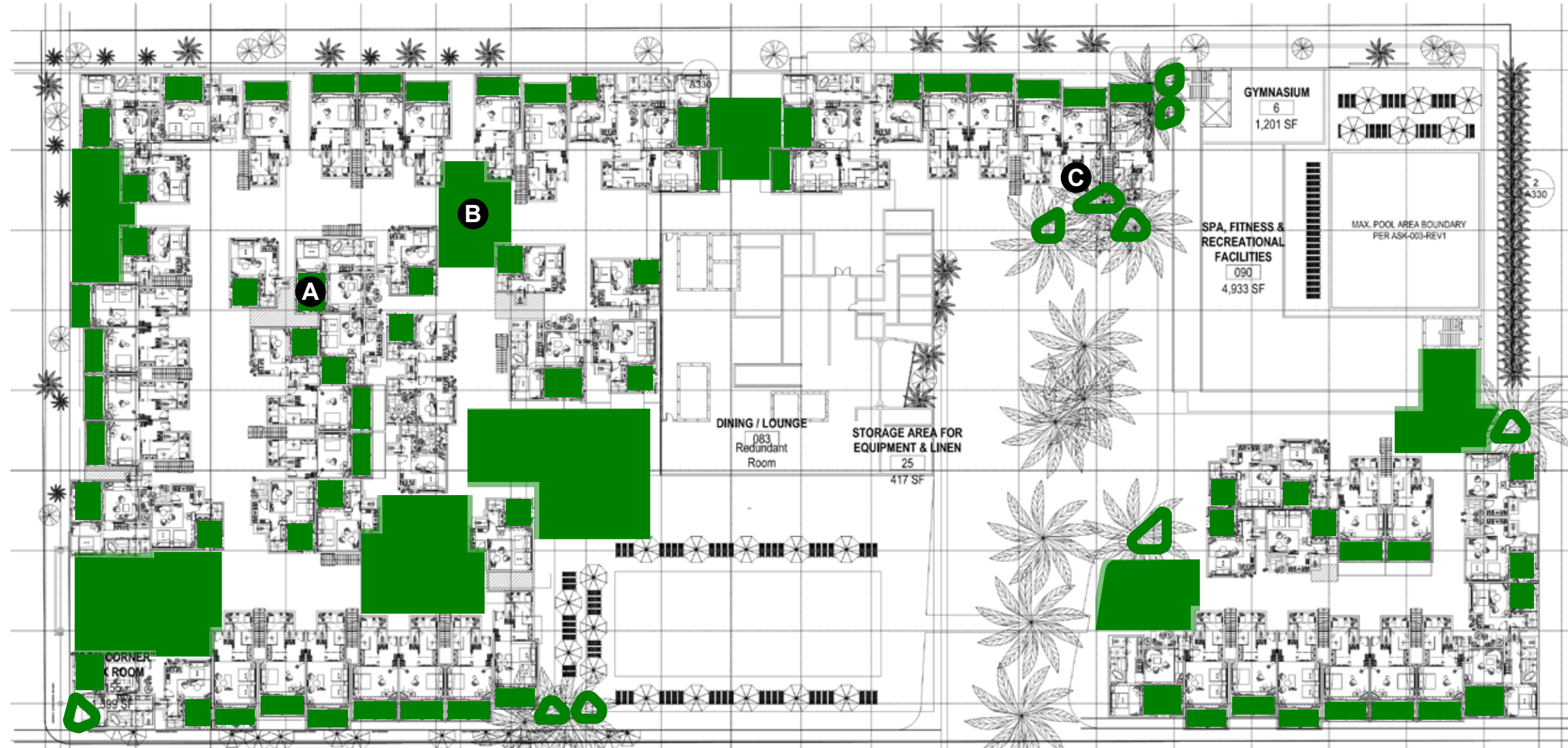


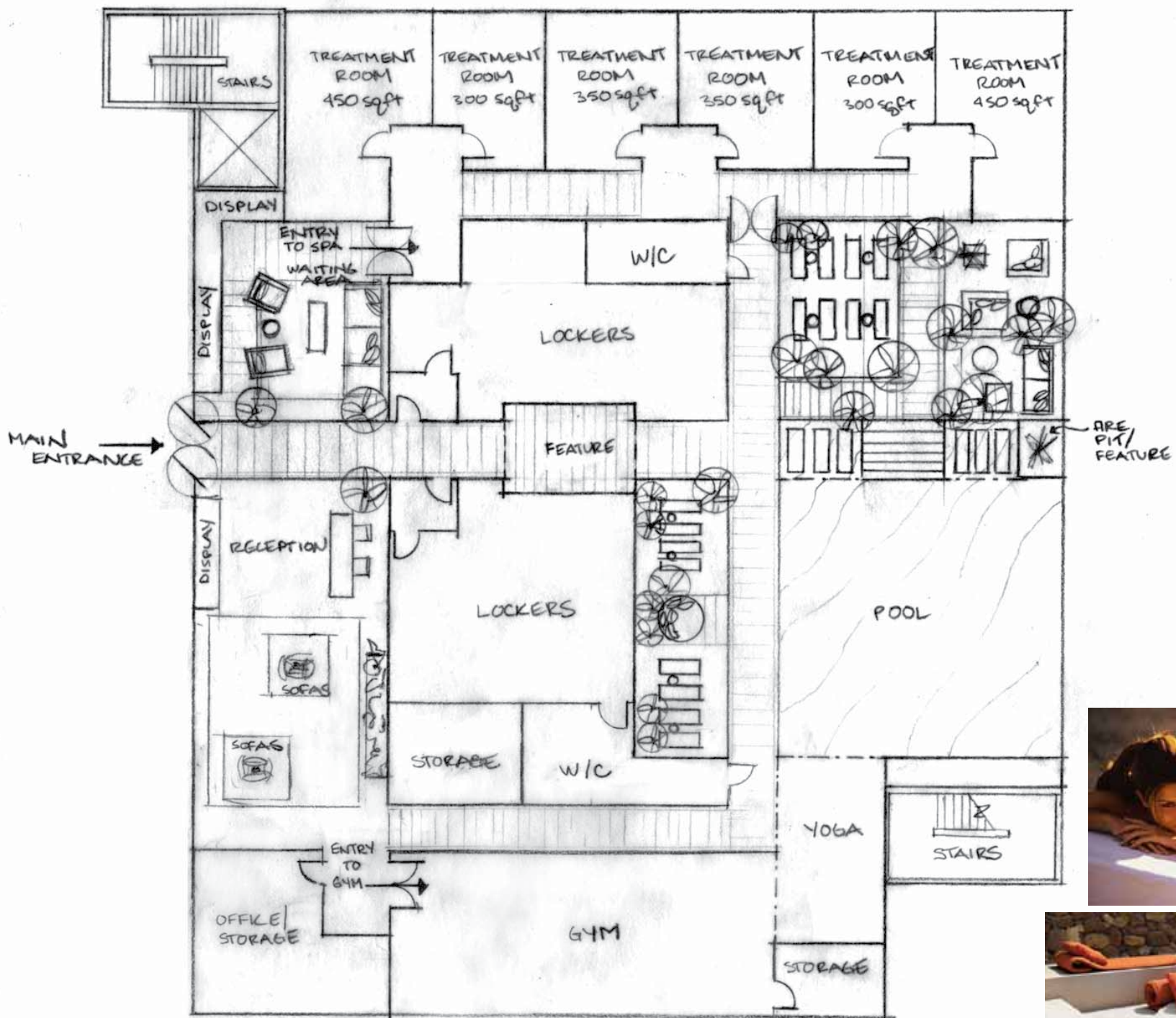


**C** The podium is eroded in certain areas to allow for taller palm trees to make a presence on the upper floors and bring a few elements of verticality to an otherwise horizontal building. This feature is also an ode to the iconic City Hall and the sidewalk canopy that was demolished on this site.

