



Planning Commission Staff Report

DATE: September 9, 2015 New Business

SUBJECT: PALM SPRINGS FREEWAY DEVELOPMENT, LLC, REQUESTING FOR A ONE-YEAR EXTENSION OF TIME FOR A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO CONSTRUCT A 65-ROOM HOTEL, TWO DRIVE-THRU RESTAURANTS, ASSOCIATED PARKING AND SIGNAGE AT 610 WEST GARNET AVENUE, ZONE M-1-P, SECTION 15; CASE NO. 5.0856-CUP (ER)

FROM: Department of Planning Services

SUMMARY

The Planning Commission to consider a one-year time extension request for a Conditional Use Permit (CUP) that was previously approved for the development of a 65-room hotel, two drive-thru restaurants, parking and signage. The project is to be located at 610 W. Garnet Avenue, west of the intersection of Garnet Avenue and N. Indian Canyon Drive and south of Interstate 10.

RECOMMENDATION:

Consider a one-year time extension for Conditional Use Permit No. 5.0856-CUP, from August 11, 2015 to August 10, 2016.

ISSUES:

- Municipal sewer services are not currently available at the project site. Several County and State permits are required to install on-site wastewater treatment.
- Mission Springs Water District (MSWD) completed a study to develop and analyze a proposed wastewater system in the area around I-10 and N. Indian Canyon Drive.
- Report recommends a new sewage lift station be constructed described as an Alternative.
- The State Water Resources Control Board and Regional Water Quality Control Board (RWQCB) have recently evaluated requests for an Onsite Wastewater Treatment System at transportation terminal for package distribution facility operated by Federal Express.
- A modified on-site wastewater treatment system was recently approved by the State around north Palm Springs area.

BACKGROUND:

<i>Related Relevant City Actions</i>	
8.8.01	The Planning Commission adopted a mitigated negative declaration and approved a Conditional Use Permit for the 60-room hotel project with two restaurants.
07.23.03	The Planning Commission granted the first of a series of a one year time extension for the CUP
08.13.03	The Planning Commission approved an amendment to the CUP to allow for a 65-unit hotel project and a freeway sign with two restaurants. The amended CUP remained valid for two years from August 13, 2003, to August 12, 2005.
07.13.05	A one-year time extension which expired on August 13, 2006 was approved by the Planning Commission.
08.09.06	The Planning Commission approved a one-year time extension from August 13, 2006 to August 12, 2007.
07.25.07	The Planning Commission approved a one-year time extension from August 13, 2007 to August 12, 2008.
07.09.08	The Planning Commission approved a one-year time extension from August 13, 2008 to August 12, 2009.
07.22.09	The Planning Commission approved a one-year time extension from August 13, 2009 to August 12, 2010.
11.10.10	The Planning Commission approved a one-year time extension from August 13, 2010 to August 12, 2011.
09.28.11	The Planning Commission approved a one-year time extension from August 12, 2011 to August 11, 2012.
09.26.12	The Planning Commission approved a one-year time extension from August 11, 2012 to August 10, 2013.
10.09.13	The Planning Commission approved a one-year time extension from August 11, 2013 to August 10, 2014.
09.24.14	The Planning Commission granted a one-year time extension from August 12, 2014 to August 11, 2015.

<i>Most Recent Ownership</i>	
2005	The Tahiti Group
<i>Site Area</i>	
Project Area	Approximately 3.2 acres of vacant land
<i>Planning Areas</i>	
Specific Plan	N/A
Design Plan	N/A
Airport Overlay	N/A
Indian Land	N/A

ANALYSIS

Section 94.04.00(H) of the Palm Springs Zoning Code, states that extensions of time may be granted by the Planning Commission upon demonstration of good cause. Such extension shall be requested in writing and received prior to expiration of original approval. The City's Ordinance has no specific findings for extension of time for previously approved projects. The Municipal Code does limit all time extensions to a maximum of one-year. In the letter of extension of time request dated July 15, 2015, the applicant provided detail information on efforts made since the last extension in 2014 to secure onsite wastewater treatment permit from all the permitting agencies at the County and State levels. The applicant also provided copies of correspondence with contacts at State Water Resources Control Board (SWRCB) and the Mission Springs Water District (MSWD).

Staff evaluated the status of the entitlement since the last extension and provided an analysis of the time extension request. The analyses below are meant to assist the Planning Commission determine the appropriateness of the time extension request.

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

There are no changes to the current plan and overall project configuration. The original project called for the development of a 65-room hotel, two drive-thru restaurants and a freeway sign; the project is still in keeping with these approved uses.

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

The applicant continues to work with State Agencies, the County, the Mission Springs Water District and the City to resolve wastewater infrastructure in that section of the City. Recently, the State Water Resources Control Board and Regional Water Quality Control Board indicated that an Onsite Wastewater Treatment System (OWTS) will be allowed in the affected area. (See the attached letters and documents)

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

An approximately 150,560-square foot transportation terminal for package distribution facility operated by Federal Express (FedEx) was recently constructed at the southwest corner of the east bound I-10 off-ramp at Garnet Avenue. This FedEx transportation terminal is directly across W. Garnet Road from the subject site. The FedEx site includes an Onsite Wastewater Treatment System.

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

Staff has reviewed the project, surrounding area and underlying zoning regulations and determined that no significant changes have occurred that would suggest that the project is not consistent with the neighborhood or the City's development policies and standards. The General Plan and zoning designations have not changed.

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

Within the past several years, a major reconstruction project realigning the on and off ramps at the I-10 and Indian Canyon Drive interchange was completed. Two new ramps from the east bound lanes of Interstate 10 located directly west of the subject property have been completed and are now open to traffic. Finally, the north bound section of Indian Canyon Drive was widened few years ago.

ENVIRONMENTAL DETERMINATION:

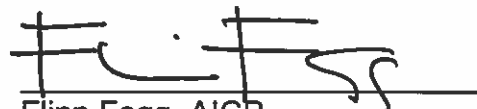
A Mitigated Negative Declaration (MND) was previously adopted by the Planning Commission on August 8, 2001. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, the preparation of a Subsequent Negative Declaration, Addendum Negative Declaration, or further environmental assessment 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. However Staff made a determination that the development of the new interchange at Interstate 10 and Indian Canyon Drive has warranted the need to conduct a revised traffic analysis to meet the requirements of CEQA. The analysis concluded that the new traffic patterns will not cause traffic impacts beyond those already assessed in the adopted Mitigated Negative Declaration.

CONCLUSION:

This project has been granted several time extensions in the past, staff believes that the applicant has demonstrated good cause for additional extension of time given the nature of the different and various entities involved with the approval of wastewater infrastructure in that section of the City. Making a realistic projection of possible commencement time of this development is difficult; however, adequate assurances have been given by the developer, the Mission Springs Water District and State Water Resources Control Board about the ongoing efforts to resolve the difficulties relating to onsite wastewater treatment. Staff recommends that the Planning Commission consider a one-year extension from August 11, 2015, to August 10, 2016, for Case No. 5.0856-CUP, subject to the previously adopted Categorical Exemption and conditions of approval.



Edward Robertson
Principal City Planner



Flinn Fagg, AICP
Director of Planning Services

Attachments:

- Vicinity Map
- Draft Resolution & Conditions of Approval
- Planning Commission Minutes of September 24, 2014
- Letter of request and other correspondence from the applicant.
- Original Staff Report – 8-13-2003
- Site, Elevations and Sign Plans



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA GRANTING A ONE-YEAR TIME EXTENSION FROM AUGUST 12, 2014 TO AUGUST 11, 2015, FOR THE PALM SPRINGS FREEWAY DEVELOPMENT, LLC, A PROPOSAL TO DEVELOP A 65-UNIT HOTEL, A FREEWAY SIGN AND TWO DRIVE-THRU RESTAURANTS LOCATED AT 610 GARNET AVENUE, ZONED M-1-P SECTION 15.

WHEREAS, Palm Springs Freeway Development, LLC ("Applicant") has filed an application with the City pursuant to Section 94.02.00(F) of the Zoning Ordinance for an extension of time for Case No. 5.0856 Conditional Use Permit.

WHEREAS, on September 9, 2015, a public meeting was held on the application by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and the Mitigated Negative Declaration for this Case No. 5.0856 was previously adopted by the Planning Commission on August 1, 2001. It was determined that the development of the new interchange at Interstate 10 and Indian Canyon Drive warranted a revised traffic analysis to meet the requirements of CEQA. The analysis concluded that the new traffic patterns will not cause traffic impacts beyond those already assessed in the adopted Mitigated Negative Declaration.

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the requirements of Section 94.02.00(F), the Planning Commission finds:

1. The previously approved Mitigated Negative Declaration is the controlling environmental documentation for this request.
2. The applicant has requested an extension of time in accordance with the requirements of the City Municipal and Zoning Codes.
3. A demonstration of good cause has been made and that the Conditions of Approval ensure that the developer will pursue the project in good faith.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves a one-year time extension from August 11, 2015 to August 10, 2016, for Case No. 5.0856 – CUP.

ADOPTED this 9th day of September 2015.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

EXHIBIT A

**CASE 5.0856-CUP
PALM SPRINGS FREEWAY DEVELOPMENT, LLC
610 W. GARNET AVENUE**

REVISED CONDITIONS OF APPROVAL

September 9, 2015

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

PLANNING DEPARTMENT:

Administrative

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.
2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.0856-CUP. 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 further indemnification hereunder, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
3. Pursuant to Fish and Game Code Section 711.4 a filing fee of \$78.00 is required. This project has a de minimus impact on fish and wildlife, and a Certificate of Fee Exemption shall be completed by the City and two copies filed with the County Clerk. This application shall not be final until such fee

is paid and the Certificate of Fee Exemption is filed. Fee shall in the form of a money order or cashier's check payable to Riverside County.

4. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration will be included in the plans prior to Planning Commission consideration of the environmental assessment.
5. This Conditional Use Permit approval shall be valid for a period of two (2) years. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
6. The appeal period for a Conditional Use Permit application is 15 calendar days from the date of project approval. Permits will not be issued until the appeal period has concluded.
7. The applicant shall provide all tenants with Conditions of Approval of this project.

Site Plans:

8. Final landscaping, irrigation, exterior lighting, and fencing plans shall be submitted for approval by the Department of Planning Services prior to issuance of a building permit. Landscape plans shall be approved by the Riverside County Agricultural Commissioner's Office prior to submittal. The landscape plans shall demonstrate 50% parking lot shading.

Grading:

9. Prior to issuance of a grading permit, a Fugitive Dust and Erosion Control Plan shall be submitted and approved by the Building Official. Refer to Chapter 8.50 of the Municipal Code for requirements.
10. The grading plan shall show the disposition of all cut and fill materials. Limits of site disturbance shall be shown and all disturbed areas shall be fully restored or landscaped.
11. Drainage swales shall be provided adjacent to all curbs and sidewalks - 3' wide and 6" deep. The irrigation system shall be field tested prior to final approval of the project. Section 14.24.020 of the Municipal Code prohibits nuisance water from entering the public streets, roadways or gutters.

Landscape:

12. The project is subject to the City of Palm Springs Water Efficient Landscape Ordinance. The applicant shall submit an application for Final Landscape

Document Package to the Director of Planning and Building for review and approval prior to the issuance of a building permit. Refer to Chapter 8.60 of the Municipal Code for specific requirements.

13. 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 Engineering specifications.

Architectural:

14. Separate architectural approval and permits shall be required for all signs. A detailed sign program shall be submitted for review and approval by the Planning Commission prior to issuance of building permits.
15. All materials on the flat portions of the roof shall be earth tone in color.
16. All roof mounted mechanical equipment shall be screened from all possible vantage points both existing and future per Section 9303.00 of the Zoning Ordinance. The screening shall be considered as an element of the overall design and must blend with the architectural design of the building. The exterior elevations and roof plans of the buildings shall indicate any fixtures or equipment to be located on the roof of the building, the equipment heights, and type of screening. Screening shall be at least 6" above the equipment.
17. No exterior downspouts shall be permitted on any facade on the proposed building(s) which are visible from adjacent streets or residential and commercial areas.
18. The design, height, texture and color of building(s), fences and walls shall be submitted for review and approval prior to issuance of building permits.
19. The street address numbering/lettering shall not exceed eight inches in height.
20. An exterior lighting plan in accordance with the lighting ordinance in effect at the time shall be submitted for review and approval by the Director of Planning and Zoning prior to issuance of building permits. A photometric study and manufacturer's cut sheets of all exterior light fixtures shall be submitted with the lighting plan.
21. Parking lot light fixtures shall align with stall striping and shall be located two to two feet from curb face. The locations of all fixtures shall be indicated on the site plan.
22. Plans meeting City standards for approval on the proposed trash and recyclable materials enclosure shall be submitted prior to issuance of a building permit.

23. Details of pool fencing (materials and color) and equipment area shall be submitted with final landscape plan.
24. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
25. Prior to the issuance of building permits, locations of all telephone and electrical boxes must be indicated on the building plans and must be completely screened and located in the interior of the building. Electrical transformers must be located toward the interior of the project maintaining a sufficient distance from the frontage of the property. Said transformer(s) must be adequately and decoratively screened.

Parking:

26. Islands of not less than 9 feet in width with a minimum of 6 feet of planter shall be provided every 10 parking spaces.
27. Parking lot shading requirements for parking lot areas as set forth in Section 9306.00 of the Zoning Ordinance shall be met. Details are to be provided with final landscape plans.
28. Parking stalls shall be delineated with 4 to 6 inch double stripe-hairpin or elongated "U" design. Individual wheel stops shall be prohibited; a continuous 6" barrier curb shall be provide wheel stops.
29. Concrete walks with a minimum width of two (2) feet shall be installed adjacent to end parking spaces or end spaces shall be increased to eleven (11) feet wide.
30. Tree wells shall be provided within the parking lot and shall have a planting area of six feet in diameter/width.
31. Handicapped accessibility shall be indicated on the site plan to include the location of handicapped parking spaces, the main entrance to the proposed structure and the path of travel to the main entrance. Consideration shall be given to potential difficulties with the handicapped accessibility to the building due to the future grading plans for the property.
32. Final landscape plans shall include 4'-0" walls, berms and/or screening of parking lot and drive through stacking areas.

Fees:

33. The project site is located with the Fringe Toed Lizard Habitat Conservation Area. The developer shall pay a mitigation fee of \$600 per acre, prior to issuance of building permits.

34. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

Mitigation Measures:

35. One (1) street light shall be installed at the project driveway on Garnet Avenue
36. The existing traffic striping (double yellow centerline) shall be extended along the project frontage.
37. Sidewalks shall be installed along the project frontage.
38. The curb shall be painted red along the project frontage.
39. Existing traffic signals at Indian Canyon Drive and Garnet Avenue and at Indian Canyon Drive and Eastbound I-10 ramps shall be re-timed as deemed necessary by the City Engineer.

ENGINEERING DEPARTMENT:

The 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

1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

GARNET AVENUE

2. Construct a 32 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 120 feet west of the southeast corner of the site.
3. Construct a Type C curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 214. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the

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

4. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

5. 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.
6. 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.

SANITARY SEWER

7. Construct a private sanitary sewer system in accordance with City of Palm Springs Ordinance No. 1084.
8. All on-site sewer systems shall be privately maintained.
9. This project is subject to the requirements of the Mission Springs Water District (MSWD). Provisions for domestic water supply and public sanitary sewer service must be arranged for directly with MSWD. The applicant should contact MSWD and determine what requirements MSWD may have for provisions of domestic water and/or sanitary sewer service to the property.
- 11A. The City recommends that the applicant contact the Riverside County Health Department for requirements related to the construction of private septic systems for non-residential uses. Private septic systems may now require additional environmental requirements and/or permits from Riverside County and the Regional Water Quality Control Board. Construct a private sanitary sewer system in accordance with City of Palm Springs Ordinance No. 1084. Development shall be connected to an approved Sanitary Septic System or Package Plant and is subject to review and approval by the Regional Water Quality Control Board.

GRADING

10. Submit a Precise Grading and Paving Plan prepared by a California registered Civil Engineer to the Engineering Division for review and approval. The Precise Grading and Paving Plan shall be approved by the City Engineer prior to issuance of grading permit.

- 12A. 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 has 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. 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 Precise Grading and Paving Plan.

- 12B. 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 site plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.

- 12C. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

- 12D. 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.

- 12E. 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.
- 12F. Prior to approval of a Grading Plan, 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.
11. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
12. Notice of Intent to comply with 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 (Phone No. (760) 346-7491). 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 permit.
- 14A. Projects causing soil disturbance of one acre or more, must comply with either the General Permit for Stormwater Discharges Associated with Construction Activity or the General Permit for Stormwater Discharges Associated with Construction Activity from Small Linear Underground/Overhead Projects, and shall prepare and implement 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 project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's 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.
13. 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.

14. A 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 soils report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- 16A. 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.
- 16B. The applicant shall provide pad or finish floor elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
15. 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 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

16. 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 storm water and non-storm water 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 storm water and non-storm water 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).

17. 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.
18. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.
19. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall:
 - a. Demonstrate that all structural BMPs have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMPs included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and
 - c. Demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

20. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. The Hydrology and Hydraulic Calculations for the development (prepared by IW

Consulting Engineers, Inc., dated May 15, 2006) shall be finalized to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the final hydrology report by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology report. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.

21. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to W. Garnet Avenue or the California Department of Transportation right-of-way. 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.
22. This project will 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, will 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.

GENERAL

23. 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.

24. All proposed utility lines shall be installed underground.
25. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities across the south property line along the Garnet Avenue frontage, meet the requirement to be installed underground. Utility undergrounding shall extend to the nearest off-site power pole; no new power poles shall be installed unless otherwise approved by the City Engineer. A letter from the owners of the affected utilities shall be submitted to the Engineering Division prior to approval of a grading plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, a copy of the utility undergrounding plan shall be submitted to the Engineering Division identifying all above ground facilities in the area of the project to be undergrounded. Undergrounding of existing overhead utility lines shall be completed prior to issuance of a certificate of occupancy.
26. 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.
27. 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.
28. 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.

29. 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.
30. 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

31. In accordance with Government Code 66426 (c), an application for a Tentative Parcel Map shall be submitted to the Planning Department if the subject property is proposed to be subdivided for purposes of sale, lease, or financing of commercial parcels within the proposed development.
- 33A. Any additional mitigation measures as determined by the approved version of the amended traffic analysis for the newly constructed on and off-ramps for Garnet Avenue from Interstate Highway 10, as well as the intersection of N. Indian Canyon Drive and Garnet Avenue, submitted by George Dunn (dated September, 2011), will be required to be incorporated into the project.
- 33B. Applicant shall provide a detailed striping plan for review as part of the project evaluation process. The project driveway shall provide for a southbound left-turn lane and a southbound right-turn lane with a single entrance lane of sufficient width to accommodate larger vehicles.
- 33C. Applicant shall provide a detailed striping plan including the maximum eastbound left-turn storage at Garnet Avenue and the project driveway.
- 33D. After the two specific fast food tenants are identified, the adequacy of storage in the drive-through lanes of each fast food tenant, shall be re-accessed to determine if there is enough storage.
32. The existing parcels identified by Assessor's Parcel Numbers (APN 666-430-013, 666-430-014, 666-430-018, and 666-430-019) shall be merged; or the applicant shall otherwise demonstrate to the satisfaction of the City Engineer that the underlying parcel identified as Parcel 4 of Parcel Map 21921 has not been subdivided. An application for a parcel merger shall be submitted to the Engineering Division for review and approval. A copy of a current title report and copies of record documents shall be submitted with the application for the parcel merger. The application shall be submitted to the City Engineer for

review and approval prior to issuance of building permit, and shall be recorded prior to issuance of a building permit.

TRAFFIC

33. Install a 24 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at the site access on Garnet Avenue 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.
34. If required by the City Engineer, the The applicant shall provide revised traffic signal timing plans for the intersection of Indian Avenue and Garnet Avenue to address increased traffic on Garnet Avenue generated by the project, for review and approval by the City Engineer. Revised traffic signal timing plans shall be provided for the Indian Avenue and Interstate 10 eastbound on-ramp and eastbound off-ramp, for review and approval by the California Department of Transportation (Caltrans). The revised signal timing plans shall be submitted to and approved by the City Engineer and Caltrans prior to issuance of a certificate of occupancy.
35. The applicant shall provide and install a 9,500 ~~9,000~~ lumen high pressure sodium vapor safety street light with glare shield on a marbelite pole on the northwest corner of the site access and Garnet Avenue with the mast arm over Garnet Avenue. The developer shall coordinate with Southern California Edison for required permits and work orders necessary to provide electrical service to the street light.
36. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, and striping, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
37. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks or pedestrian paths of travel shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Garnet Avenue frontage of the subject property.
38. 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.

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

END OF CONDITIONS

4A. PALM SPRINGS FREEWAY DEVELOPMENT, FOR A ONE-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO DEVELOP A 65-ROOM HOTEL, TWO DRIVE-THRU RESTAURANTS, PRKING AND SIGNAGE AT 610 WEST GARNET AVENUE, ZONE M-1-P, SECTION 15 (CASE NO. 5.0856 CUP). (GM)

Associate Planner Mlaker presented the proposed project as outlined in the staff report.

JACK VANDER WOUDE, applicant, spoke about the current water moratorium and a new opportunity to install on-site advanced treatment system; he requested one more time extension to move forward.

Commissioner Weremiuk commented that because of the urgencies the applicant is facing to move forward she is in favor of the one-year time extension.

Commissioner Calderine commented that he would like to see the hotel move forward, as well.

ACTION: Approve as submitted.

Motion: Commissioner Lowe, seconded by Commissioner Weremiuk and unanimously carried 6-0-1 on a roll call vote.

AYES: Commissioner Calderine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Chair Hudson

ABSENT: Vice-Chair Klatchko

~~**PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS**~~

Commissioner Roberts suggested incorporating a technical analysis on the cell tower applications from an independent engineer. Staff will follow-up.

Commissioner Weremiuk commented that she not be in attendance for next meeting and possibly the next one too.

Commissioner Weremiuk suggested meeting again on an informal basis prior to the Planning Commission meetings at 12:30 pm.

PLANNING DIRECTOR'S REPORT:

~~No comments were made.~~

**PALM SPRINGS
FREEWAY DEVELOPMENT, LLC**
c/o: The Tahiti Group
P.O. Box 11291, San Bernardino, CA 92423
(909) 798-8750 - e-mail: tahiti.tahiti@verizon.net

=====
July 15, 2015

RECEIVED

JUL 20 2015

Mr. Edward Robertson
Principal Planner
CITY OF PALM SPRINGS
3200 E. Tahquitz Canyon Way
P.O. Box 2743
Palm Springs, CA 92263-2743

**PLANNING SERVICES
DEPARTMENT**

Re: Case # 5.0856-CUP – 610 Garnet Avenue
APN: 666-330-043,058,067,075

As previously discussed, our project has more than once applied for and been granted extensions of time. Our requests have been prompted in the past due to the overriding issue of a de-facto building moratorium in the area of North Palm Springs where our property is located. That problem originated with rulings from the State Water Resources Control Board (SWRCB) in Palm Desert which were instituted in September, 2007.

Those rulings forbid the ongoing use of septic waste disposal systems....which had always been the historical method in the area. That de-facto moratorium stopped development of any projects in the affected areas where the wastewater to be discharged by the project might exceed very minimal amounts, such as that encountered in one single-family home, etc.

Since the water-sewer agency in the North Palm Springs area has been, and still is, the Mission Springs Water District (MSWD) all landowners affected by the SWRCB decision, in the approximately 4,000 acres have been looking to the MSWD to construct the municipal wastewater treatment plant which has been on their drawing boards for years.

As you know, there are local projects recently approved by the City that are designed to alleviate the stalemate, by providing State agencies and County EHS with state-of-the-art septic systems that are upgraded to include 'Advanced Treatment Units' that will meet those agencies' requirements.

For the past many months we have had our technical consultants working on such an up-graded wastewater treatment plant that would meet the State and County requirements established for our approved freeway commercial project.

We have also had numerous face-to-face meetings and conversations with staff at the SWRCB in Palm Desert to review and discuss our designs, some as recently as two weeks ago.

Our contacts have included Mr. Doug Wyle, Senior Water Resources Engineer, and his associate, Ms. Jenny Snyder, Water Resources Engineer.

Please see attached message dated last week from Mr. Wylie that refers to the pending availability of our permits to move forward will be available soon, likely within the next 150 days or so.

This, then, now gives our marketing consultants the ability to work towards re-establishing Development Agreements with our proposed tenants, both nationally known hotel and restaurant operators. Potential restaurant tenants include names that are immediately recognizable to all. We have been closely involved with restaurant development for over 30 years, including with firms such as Marie Calendar's, Denny's, Bobby McGee's, Del Taco, Taco Bell, McDonald's Corporation, IHOP, Bob's Big Boy, etc. etc. In addition, we have developed, built and operated hotels and motels.

Currently we have discussions under way (please see attached letter) for a new hotel to be built on our site with a hotel broker – operator who has an extensive background in the hospitality industry.

Given the foregoing, we respectfully request that the City of Palm Springs grant an additional extension of time for our project to August 11, 2016 to allow for time necessary to finally bring these opportunities to fruition..

Thank you for your consideration.

PALM SPRINGS FREEWAY DEVELOPMENT LLC

By:



Jack D. Vander Woude – Manager

Note: Check for the fee related to this application is attached.



July 14th. 2015

Mr. Jack Vander Woude
Chairman/Manager
Palm Springs Freeway Redevelopment, LLC.
The Tahiti Group Redlands
P. O. Box 11291
San Bernardino, CA 92423

Via e-mail: tahiti.tahiti@verizon.net

Re: Hospitality Development Site: Garnett Avenue, North Palms Spring, CA

Dear Mr. Vander Woude:

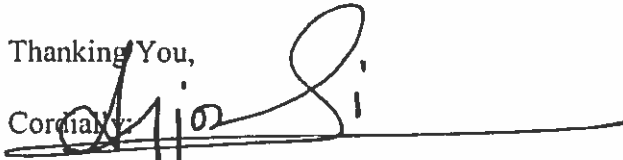
I highly appreciate the information on the referred project you shared with me. Per our conversation, as a commercial real estate professional, I focus on Hospitality properties and Site for the same product. I have a track record of helping my clients with acquisitions, entitlements, and negotiating/processing franchise affiliations for properties. I have sold several existing properties to my clients, performing or not, and have repositioned the assets. Some have won accolades from the Franchisors and the local jurisdictions, as they add tremendous revenue to the local government in form of TOT, and of course property taxes.

Currently, I have clients, who are interested in the North Palm springs project that you own. My clients have an excellent resume and the financial strength to develop, on an approved site. I understand you have some pending wastewater matter that has to be cleared and approved. We look forward to the project being approved for the Wastewater in the immediate future. As that may come together, I suggest we meet immediately to discuss a Letter of Intent, or better yet a MOU, to develop a hotel on your site.

Please keep us informed as to the progress and project status.

Thanking You,

Cordially,


Pravin Joshi
(BRE: 01016937)

For MGR Commercial Real Estate, Inc.
BRE: 01841921)

Commercial & Residential Real Estate

Corporate: 1425 W. Foothill Blvd., Suite 300 • Upland, CA 91786 / Phone: (909) 981-4466 • Fax: (909) 981-6267
31532 Railroad Canyon Rd., Suite 106 • Canyon Lake, CA 92587 / Phone: (951) 244-8600 • Fax: (951) 244-6100
1461 E. Cooley Drive, Suite 205 • Colton, CA 92324 / Phone: (909) 503-1500 • Fax: (909) 503-1501
15428 Civic Drive, Suite 100 • Victorville, CA 92392 / Phone: (760) 955-7888 • Fax: (760) 955-7796
www.mgrealstate.com • Lic.# 01841921

STATE OF CALIFORNIA - SWRCB
OUR PENDING PERMIT STATUS

Jack Vander Woude

From: Wylie, Doug@Waterboards <Doug.Wylie@waterboards.ca.gov>
Sent: Wednesday, July 08, 2015 2:03 PM
To: Jack Vander Woude (tahiti.tahiti@verizon.net)
Subject: Palm Springs Freeway Development LLC hotel/restaurants Project (610 W. Garnet Ave.)

Jack,

The Colorado River Basin Regional Water Quality Control Board has received your Report of Waste Discharge (ROWD) and technical report dated June 22, 2015 for the subject project. The ROWD is necessary to apply for and obtain the required Waste Discharge Requirements (WDRs) for this project. Once we determine that the ROWD is complete the Regional Water Board can issue WDRs and authorize you to discharge. Based on the my preliminary review of the ROWD, it appears that the WDRs can be issued by the end of this calendar year.