Aesthetically, and conceptually, we envision the outdoor areas of the project to be the prominent and defining feature. The idea of outdoor rooms translates through various scales of the building through different means.

- A** At the finest scale, each room contains a private garden as a focal point (the guestroom acts as the boundary of the garden.--as opposed to thinking "the garden just outside the doors").
- B** At a slightly larger scale, "nodes" are created--intended for informal, public gathering and to provide intermittent respite from long circulation routes. Again, the architecture is envisioned to be minimal--more as minimalist sculpture--at the periphery of the node.
- C** At the largest scale, the concrete podium is eroded to allow for vertical integration of plantings.





SPA







WEST ELEVATION - PALM CANYON DR. 1  
SCALE: 3/32" = 1'-0"



WEST ELEVATION - PALM CANYON DR. 2  
SCALE: 3/32" = 1'-0"



EAST ELEVATION - INDIAN CANYON DR. 1  
SCALE: 3/32" = 1'-0"



EAST ELEVATION - INDIAN CANYON DR. 2  
SCALE: 3/32" = 1'-0"



NORTH ELEVATION - ALEJO RD. 2  
 SCALE: 3/32" = 1'-0"



MATERIAL:  
ANNOIDIZED ALUMINUM

APPLICATION:  
STOREFRONT WINDOW SYSTEMS

NOTES:  
THE PROPOSED CUSTOM ANNOIDIZED FINISH IS INTENDED TO PROVIDE AN APPEARANCE CLOSER TO THAT OF STAINLESS STEEL, BUT WITH A SLIGHTLY WARMER COLOR

MATERIAL:  
"CORTEN" A606-4 STEEL FLAT STOCK

MANUFACTURER:  
WESTERN STATES METAL ROOFING OR EQUAL

APPLICATION:  
PARKING STRUCTURE FACADES, ARTICULATED AS PANEL CLADDING ALONG N. INDIAN CANYON DR. AND E. ALEJO RD. THIS MATERIAL MAY BE USED AT SELECTED LANDSCAPE ELEMENTS AS WELL.

NOTES:  
THE CORTEN WALLS AT PARKING STRUCTURE FACADES WILL BE SEPARATE FROM THE CONCRETE BACKUP STRUCTURE SLIGHTLY TO ENABLE BACKLIGHTING OF THE BACKUP WALLS AND TO ALLOW FOR VENTILATION INTO PARKING STRUCTURES.



MATERIAL:  
TEXSTON TUSCANY SMOOTH TROWELLED CEMENT PLASTER AND ROUGHCAST OR SAND FACED FINISH CEMENT PLASTER

MANUFACTURER:  
TEXSTON

COLORS:  
WHITE, MODEL #VPC-2701B-012011  
GREY, MODEL #VPC-3406G-011811

APPLICATION:  
EXTERIOR OF HOTEL ROOMS AND PARKING STRUCTURE SHEAR WALLS ON FLOORS 1-4.

NOTES:  
IT IS PROPOSED TO FACE THE EXTERIORS OF THE HOTEL ROOM UNITS WITH BOTH SMOOTH AND ROUGHCAST PLASTER WITH A TIGHT VERTICAL SPACING OF CONTROL JOINTS AND REVEALS.



MATERIAL:  
SMOOTH TROWELLED CONCRETE W/ WHITE PIGMENT

APPLICATION:  
EXTERIOR PLANTER WALLS

NOTES:  
A MORE ABRASIVE FINISH MAY BE PROPOSED FOR WALKABLE SURFACES



MATERIAL:  
WOOD PLANKING, IPE OR SPECIES STAINED TO MATCH

APPLICATION:  
NOT UBQUITOUS IN THE PROPOSED APPLICATIONS DESCRIBED HEREIN. CERTAIN EXTERIOR EAVES, FURNITURE OR SPECIALTY LANDSCAPE ELEMENTS

PHOTOGRAPH OF PHYSICAL MATERIAL BOARD THAT WILL BE PRESENTED IN PERSON