Doug Wylie, P.E.
California Environmental Protection Agency
Colorado River Basin Water Board
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260
760-776-8960

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



State of California
Regional Water Quality Control Board

**APPLICATION/REPORT OF WASTE DISCHARGE
GENERAL INFORMATION FORM FOR
WASTE DISCHARGE REQUIREMENTS OR NPDES PERMIT**



I. FACILITY INFORMATION

A. Facility:

Name: Palm Springs Freeway Development, LLC. c/o The Tahiti Group			
Address: 803 Buckingham Drive			
City: Redlands	County: SB	State: CA	Zip Code: 92374
Contact Person: Jack Vander Woude		Telephone Number: 909-239-4408	

B. Facility Owner:

Name: Palm Springs Freeway Development, LLC			Owner Type (Check One)	
Address: Same			1. <input type="checkbox"/> Individual	2. <input checked="" type="checkbox"/> Corporation
City:			3. <input type="checkbox"/> Governmental Agency	4. <input type="checkbox"/> Partnership Agency
State:			5. <input type="checkbox"/> Other: _____	
Zip Code:				
Contact Person:		Telephone Number:	Federal Tax ID: 33-0933191	

C. Facility Operator (The agency or business, not the person):

Name: Same as owner			Operator Type (Check One)	
Address:			1. <input type="checkbox"/> Individual	2. <input checked="" type="checkbox"/> Corporation
City:			3. <input type="checkbox"/> Governmental Agency	4. <input type="checkbox"/> Partnership Agency
State:			5. <input type="checkbox"/> Other: _____	
Zip Code:				
Contact Person:		Telephone Number:		

D. Owner of the Land:

Name: Palm Springs Freeway Development, LLC			Owner Type (Check One)	
Address: same			1. <input type="checkbox"/> Individual	2. <input checked="" type="checkbox"/> Corporation
City:			3. <input type="checkbox"/> Governmental Agency	4. <input type="checkbox"/> Partnership Agency
State:			5. <input type="checkbox"/> Other: _____	
Zip Code:				
Contact Person:		Telephone Number:		

E. Address Where Legal Notice May Be Served:

Address: 9595 Wilshire Blvd			
City: Los Angeles	State: CA	Zip Code: 90212	
Contact Person: Sandra Malam		Telephone Number: 310-273-4177	

F. Billing Address:

Address: P.O. Box 11291			
City: San Bernardino	State: CA	Zip Code: 92423	
Contact Person: Jack Vander Woude		Telephone Number: 909-239-4408	MAY 20 2015



Colorado River Basin Regional Water Quality Control Board

June 19, 2015

Jack Vander Woude
Palm Springs Freeway Development, LLC.
803 Buckingham Drive
Redlands, CA 92374

Dear Mr. Vander Woude:

SUBJECT: REPORT OF WASTE DISCHARGE AND SUPPLEMENTAL TECHNICAL REPORT FOR THE PROPOSED PALM SPRINGS FREEWAY DEVELOPMENT LLC PROJECT, RIVERSIDE COUNTY

Colorado River Basin Regional Water Board staff has reviewed the Report of Waste Discharge (ROWD) and Supplemental Technical Report dated May 13, 2015 and received in our office on May 20, 2015. Please provide the following items to complete your ROWD and enable us to draft Waste Discharge Requirements (WDRs) for consideration at our September, 2015 Regional Board meeting:

1. A revised Application/Report of Waste Discharge (Form 200) which includes the physical location of the proposed waste discharge in Palm Springs California.
2. A revised Supplemental Technical Report which includes a description of the post anoxic treatment stage that will enable the facility to meet discharge effluent limits of 10 milligrams per liter (mg/L) monthly average, 15 mg/L weekly average, and 20 mg/L daily maximum for total nitrogen.

These items can be emailed to me at doug.wylie@waterboards.ca.gov for inclusion in your previously submitted ROWD.

Draft WDRs must be circulated for public comment at least 30 days prior to being provided to the Regional Board for consideration of adoption. It is anticipated that if we receive the items above within the next two weeks, WDRs for your project could be on the agenda for the September, 2015 Regional Board meeting.

Your facility has a Threat to Water Quality and Complexity rating of 2B. The annual fee/application fee, per Section 2200 Article 1 Chapter 9, Division 3, Title 23 of the California Code of Regulations (CCRs), for municipal and domestic discharges with permitted flows of less than 50,000 gallons per day in category 2-B is \$7,465. Please submit a check for the amount of \$7,465, made payable to the State Water Resources Control Board and noting Waste Discharge Identification Number 7A331364001, to the mailing address listed below:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

Please note that the application fee for the WDRs will apply towards the first annual fee for the facility.

Please call Jennie Snyder at (760) 776-8936 or me at (760) 346-6585 with any questions you may have regarding this matter.

Sincerely,

Doug Wylie, P.E.

Doug Wylie, P.E.
Senior Water Resources Control Engineer
Colorado River Basin
Regional Water Quality Control Board

JAS/tab

cc: Sandra Majam, 9595 Wilshire Boulevard, Suite 710, Los Angeles, CA 90212

File: WDID No. 7A 33 1364 001, Palm Springs Freeway Development



Dedicated to Providing Superior Products and Services for Wastewater Treatment

NAVIGATION

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- SERVICES
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- PRODUCT LITERATURE
- ARTICLES
- VIDEOS
- CLIENTS
- TRAINING/EVENTS
- LINKS/PARTNERS
- CONTACT US
- SITE MAP



Our Clients

BioSolutions Incorporated has worked with clients on all types of wastewater treatment projects. Here is a short list of clients we've recently worked with. Should your project coordinator or superintendent require references, contact us.

Recent Clients

- Paradise Cove Beach Cafe Malibu
- Malibu Colony
- Malibu Creek Plaza
- Malibu Bay Co
- Geoffrey's Restaurant Malibu
- Allegria Restaurant Malibu
- Jack in the Box Restaurants
- Malibu RV Park
- Los Angeles Unified School District
- Reliant Energy
- Ventura Regional Sanitation District
- The Audubon Society
- County of Los Angeles
- US Department of Agriculture
- Cathedral City - Edom Hill Transfer Station ✓
- Ramona School District
- Odyssey Schools Malibu
- Central California School Districts
- California State Parks (multiple projects)



BIOSOLUTIONS

5310 Derry Avenue
Suite E
Agoura Hills, CA 91301

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Palm Springs Freeway Development Supplemental Technical Report – Post Anoxic Treatment

Post-Anoxic Treatment Stage

Purpose and Description:

The post-anoxic treatment stage provides additional denitrification after secondary treatment in wastewater systems that require significant (60-80%) reductions in TN, TIN, or NO₃-N. Nitrified AdvanTex filtrate from the secondary treatment stage is transported to an anoxic zone inside of the post-anoxic tank. During post-anoxic denitrification, BOD is consumed during the conversion of NO₃ to N₂ gas by facultative heterotrophic bacteria. The N₂ gas is then returned to the atmosphere.

Design Notes and Special Considerations:

Post-anoxic tanks are typically sized at 50% of the Maximum Day Design Flow. For denitrification to take place, oxygen levels must be depleted to the level that nitrate becomes the primary oxygen source for microorganisms. Requirements for effective denitrification include ...

- Dissolved oxygen levels < 0.5 mg/L (preferably < 0.2 mg/L)

- Carbon-to-nitrogen ratio of 4:1 to 8:1

- Sufficient residual alkalinity (100 mg/L ±) in the secondary treatment stage to ensure optimum pH in the post-anoxic stage

Under these conditions, reduction of nitrate (NO₃) through conversion to nitrogen gas (N₂) should exceed 70%. A supplemental carbon feed unit is required for the post-anoxic stage to achieve the necessary carbon-to-nitrogen ratio for effective denitrification.

For the Palm Springs Freeway Development, LLC project we propose to use a Post Anoxic Moving Bed Biofilm Reactor (MMBR). This MMBR uses attached growth and a mixers to circulate the supplemental carbon. The supplemental carbon will be looking for available oxygen. With the introduction of the treated wastewater the remaining nitrates will blend with the supplemental carbon. The oxygen will be stripped off of the nitrates creating CO₂ and Nitrogen gas. Please see the attached submittal sheet.

The Supplemental Carbon used for this project would be Micro-C. Please see attached submittal sheet.

In addition, since it takes 7.14 parts of alkalinity to one part ammonia, supplemental alkalinity in the form of soda ash will be used. Both the carbon and alkalinity will be automatically fed into the system via a peristaltic pump. Please see attached supplemental feeder for your reference.

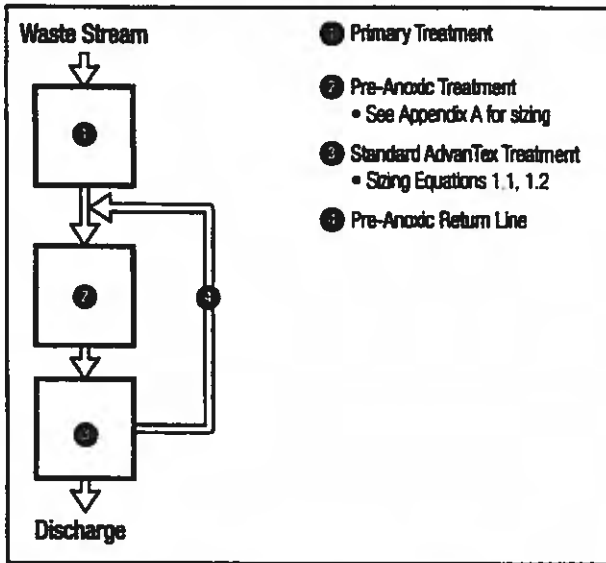


Figure 4. Treatment Diagram for Removal of Organics

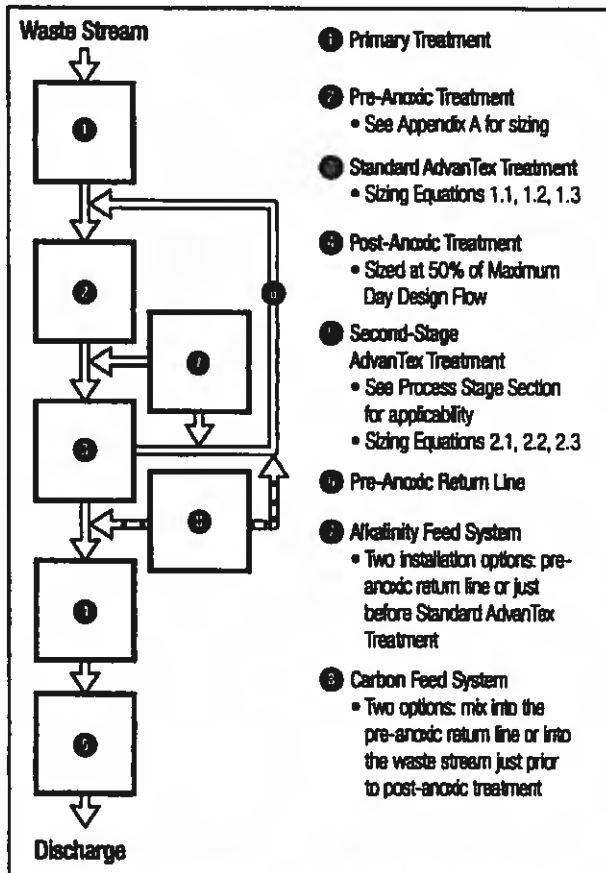


Figure 5. Treatment Diagram for Advanced Removal of Nitrogen

See pH Effect on Nitrification and Temperature Effect on Nitrification and Denitrification in the Design Considerations section on page 19.

Standard AdvanTex Systems

Use for BOD₅/cBOD₅, TSS, and Nitrogen Discharge Limits

Organic removal is the simplest form of advanced treatment, typically requiring only primary and secondary treatment. When loaded at or below the applicable loading rates, standard AdvanTex Treatment Systems typically achieve treatment levels of < 10 mg/L BOD₅/cBOD₅ and TSS (based on 30-day average or 30-day arithmetic mean), and they typically provide reduction of total nitrogen (TN) > 60% and removal of ammonia (NH₃-N) of 95% (range 90-99%).

Figure 4 shows the typical configuration for discharge limits associated with these constituents. See the AdvanTex Unit Sizing section of this document for the sizing equation listed.

A pre-anoxic stage is recommended for all organic-only removal applications and it is required for systems with high-strength primary treated effluent (Application Types 5 & 7).

A two-stage AdvanTex system will be necessary for systems with discharge limits of NOT TO EXCEED 10 mg/L BOD₅/cBOD₅ or for discharge limits of ≤ 5 mg/L BOD₅/cBOD₅ based on a 30-day average or 30-day arithmetic mean.

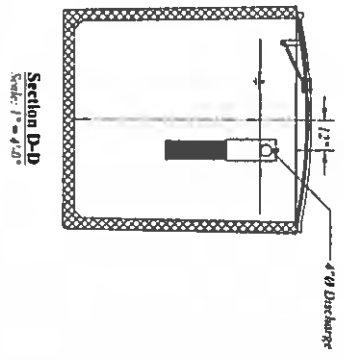
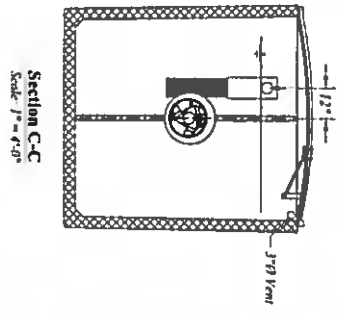
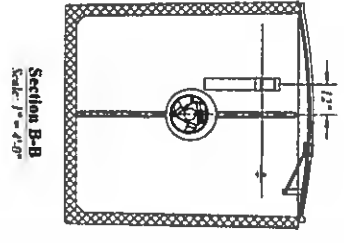
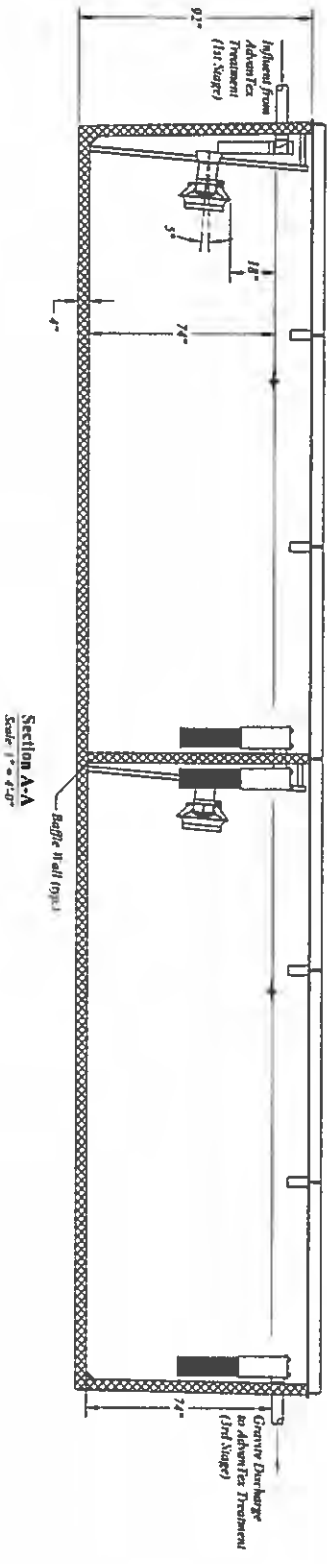
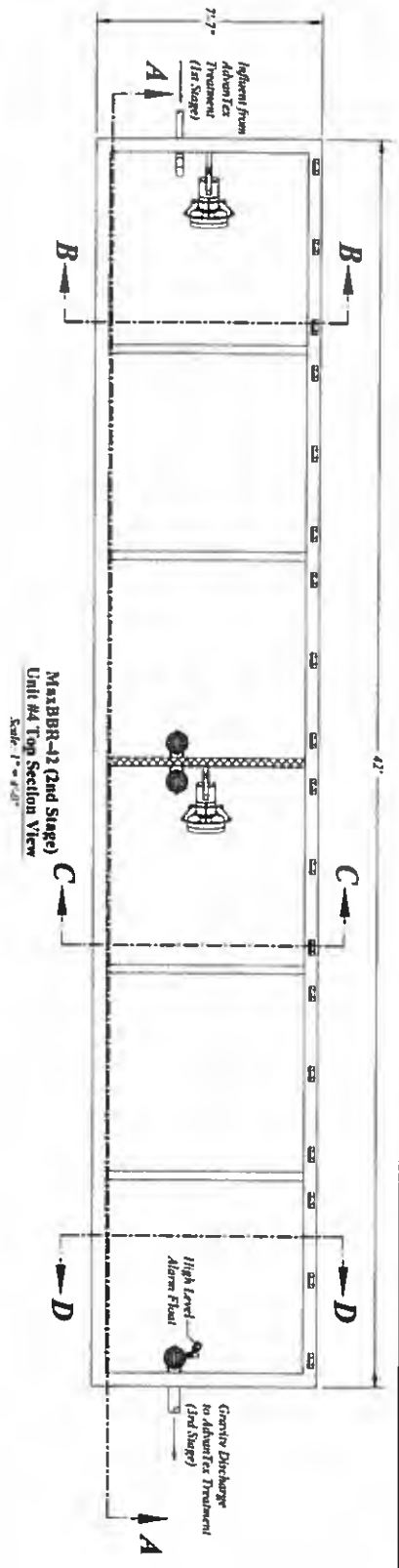
AdvanTex Systems for the Advanced Removal of Nitrogen

Use for Systems with Permits Requiring Discharge Limits of 60-80% Removal of Total Nitrogen, Total Inorganic Nitrogen, or Nitrate Nitrogen

For wastewater systems with permit limits for TN, TIN, or NO₃-N requiring greater than 60% nitrogen reduction, pre-anoxic and post-anoxic treatment stages are needed, as well as the possible addition of both supplemental carbon and alkalinity. Figure 5 shows the typical configuration for systems with discharge limits requiring this level of treatment.

The nitrification occurring in the AdvanTex treatment stage is heavily influenced by the alkalinity required to buffer the process (7.14 mg/L alkalinity per 1 mg/L of ammonia-N). pH levels of 7.5 to 8.5 are ideal for complete nitrification and should be buffered to remain above a pH of 7 for all applications. The use of the pre-anoxic stage benefits overall operation of the system, since denitrification in this stage will return as much as 50% of the alkalinity consumed during nitrification. Even so, a supplemental alkalinity feeder may be necessary immediately preceding the AdvanTex treatment stage, to ensure sufficient alkalinity for nitrification.

Carbon addition should be balanced to the wastewater flows to ensure carbon-to-nitrogen (C:N) ratios are appropriate. C:N ratios need to be greater than 4:1 and preferably in the 6:1 range to ensure that denitrification occurs. Carbon is added in the post-anoxic stage to maintain the proper carbon-to-nitrogen ratio. For applications requiring greater than 80% removal of nitrogen, carbon addition in the pre-anoxic stage is also recommended.



UNAUTHORIZED CHANGES & USES
 Owner has provided these drawings for use by the design engineer. Owner and user are responsible for obtaining all necessary permits and approvals. Any changes or modifications to these drawings must be made in writing and must be approved by the design engineer.

PRODUCT CONFIGURATION DRAWINGS

Orenco®
 Orenco Systems, Incorporated

Drawn By: CSJ
 Drawn For:

MBBR Details
 MaxBBR-42 Unit #4 Details

Scale: 1" = 8'-0"
 Sheet: 1 OF 1
 Rev: 1.0 Date: 3/11/15

Copyright © 2014
 Orenco Systems, Inc.
 Approved:

DATE APPROVED:

4630

Submersible Mixer



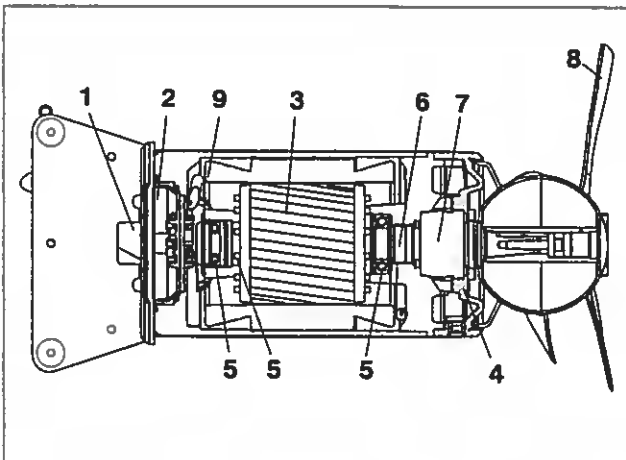
Heavy duty, direct drive mixer

Nominal Thrusts: 360 to 540 N



Applications:

4630 mixers are used in industrial processes such as Pulp & Paper, Chemicals, Food & Beverage and more. Also found in Municipal and Industrial waste treatment, Mining, Marine and Agricultural uses.



Materials of Construction:

Available in a choice of the following:

- 304 Stainless Steel
- 316 Stainless Steel

Approvals:

CSA tested and approved to UL Standard for Safety #778.

Factory Mutual Research tested and approved.
Suitable for use in:

- Class I Div 1 groups C and D
- Class II Div 1 groups E, F and G
- Class III Div 1 Hazardous locations



Specifications

1. Cable Entry

Cable entry consists of two compressible rubber bushings to seal off motor area and relieve strain on the cable. Twice as many sealing bushings as previous designs means high reliability in difficult applications.

2. Junction Box

Box is completely sealed off from surrounding liquid and stator casing via terminal board and an O-ring.

3. Motor

Squirrel cage, 3 phase induction shell type design NEMA B motors are specifically designed for each mixer frame size. Non-overloading for full performance range. Motor insulation is Class H with a maximum working temperature of 180°C (356°F). Combined service factor of 1.10. Motors can be run continuously or intermittently. The stator is cooled by the surrounding mixed media.

4. Oil Casing

An environmentally friendly white paraffin based, FDA approved, non-toxic oil lubricates and cools the seals and acts as an additional barrier to prevent liquid from penetrating the motor area. Pressure build-up within the casing is reduced by an inner and outer oil compartment design which transports any foreign liquids away from rotating components.

5. Bearings

Bearings are of a preloaded design rated in excess of 100,000 hours of operation (B-10 rated life). Shaft is supported by a single row angular contact ball bearing and single row cylindrical roller bearing, plus a heavy duty single row angular contact ball bearing on the propeller side.

6. Shaft

Motor shaft and rotor are a single integral unit. Shaft is completely isolated and cannot come in contact with the mixed media.

7. Active Shaft Seals

Outer mechanical seal isolates the oil housing and surrounding liquids and is tungsten carbide lapped end faced running in oil. Inner mechanical seal operates between oil casing and stator casing. Only seal faces operate in the mixed media, all other components are within motor housing. One seal face of the inner seal pair has laser etched spiral grooves. As the seal rotates, these grooves act to pump any leakage back into the oil casing from out of the stator housing.

8. Propeller

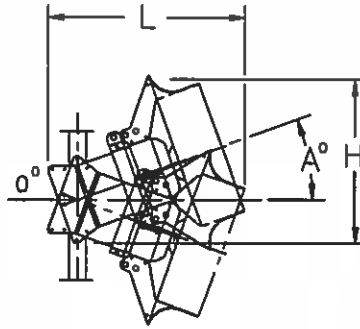
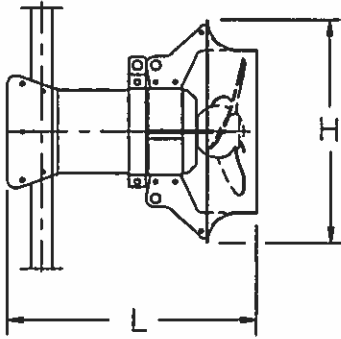
Three bladed, 316 stainless steel or optional high chrome propeller. Blades have large width, thin profile and smooth surface with a back swept design for optimum efficiency and non clogging operation. The blades are laser cut to exacting tolerances.

9. Monitoring Equipment

The stator incorporates three thermal switches connected in series (one in each phase) which open at 260°F (125°C).

Flygt products are affiliated with the following associations:





ALL DIMENSIONS IN INCHES

DIMENSIONAL CHART					
A°	-20	-10	0	+10	+20
H	20 1/2	20 1/8	20 1/2	20 1/8	20 1/2
L	25	24 5/8	22 7/8	24 5/8	25 5/8

WEIGHT(LBS)
135

Propeller Performance:

Model	*Prop. Code	Ø	Poles	Max. Motor HP Rating	Shaft HP	% Full Load	Power Input (kW)	Prop. Speed (RPM)	Prop. Dia. (Inches)	Blade Angles (Degree)	Nominal Thrust (N)
Mixer With Jet Ring	083705SJ	3	8	2.5	1.7	66	1.65	855	14 7/16"	5°	360
	083706SJ	3	8	2.5	1.8	72	1.80	855	14 7/16"	6°	420
	083707SJ	3	8	2.5	2.0	78	1.95	855	14 7/16"	7°	480
	083708SJ	3	8	2.5	2.2	86	2.16	855	14 7/16"	8°	540
Mixer Without Jet Ring	083705SF	3	8	2.5	2.0	79	1.98	855	14 7/16"	5°	430
	083706SF	3	8	2.5	2.2	89	2.22	855	14 7/16"	6°	490

* Propellers also available in high chrome.

Motor Data:

Rated Output Power HP (kW)	Ø	Volts nom.	Full Load Amps	Locked Rotor Amps	Locked Rotor KVA	NEC Code Letter	Rated Input Power kW	Poles/RPM	Cable Size	Cable Part Number	Max. Cable Length (FT.)
2.5 (1.9)	3	200	9.3	29	11.2	D	2.5	8/855	4G2.5+2x1.5	94 20 59	155
		230	8.3	28							200
		460	4.2	14							755
		575	3.4	11							1150

Warm Liquid Cable: (all voltages) HCR cable rated to 195°F (90°C): 7G2.5 94 20 91
11.4 mm (0.45")

Liquid Temperatures: Mixers are constructed and assembled using components that will withstand liquid temperatures up to 195°F. Cable sizes shown above are based on max. liquid temperature of 104°F. Choose warm liquid cable for liquid temperatures exceeding 104°F.

Efficiency			Power Factor			Electrical Service Specifications
100% Load	75% Load	50% Load	100% Load	75% Load	50% Load	
75.5	76.5	73.5	0.73	0.65	0.53	

Xylem Inc., Flygt products, reserves the right to modify performance, specifications or design without notice.



MicroC 1000™

PRODUCT INFORMATION

MicroC 1000™ is a proprietary, non-hazardous, green chemical designed specifically for use as a carbon source for biological contaminant removal applications in water/wastewater treatment.

NON-HAZARDOUS

- ▶ Eliminates flammability and toxicity concerns of traditional chemicals such as methanol
- ▶ Provides capital cost savings vs. installation of flammable liquid storage and feed system
- ▶ Non-hazardous product enable rapid and flexible deployment of carbon augmentation solutions

PERFORMANCE ADVANTAGES

- ▶ Rapid start-up/acclimation
- ▶ Superior cold weather performance

ENVIRONMENTALLY SUSTAINABLE

- ▶ Derived from abundant, renewable resources produced in the United States vs. largely imported fossil-fuel derived carbon sources (methanol)
- ▶ USDA BioPreferred designation

CONSISTENT AND SUPERIOR QUALITY

- ▶ Rigorous end to end quality control program
- ▶ Consistent Chemical Oxygen Demand (COD) values
- ▶ No product degradation during long-term storage

VALIDATED PERFORMANCE

- ▶ MicroC™ products in use at over 425 plants in North America
- ▶ Performance validated by leading equipment/process suppliers, consulting engineers and academic institutions
- ▶ Full scale, documented performance validation for:
 - Nitrate removal
 - Metals removal
 - BOD augmentation
 - Fixed film biological processes (i.e. denitrification filters)
 - Startup/acclimation dynamics
 - Cold weather performance
- ▶ Denitrification rates and kinetic parameters determined by Northeastern University

TECHNICAL SERVICES

- ▶ Application guidance from team of BNR/contaminant removal experts
- ▶ Dedicated support to ensure achievement of contaminant removal goals

SUPPLY CHAIN EXPERIENCE

- ▶ 11 nationwide MicroC™ manufacturing facilities
- ▶ Over 80 million pounds of MicroC™ products produced and delivered
- ▶ Over 14,000 drums and totes packaged and delivered
- ▶ Over 7,000 customer deliveries completed

PACKAGING

- ▶ Bulk (1000-4500 gallon)*
- ▶ 270-gallon IBC/tote
- ▶ 55-gallon drum
- ▶ 30-gallon drum
- ▶ 5-gallon pail

*Maximum volume 4800 gallons in some markets

TECHNICAL SPECIFICATIONS

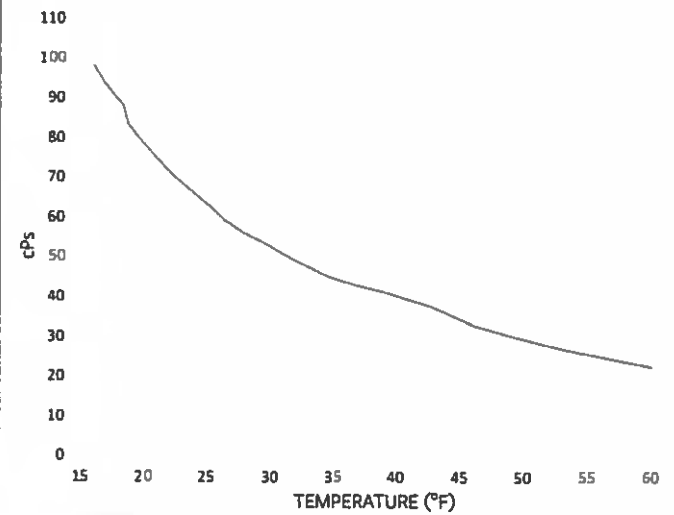
PROPERTY	SPECIFICATIONS	TYPICAL VALUE	TEST METHOD
Specific Gravity at 20°C	1.215-1.235	1.220	ASTM D 1298-85
Bulk Density (lbs/gal)	10.13-10.30	10.17	ASTM D 1298-85
pH	4.0, min	5	SM 4500 H B
Viscosity (cPs) at 20°C	60, max	20	ASTM D 2196-86
Flash Point	No Flash	No Flash	ASTM D 93
Solubility	100%, min	100%	ASTM E1148
VOC Concentration	0%, max	0%	EPA 8260B
Freezing Point (°C)	-7, max	-7	ASTM D1177-07
COD (mg/L)	670,000, min	680,000	HACH 8000

BATCH TEST RESULTS

	NITRATE UPTAKE	HIGH F:M
SDNRmax (mgN/gVSS/hr)	●	
COD:N	●	●
Yobs (gVSS/gCOD)	●	●
Ks (mg COD/L)	●	
μmax (1/day)		●
Theta for SDNR	●	
Theta for μmax		●

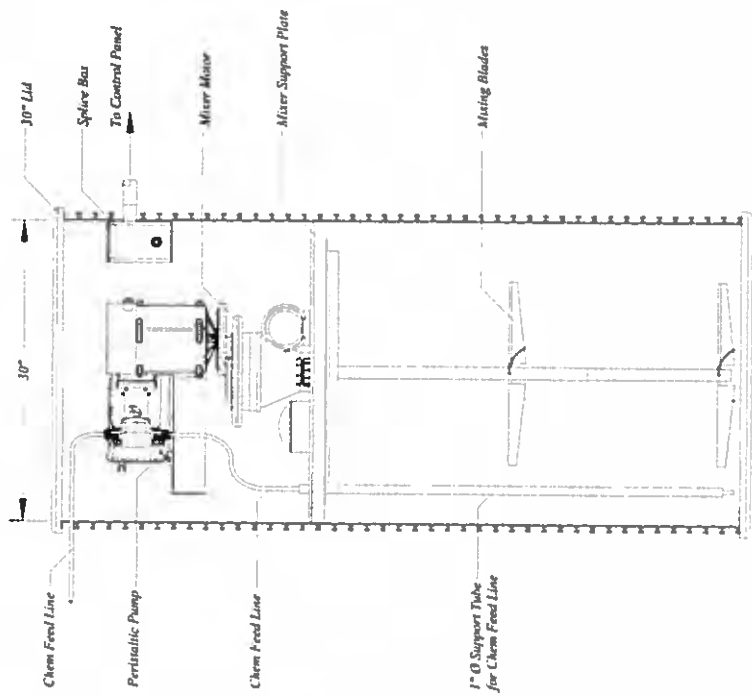
Denitrification Rates and Kinetics The parameters listed in this table were determined through extensive batch testing at Northeastern University's Department of Civil and Environmental Engineering (Boston, MA). EOSi has experience applying these parameters within mathematical simulators (BioWin, GPS-X, etc.) to simulate product performance in a variety of operating conditions. Please contact EOSi for parameter values and application guidance.

TEMPERATURE / VISCOSITY RELATIONSHIP



Note:





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Orengo Systems, Inc.

Scale: 1" = 12"
Sheet: 1 OF 1
Rev: 1.0 Date: 01/30/11

Project:
Mixer Basin
Section View

Drawn By: CHRIS JORDAN
Checked By:

Orengo Systems, Inc.
Changing the Way the World Does Wastewater

PRODUCT CONFIGURATION DRAWINGS

UNAUTHORIZED CHANGES & USES
Orengo has prepared these drawings for use by the design engineer. Orengo will not be responsible or liable for unauthorized changes to the plans of these drawings. All changes to these drawings must be made in writing and must be approved by the design engineer.

Date: August 13, 2003
 To: Planning Commission
 From: Director of Planning & Zoning

CASE 5.0856-CUP. APPLICATION BY PALM SPRINGS FREEWAY DEVELOPMENT, LLC FOR A REVISED CONDITIONAL USE PERMIT TO ALLOW A 65-UNIT HOTEL WITH AMENITIES AND, TWO DRIVE-THRU RESTAURANTS, LOCATED AT 610 W. GARNET AVENUE, M-1-P/HC ZONE, SECTION 15.

RECOMMENDATION:

That the Planning Commission approve a revised Conditional Use Permit 5.0856 for a 65-unit hotel with amenities, two drive- thru restaurant facilities and a 60 foot tall freeway sign, located at 610 W. Garnet Avenue, subject to the conditions outlined in the attached Resolution.

BACKGROUND:

APP

On August 8, 2001, then Planning Commission approved Conditional Use Permit 5.0856-CUP for a 60 room hotel facility and two drive through restaurants on this location. On July 23, 2003, the Planning Commission granted a one year time extension of this conditional use permit, through August 7, 2004.

Palm Springs Freeway Development, LLC has submitted an revised application for a Conditional Use Permit to develop a 65-unit hotel with amenities, two drive-thru restaurants and a 60 foot tall freeway sign. This would provide for an additional five hotel rooms. The CUP is required for the hotel use, as well as the drive-thru restaurants. The project is located at 610 W. Garnet Avenue, west of the intersection of Garnet Avenue and N. Indian Canyon Drive and south of Interstate 10.

The 3.02 acre project site is bounded by Garnet Avenue on the south, and Interstate 10 on the north, and is located west of the intersection of Garnet Avenue and N. Indian Canyon Drive. The existing Pilot Truck Stop with a gas station and fast food restaurants is adjacent to the east, and vacant property borders the project site on the west. The site is currently vacant, and is generally level. The site has a split zoning classification, the west side of the parcel is HC, and the east side of the parcel is M-1-P.

The project proposes a two-story, 65-unit hotel, two freestanding drive thru restaurant facilities and a sixty-five foot tall freeway sign. The proposed hotel consists of 22,000 square feet, and will include 60 guest rooms and an outdoor pool for guests. The two proposed restaurants are 2,400 square feet with seating for 100, and 1,800 square feet with 80 seats.

Adjacent General Plan, Zoning and Land Use			
	General Plan	Zone	Use
North	IND	M-2	Interstate 10
South	IND	M-1-P	Unimproved
East	HC	H-C	Truck Stop
West	IND	M-1-P	Unimproved

ANALYSIS:

The proposed project is consistent with existing uses in the vicinity; these include a truck stop with gas station and fast food uses on the easterly adjacent property at the northwest corner of Garnet Avenue and N. Indian Canyon Drive, and a freestanding fast food restaurant at the southwest corner of Garnet Avenue and N. Indian Canyon Drive.

The proposed hotel and drive-thru restaurants are conditionally permitted uses in the M-1-P and H-C zones and, with Planning Commission approval of a Conditional Use Permit, the project will conform with zoning requirements for the M-1-P zone. As specified by the M-1-P zone, the hotel is subject to the standards of the R-4 (Large Scale Hotel and Multiple Family Residential) zone.

The design review committee has reviewed and approved the architecture of the proposed hotel, which is reminiscent of the International movement of modern design. The long expanse of the hotel's east elevations on either side of the entry feature regular building offsets and the extensive use of windows to create visual interest; these treatments are repeated on the west (rear) elevation. The north and south elevations feature bold, geometric building planes. The proposed color palette includes stucco in natural desert colors. The color palette proposed for the drive-thru restaurants will complement the hotel color scheme.

Pursuant to Section 93.20.05 of the Zoning Ordinance (Signs), the applicant has submitted an application for a freeway sign. Such signs are allowed on parcels designated HC. This parcel in question is a split zoned parcel, half of the parcel is zoned M-1-P the remainder is HC. The applicant is requesting to locate the freeway sign on the portion of the parcel that is designated M-1-P. In considering the site, the alignment of I-10, the Indian Avenue overpass, and the adjacent topographic features, the proposed location of the sign is the most logical in that it would maximize visibility of the sign to freeway traffic, and therefore be consistent with the intent and purpose of the sign ordinance. Pursuant to Section 94.02.00.6.e of the Zoning Ordinance, the Planning Commission may approve minor modifications to the property development standards, including the regulation of signs, where the Planning Commission finds that such an approval is justified by the unique site conditions and physical constraints which would reduce and obstruct the visibility of a conventional building mounted sign.

The applicant has submitted a schematic design for this sign. The code allows a maximum height of 50', plus five feet for each additional business advertised. Therefore, a maximum height of 60' would be allowed. The distance between the face of the sign and the ground shall not be less than half the height of the structure, therefore, the bottom of the text portion of the sign may be no more than 30 feet from the ground. The maximum letter size is 3 feet in height. Lastly, businesses are allowed a maximum of 150 square feet per business. As of the writing of this report, the applicant is preparing a flag test, which will simulate the visibility of the proposed sign. Staff will review photo-simulations to determine if size above 25' is warranted per section 93.20.05.11.D of the Zoning Ordinance (Signs). A preliminary site evaluation indicates the additional height may be justified due to the existing bridge. A 25' sign would not be visible to westbound traffic.

Zoning Requirements:

As noted, the hotel is subject to R-4 zoning requirements. R-4 regulations applicable to the subject project are as follows:

	Allowed/Required	Proposed
Density:		
Minimum 1,000 sq.ft. net lot area for hotel room	85 units (Hotel net area)	65 units
Building Height:	30 feet	21 feet
Building Setbacks:		
Front Yard	30 feet	97 feet
Side Yards	20 feet	20 feet
Rear Yard	20 feet	20 feet
Coverage:	45% of site	45% of site

Additional code requirements are as follows:

Parking Front Yard Setback:	10 foot, landscaped with wall or berm	min. 18 foot landscaped area
Off Street Parking:	120 spaces	114 spaces (5% short)
Off Street Loading	required	provided

The applicant is seeking a minor modification to reduce the number of parking spaces by five percent (5%). Staff finds this request to be reasonable given the quick turnover of customers, given the location of the site, and overlap of peak users.

In order to shield the drive through restaurant vehicle stacking from view from the public right of way, the applicant shall design the restaurants with a berm or other screening as appropriate. Both restaurants are designed with the appropriate minimum seven vehicle stacking area.

A landscaping plan has been submitted as part of the application. However, the plan lacks information on the percentage of total parking area to be shaded. Due to the size of the project, a minimum of 50% of the parking area is required to be shaded by landscaping. As a condition of approval, the final landscape plan will be required to meet the a 50% parking lot shading requirement.

Staff has concerns regarding traffic conditions in the project vicinity. The intersection of Garnet Avenue and N. Indian Canyon Drive currently experiences significant traffic issues during peak periods as drivers approach Interstate 10. In response to staff concerns, the applicant has provided a traffic analysis prepared by Mark Greenwood, P.E. The traffic analysis evaluated a 60 room hotel and three fast food restaurants. The project has since been revised, the 45 seat fast food restaurant has been eliminated and five rooms have been added to the hotel. Utilizing the Institute for Traffic Engineers (ITE) Trip Generation Manual, staff has determined that these

revisions to the project will reduce the overall traffic impacts of the proposed project. Specifically, the 45 seat fast food restaurant would have generated 878 additional trips to the site, whereas the additional five hotels rooms will generate an average of 46 additional daily trips to the site. Thus, the revisions to the project will result in a net reduction of 501 average daily trips to the site.

The traffic analysis found that the estimated project traffic can be accommodated by the existing intersection without physical modification, although operating efficiency may be improved by optimizing the traffic signal timing for post-project conditions. The intersection is projected to operate at LOS C with the addition of project traffic; the intersection currently operates at LOS B. The study recommends that the project incorporate the following mitigation measures to ensure safe and efficient traffic flow in the project area; installation of a street light at the project driveway on Garnet Avenue; extension of existing traffic striping (double yellow centerline) along the project frontage; construction of a sidewalk along the project frontage; red painting of the curb along the project frontage; and re-timing the existing traffic signals at Indian Canyon Drive and Garnet Avenue and at Indian Canyon Drive and Eastbound I-10 ramps if necessary. The public works department will need to work with Caltrans on signal timing.

ENVIRONMENTAL ANALYSIS AND NOTIFICATION:

An environmental assessment dated April 5, 2001 was prepared by staff for the project. In completing the Environmental Checklist, staff found that there could be a significant environmental impact in the area of traffic if mitigation measures are not incorporated into the project design. A traffic study for the project was prepared by Mark Greenwood, P.E.; this study recommends certain mitigation measures which are listed in the Mitigated Negative Declaration and have been included in the conditions of approval recommended by staff.

The project site is located within the Fringe Toed Lizard Habitat Conservation Area. The developer shall pay a mitigation fee of \$600 per acre, prior to issuance of building permits.

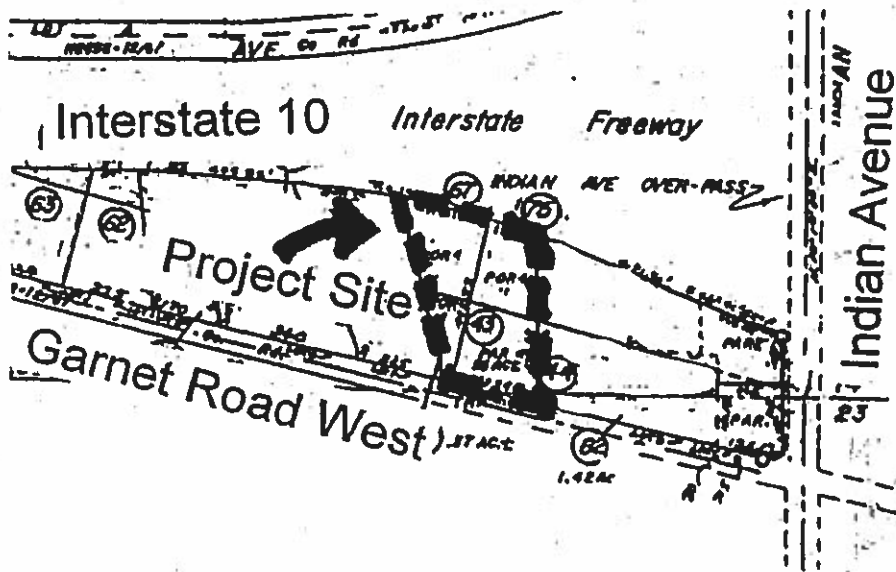
Caltrans has reviewed the project and noted that the project will not impact the proposed redesign of the Interstate 10/Indian Avenue Interchange.

All property owners within four hundred (400) feet of the subject site have been notified. As of the writing of this report, staff has not received any correspondence from adjacent property owners.

ATTACHMENTS:

1. Vicinity Map
2. Resolution
3. Conditions of Approval

VICINITY MAP



CITY OF PALM SPRINGS

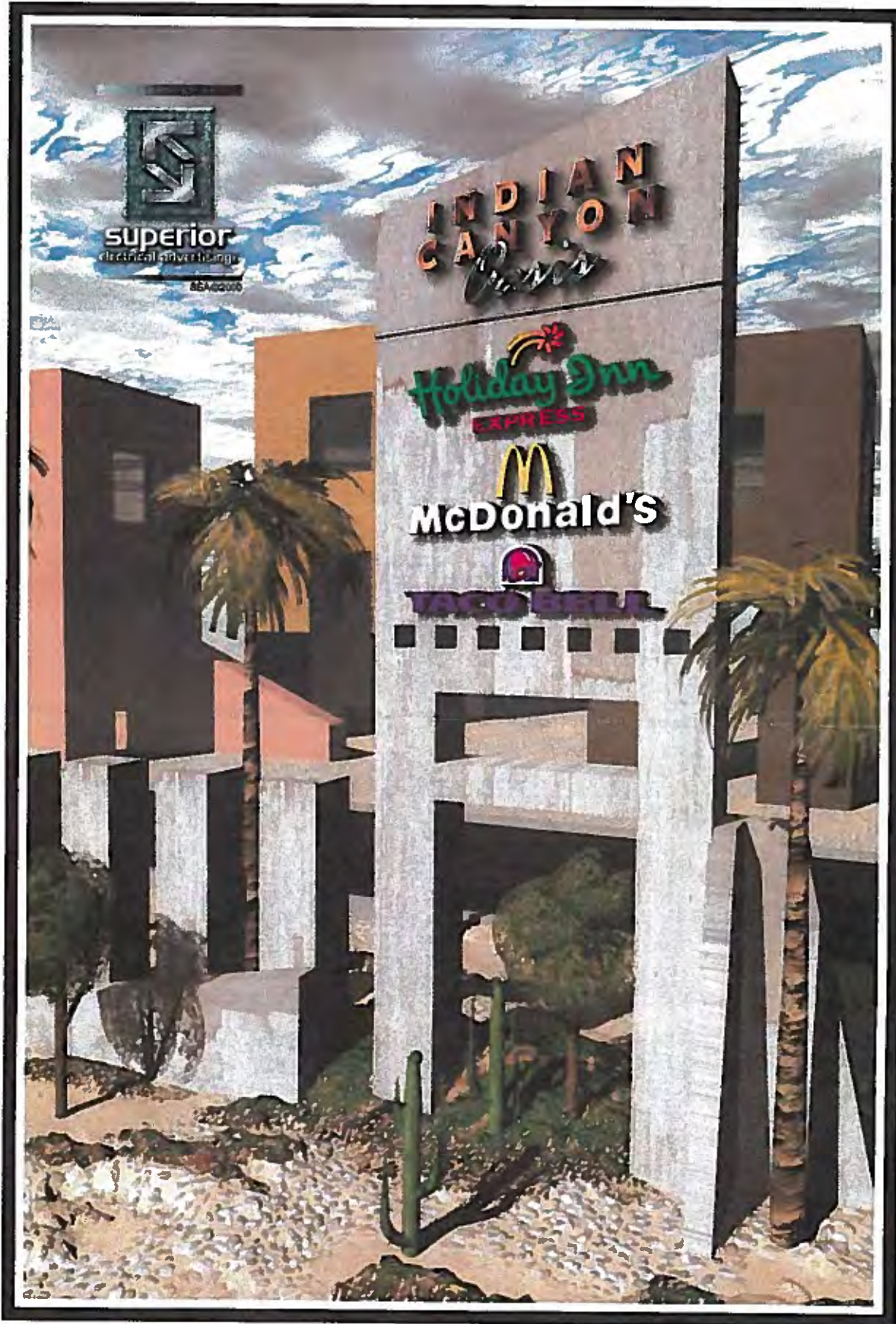
CASE #: 5.0856

APPLICANT:

Palm Spring Freeway Development, LLC

DESCRIPTION:

Conditional use permit to construct a two story 65 unit hotel and two fast food restaurants on a 3.02 acre parcel located to 610 Garnet Road West M-1-P/HC Zone, Section 15




superior
 electrical advertising
 854-2000

**INDIAN
 CANYON**
Resort


Holiday Inn
 EXPRESS


McDonald's


TACO BELL

APPROVED BY PLANNING COMMISSION

Case # **2005-04** date **8-13-05** initial **AM**

APPROVED BY CITY COUNCIL

Approved @ 60' max height.

Project # _____ site _____ lot # _____

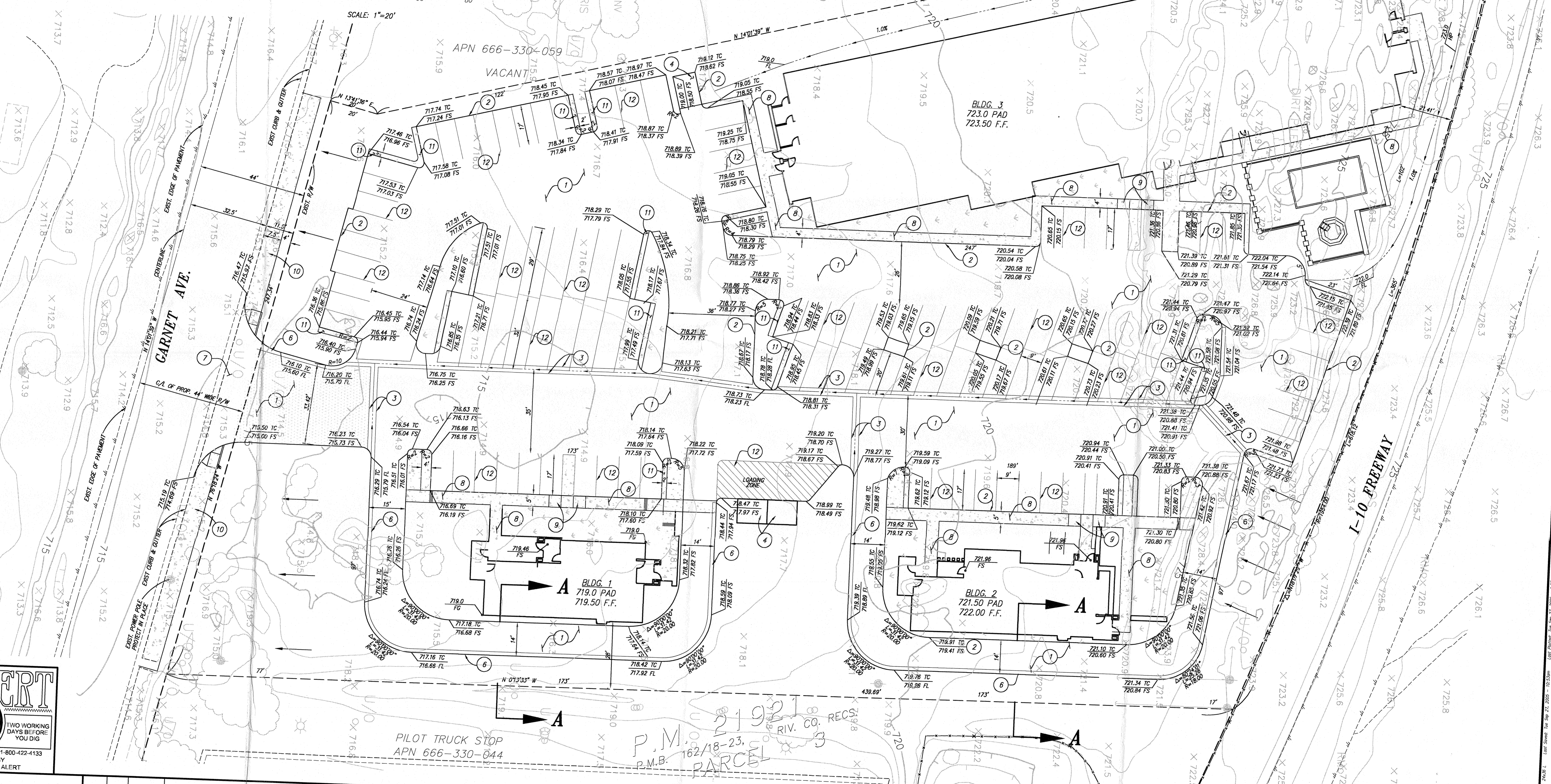
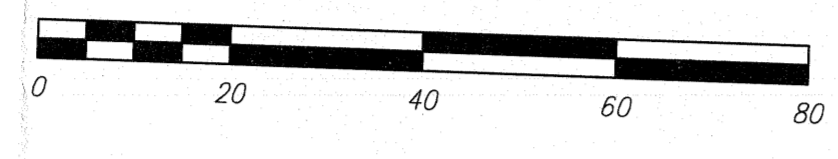
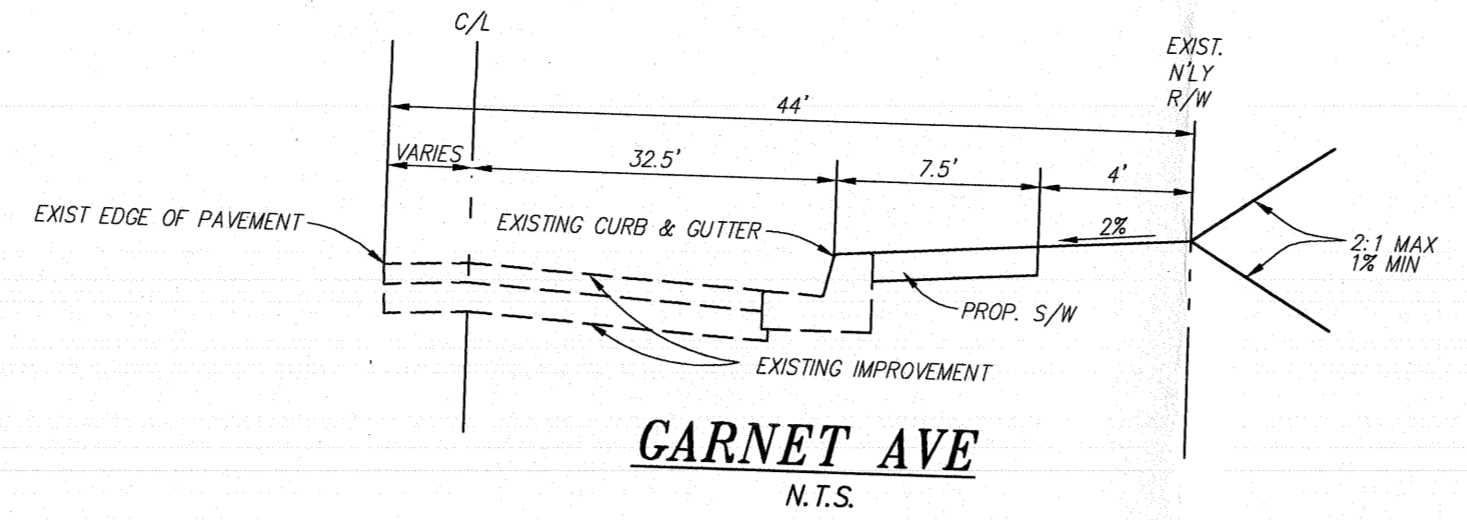
Address _____

Case # _____

Resolution # _____

DATE _____

- 1 CONSTRUCT 2.5" AC OVER 4" C.A.B. OVER 24" COMPACTED SUBGRADE (95%) OR EQUAL. PRELIMINARY SECTION. (FINAL DETERMINATION AT COMPLETION OF ROUGH GRADING AND PER SOILS ENGINEER)
- 2 CONSTRUCT CONCRETE CURB ONLY (6" CF) PER CITY OF PALM SPRINGS STD. 200 TYPE II
- 3 CONSTRUCT 3" WIDE CONCRETE RIBBON GUTTER PER DETAIL "A" ON SHEET 1.
- 4 CONSTRUCT TRASH ENCLOSURE PER CITY STD.
- 5 CONSTRUCT 6" BLOCK WALL BY SEPARATE PERMIT.
- 6 CONSTRUCT 6" CURB & GUTTER PER CITY OF PALM SPRINGS STD. 200.
- 7 CONSTRUCT DRIVEWAY APPROACH PER CITY OF PALM SPRINGS STANDARD DWG. NO. 304
- 8 CONSTRUCTION CONCRETE SIDEWALK, WIDTH PER PLAN.
- 9 CONSTRUCT ACCESS RAMP PER CITY OF PALM SPRINGS STD. 304, TYPE II
- 10 CONSTRUCT SIDEWALK (8 FT. WIDE) PER CITY OF PALM SPRINGS STD. 210.
- 11 CONSTRUCT 2" WIDE CONCRETE STRIP ADJACENT TO CURB
- 12 INSTALL STRIPING



DIGALERT
 DIAL BEFORE YOU DIG
 TOLL FREE 1-800-422-4133
 A PUBLIC SERVICE BY UNDERGROUND SERVICE ALERT
 TWO WORKING DAYS BEFORE YOU DIG

NOTE:
 WORK CONTAINED WITHIN THESE PLANS SHALL NOT COMMENCE UNTIL AN ENCROACHMENT PERMIT AND/OR A GRADING PERMIT HAS BEEN ISSUED.

MARK	BY	DATE	REVISIONS	APPR.	DATE

SEAL-CITY
 CITY OF PALM SPRINGS
 APPROVED BY: _____
 DATE _____

SEAL-ENGINEER
 REGISTERED PROFESSIONAL ENGINEER
 FREDDY IRIANTO
 No. 60874
 Exp. 12/31/06
 CIVIL
 STATE OF CALIFORNIA

IW Consulting Engineers, Inc.
 • Civil Engineering
 • Surveying
 • Land Planning
 3544 University Avenue
 Riverside, CA 92501
 Tel: 951.687.2929
 Fax: 951.687.2999

BENCHMARK:
 FD, RCFC CTRL. PT. # 924,
 2"X2" HUB & TAC IN CONC.
 AT NW CORNER, SEC. 22,
 T3S, R4E, S8BM.
 ELEV. 741.72 FEET
 SCALE: 1"=20'

ROUGH/PRECISE GRADING PLAN & EROSION CONTROL PLAN
C.U.P. 05.806
PARCEL 4, P.M. 21921
PRECISE GRADING PLAN
 SHEET NO. 2
 OF 3 SHEETS
 W.O. 198.008 FOR: PALM SPRINGS FREEWAY DEV., LLC COUNTY FILE NO.

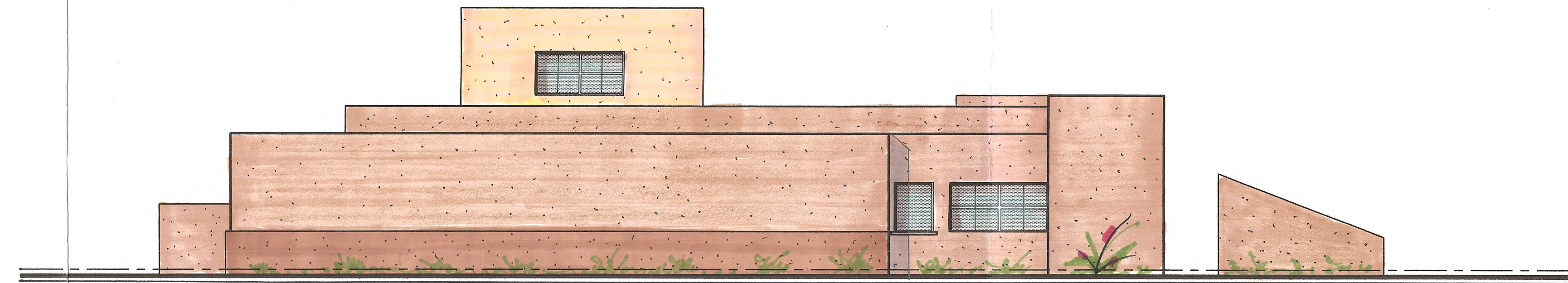
Drawn by: C:\198\008\Fred\05806.dwg
 Date: 12/15/06
 Title: PARCEL 4, P.M. 21921 PRECISE GRADING PLAN
 Project: PALM SPRINGS FREEWAY DEV., LLC
 Client: PALM SPRINGS FREEWAY DEV., LLC
 Designer: FREDDY IRIANTO
 Checker: FREDDY IRIANTO
 Date: 12/15/06
 Scale: 1"=20'



JAMES CIOFFI ARCHITECT
 A CALIFORNIA CORPORATION
 2121 G. HARBERTZ CANYON RD - SUITE 3
 PALM SPRINGS, CALIFORNIA 92262
 TELEPHONE 760-325-1557 FAX 760-327-8214



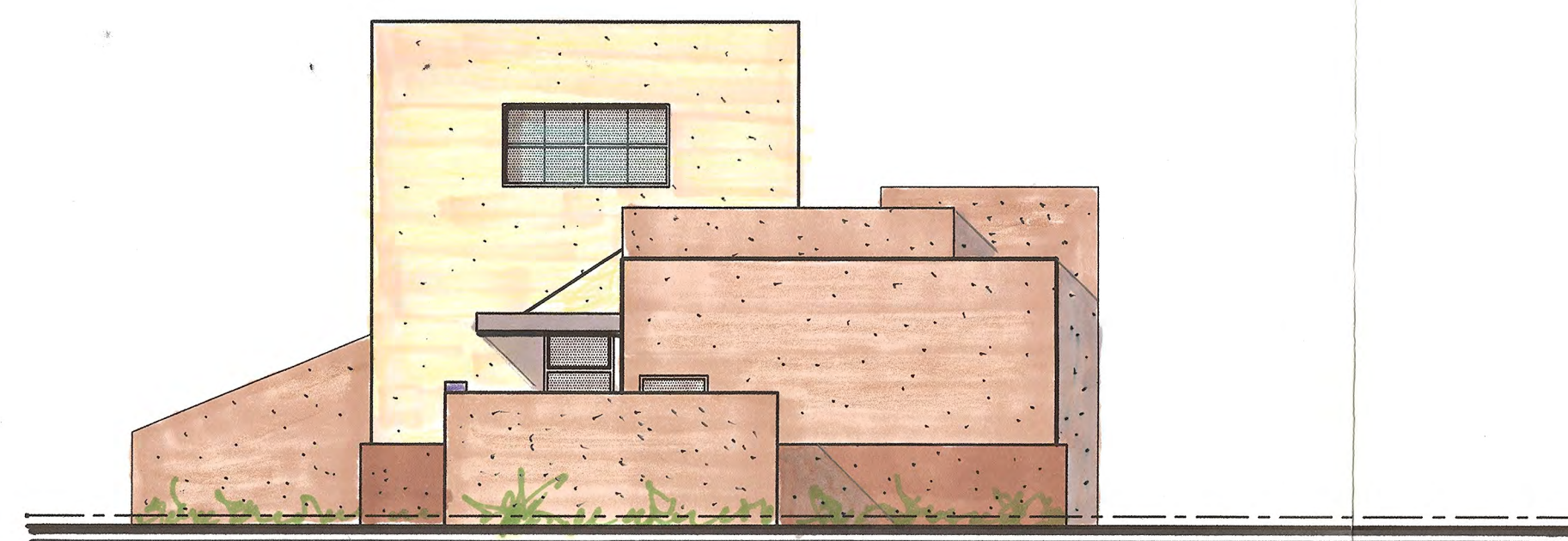
A Hotel and Restaurant Development:
**PALM SPRINGS
 FREEWAY DEVELOPMENT LLC**
 I-10 and Indian Canyon Way
 Palm Springs, California



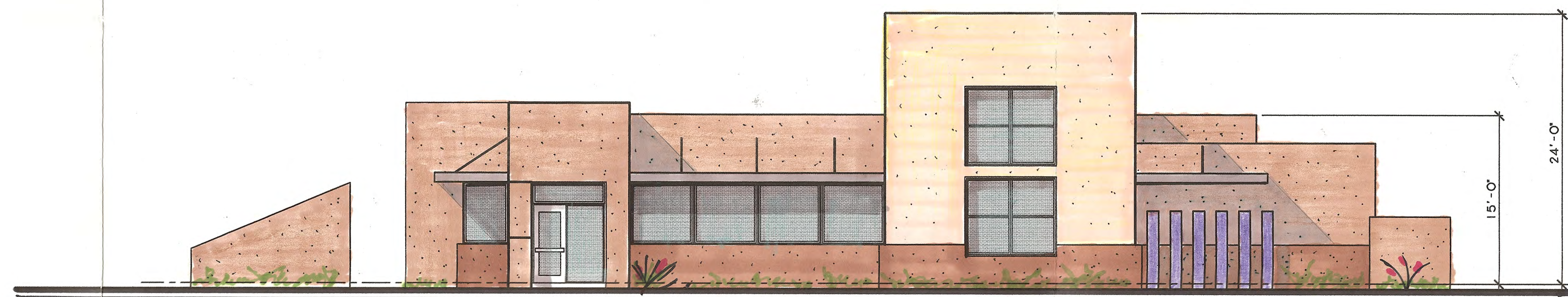
EAST ELEVATION
 SCALE 1/8" = 1'-0"



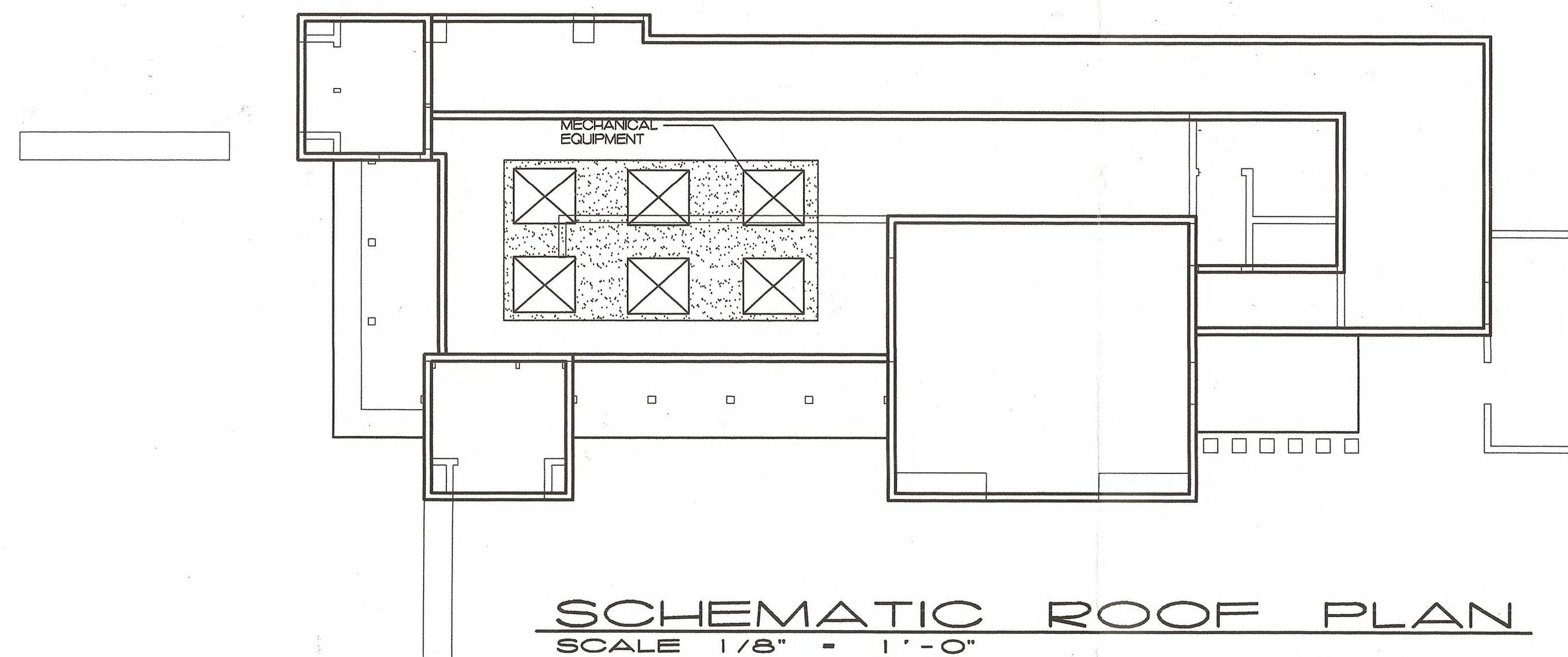
NORTH ELEVATION
 SCALE 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE 1/8" = 1'-0"



WEST ELEVATION
 SCALE 1/8" = 1'-0"



SCHEMATIC ROOF PLAN
 SCALE 1/8" = 1'-0"

**ELEVATIONS / SCHEMATIC
 ROOF PLAN FAST FOOD # 1**
 SCALE 1/8" = 1'-0"

Time Extension to 8-13-06
 Approved by PC on 7-13-05

APPROVED BY PLANNING COMMISSION
 Date: _____ Initial: _____
 APPROVED BY CITY COUNCIL
 Date: _____ Initial: _____
 Resolution # _____ Ordinance # _____
 APPROVAL SUBJECT TO ALL REQUIRED
 CONDITIONS BY ABOVE BODIES
 PC Time extension
 to Aug 7, 2004

Δ	REVISION

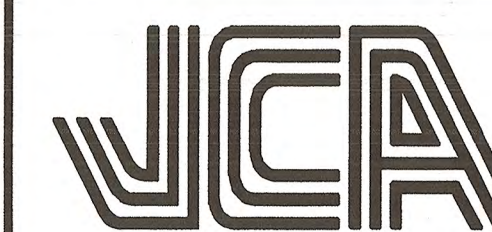
DRAWN: **RECEIVED**
 CHECK: FEB 6 2001
 PLANNING DIVISION
 APPROVED:

DATE: 1.09.01
 SCALE: 1/8" = 1'-0"
 JOB NO: 0023

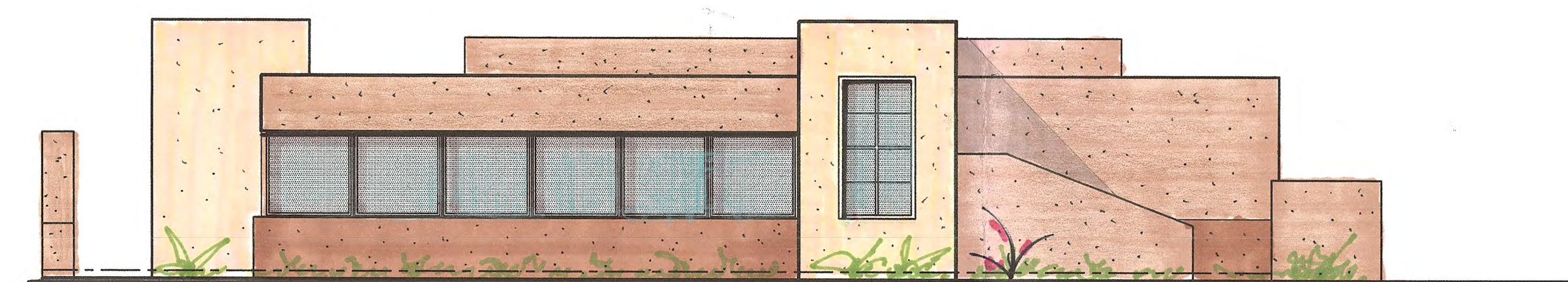
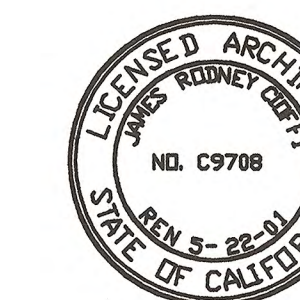
023-88-1
 1.20.00
 1.09.01

SHEET
A-4
 OF SHEETS

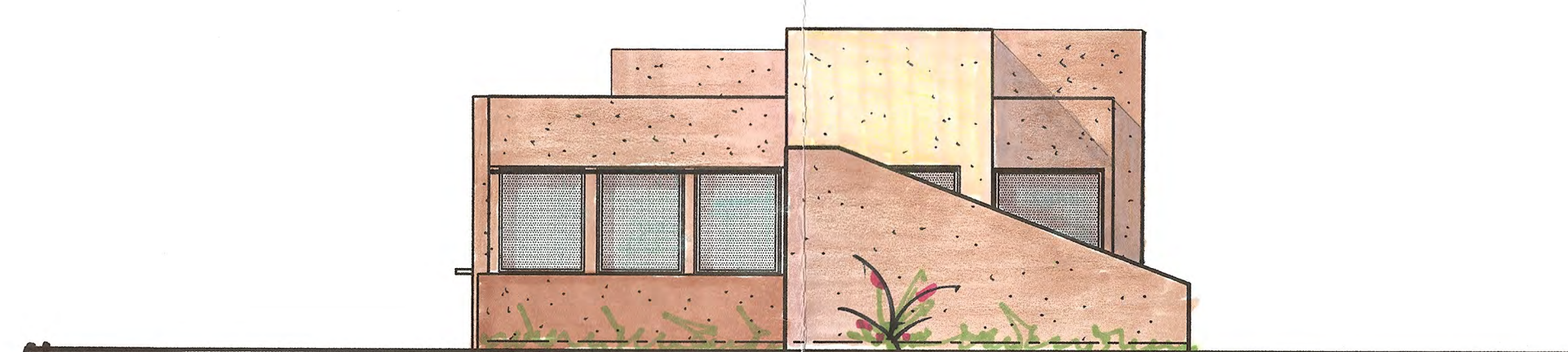
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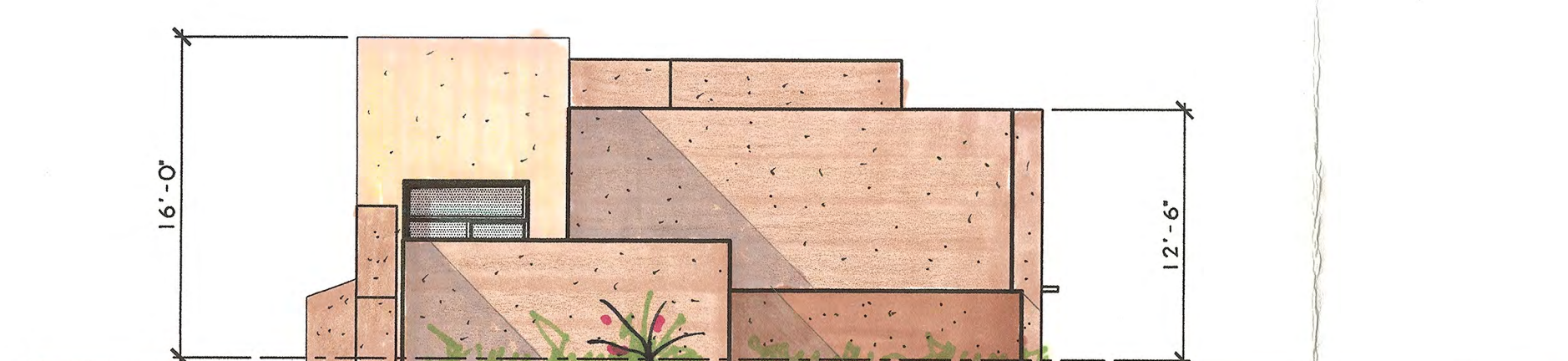
JAMES CIOFFI ARCHITECT
 2121 E. TANKERSLEY CANYON WAY - SUITE 3
 PALM SPRINGS, CALIFORNIA 92262
 TELEPHONE 760-325-1507 FAX 760-327-8214



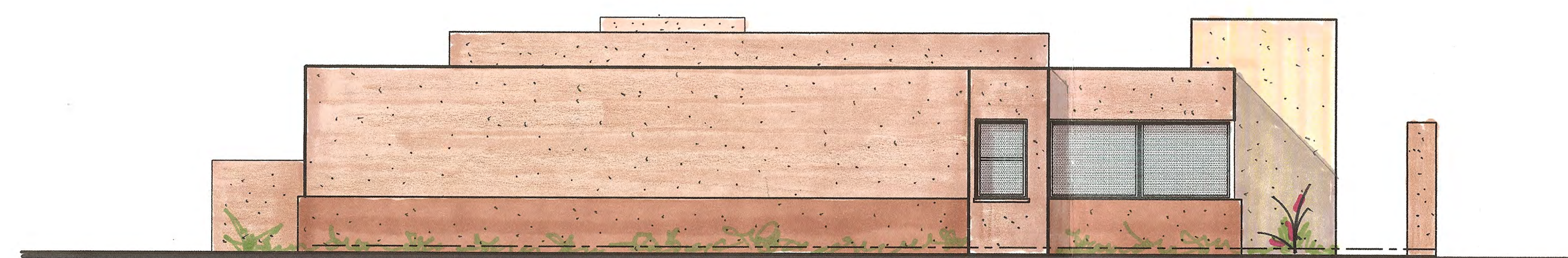
WEST ELEVATION
 SCALE 1/8" = 1'-0"



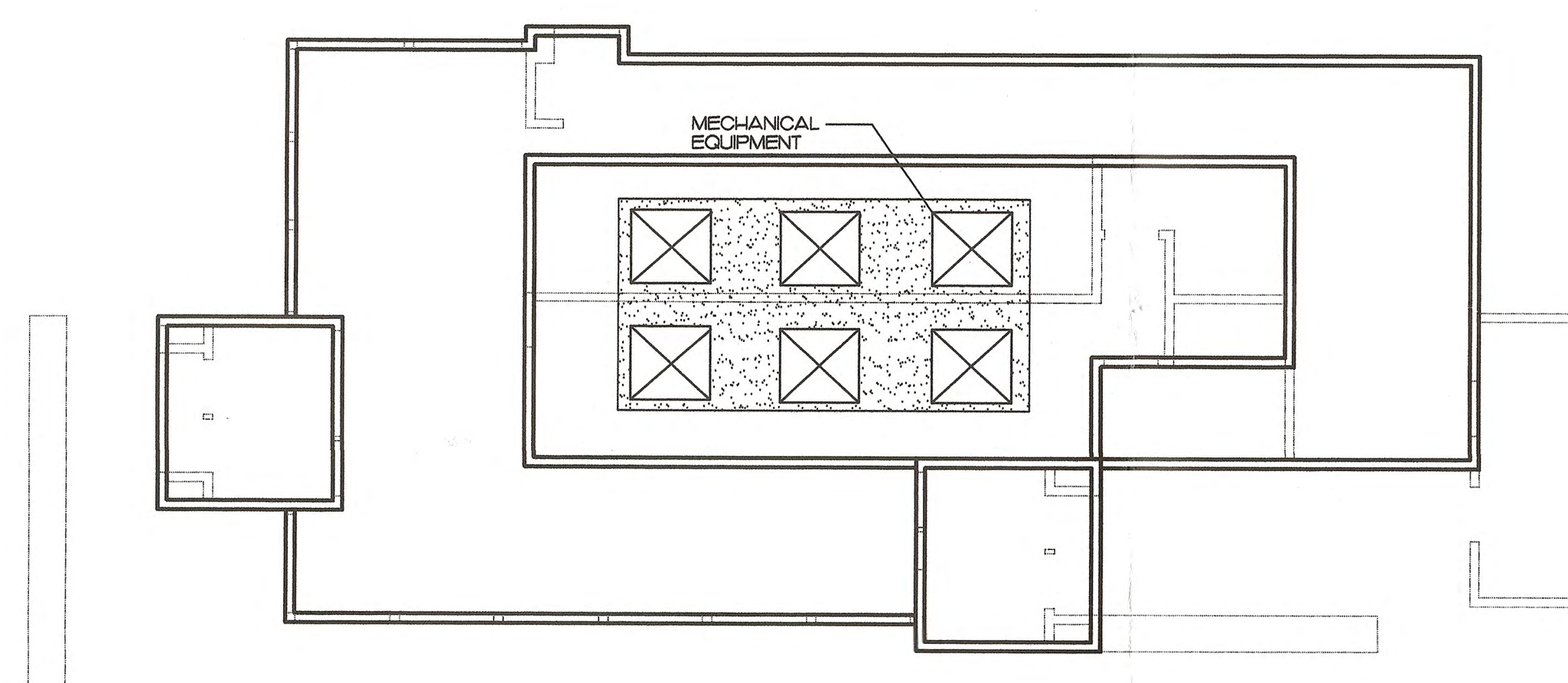
NORTH ELEVATION
 SCALE 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE 1/8" = 1'-0"



EAST ELEVATION
 SCALE 1/8" = 1'-0"



SCHEMATIC ROOF PLAN
 SCALE 1/8" = 1'-0"

ELEVATIONS / SCHEMATIC
 ROOF PLAN FAST FOOD #2
 SCALE 1/8" = 1'-0"

A Hotel and Restaurant Development:

**PALM SPRINGS
 FREEWAY DEVELOPMENT LLC**
 I-10 and Indian Canyon Way
 Palm Springs, California

Δ	REVISION

DRAWN:
 CHECK: FEB 6 2001
 APPROVED: PLANNING DIVISION

*Time Extension to 8-13-06
 Approval by PC on 7-13-05*

APPROVED BY PLANNING COMMISSION
 APPROVED BY CITY COUNCIL
 APPROVAL SUBJECT TO ALL REQUIRED
 CONDITIONS BY ABOVE BODIES

023-051E
 1.10.01

DATE: 1.10.01

SCALE: 1/8" = 1'-0"

JOB NO: 0023

SHEET

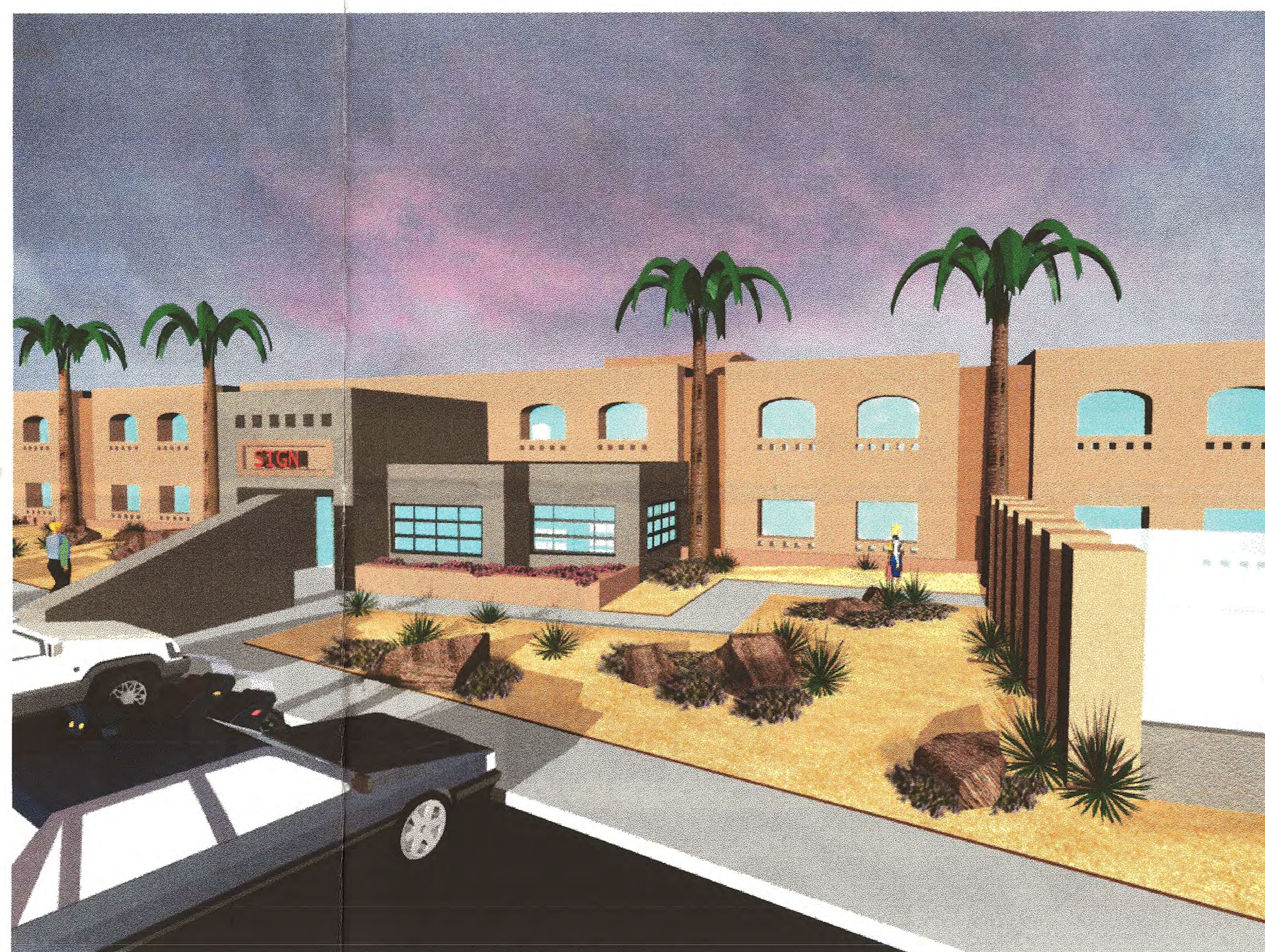
A-5

OF SHEETS

HOTEL CONCEPT:



DESERT ARCHITECTURE, DEEP SET OPENINGS, THICK WALLS, PALMS ACCENT BUILDING RHYTHM.



HOTEL DETAIL:

GLASS ENCLOSED POOL, DESERT LANDSCAPING

FAST FOOD CONCEPT:



BRIGHT COLORS, STRONG ARCHITECTURAL FORMS, FREEWAY NOTICEABLE.



FAST FOOD DETAIL:

WING WALLS AFFORD WIND PROTECTION, METAL SHADE CANOPIES, FOR SUN.



A Hotel and Restaurant Development:
PALM SPRINGS
FREEWAY DEVELOPMENT LLC
 I-10 and Indian Canyon Way
 Palm Springs, California

Δ	REVISION

DRAWN:
 CHECK: **RECEIVED**
 APPROVED: AUG 13 2003

DATE: 8.16.01
 SCALE:
 JOB NO: 0023

PC Approval Time Extension to 8-13-06
 APPROVED BY PLANNING COMMISSION
 5-0856 Date 8-13-03
 APPROVED BY CITY COUNCIL
 Date _____ Date _____
 Resolution # _____ Ordinance # _____
 APPROVAL SUBJECT TO ALL REGULATORY CONDITIONS BY ABOVE BODIES