

Table III-27
Single Dry Water Year 2010 – 2030
(acre-feet/year)

Supply Sources	2010	2015	2020	2025	2030
Surface Water	1,350	2,800	2,800	2,800	2,800
Natural Groundwater	6,000	6,000	6,000	6,000	6,000
Table A Water ¹	800	800	800	800	800
Groundwater Recharge	11,739	13,160	12,543	13,908	15,273
Recycled Water	6,000	6,000	8,000	8,000	8,000
Total Supply	25,889	27,310	28,693	30,058	31,423
Demand					
Recycled Water	6,000	6,000	8,000	8,000	8,000
Water Production	50,650	54,550	58,500	62,400	66,300
Net Project Demand ²	32	194	194	194	194
Total Demand with Project	56,682	60,744	66,694	70,594	74,494
Annual Balance³	-30,793	-33,434	-38,001	-40,536	-43,071
Cumulative Balance⁴	14,607	42,278	55,033	47,047	26,386
Net Project Demand as a % of Total Demand	0.06%	0.32%	0.29%	0.27%	0.26%
Net Project Demand as a % of Cumulative Balance	0.22%	0.46%	0.35%	0.41%	0.74%

Source: "Desert Water Agency 2005 Urban Water Management Plan Final Report," Tables 16A-16C, prepared by Krieger & Stewart Inc., December 2005.

1) Modified in accordance with "Engineer's Report Groundwater Replenishment and Assessment for the Whitewater River Subbasin," Table 2, prepared by Krieger & Stewart Inc., April 2008, which is based on DWR SWP 2007 Reliability Report.

2) Net Project Demand is the difference between existing demand onsite (64.9 ac-ft/yr) and projected demand (259.3 ac-ft/yr) at buildout of the Museum Market Plaza Specific Plan. Note that the project will initiate in 2010 and buildout in 2015, in the interim years an annual additional water demand of 32.4 ac-ft/yr are assumed.

3) The annual difference between total supply and total demand.

4) The cumulative difference in the input/output model assuming a starting balance of 45,400 acre-feet in storage in accordance with DWA 2005 UWMP year 2009. Total water in the Palm Springs Subbasin in 2007 is estimated at 4.35 million acre-feet.

Finally, under the multiple dry year scenarios calculated in the WSA, there would be a cumulative shortfall in 2030 of -63,350 acre-feet. The amount of water that would remain in storage in the Subarea in 2030 is approximately 4.29 million acre-feet. Please see Appendix E for the full text of the WSA.

The Specific Plan is designed to keep water use to a minimum in order to support future conservation measures by incorporating the latest water conservation technologies. Recycled effluent could be used to replace groundwater currently being pumped for irrigation purposes, thereby reducing the demand on groundwater. Development within the Specific Plan will also be required to pay fees to DWA for the purpose of buying additional supplies of water for

importation into the basin. These combined actions will assure that any impacts of the Specific Plan on the groundwater basin will be less than significant.

Therefore, based on the currently available information and the large volume of groundwater in storage, sufficient water supplies exist to support buildout of the Museum Market Plaza Specific Plan through 2030 without impacting other current or planned water users within DWAs service area.

Water Conserving Design Elements

In order to limit water demand for this development, a number of water conservation techniques are used in the Museum Market Plaza project and are incorporated in the project's Water Supply Assessment (WSA)⁷⁴. At the project level, residential units are designed to minimize water use and maximize efficiency. One strategy includes higher density residential, which eliminates dwelling unit yard space and individual pools. Also, the limited turf area and the use of features that do not require water, such as patterned sidewalks, boulders, and benches will be applied.

Additionally, the Specific Plan directs that water-conserving appliances must be incorporated into all residential units and include low flush toilets and showers, water efficient dishwashers and washing machines. Finally, the primary source of reduction in groundwater demand will result from the limited landscaping component and the use of landscaping features that require little water.

Water Quality

Water quality is, and will continue to be, a concern for Valley residents. Buildout of the Specific Plan will not impact water quality in the Palm Springs Subarea since all water quality regulations will be adhered to through conditions of approval and standard requirements imposed by the City. A Storm Water Pollution Prevention Plan (SWPP) will be prepared and implemented and a Notice of Intent will be filed with SWRCB. This action will assure that the project is covered by the General Permit and is in compliance with the City's National Pollution Discharge Elimination System (NPDES) permit. Therefore, impacts to water quality as a result of buildout of the Specific Plan is expected to be less than significant.

Water Resources and Climate Change

The primary concern in dealing with climate change is adequately predicting future hydrological cycles and various other water resource supply conditions so that appropriate management techniques can be applied. The most agreed upon effect of climate change is that temperatures are rising, which has the potential to cause a shift in the hydrological cycle. Climate change models generate a variety of future water supply scenarios. Despite these differences, climate models generally agree that a shift in the amount and location of precipitation is taking place and could last for decades.

The Coachella Valley and the project's water supply has the potential to be directly and indirectly impacted by global climate change due to the reduction in available water resources.

⁷⁴ "Water Supply Assessment for the Museum Market Plaza Specific Plan," prepared by Terra Nova Planning & Research, Inc. for the Desert Water Agency, Adopted October 13, 2008.

Climate change is having an emerging global impact, and is resulting in state and federal requirements to reduce water consumption.

3. Mitigation Measures

Over the past several years, DWA has made significant strides in providing private and public users of local water resources with information to help conserve water resources through the use of drought tolerant desert plants and efficient irrigation systems. The landscape standards and guidelines set forth in the Museum Market Plaza Specific Plan reflect and integrate federal, state, and local requirements of the water conservation ordinances and regulations, and are intended to make the Museum Market Plaza project as water-efficient as possible. Furthermore, the following measures shall be implemented by the project developers to assure the most efficient use of water resources.

1. The following general landscape design principles shall be integrated into the project:
 - a. To the greatest extent practicable, native plant materials and other drought-tolerant plants shall be used in all non-turf areas of project landscaping.
 - b. Inorganic landscape materials, including boulders, cobble, gravels and crushed granitic materials, shall be used throughout the landscape to help naturalize the design, provide additional structure and pattern to the landscape, and eliminate the need for water in these areas.
 - c. Large expanses of lawn and other water-intensive landscaped areas shall be limited to 50% of the park area or less, and consistent with the functional and aesthetic needs of the project, while providing soil stability and resistance to erosion. No other turf areas shall be allowed.
2. Landscaped areas shall utilize efficient irrigation systems that minimize runoff and evaporation, and maximize effective watering of plant roots. Landscape areas shall be outfitted with moisture detectors and ET controllers to maximize irrigation efficiency. Landscape plans shall be approved by the City and DWA prior to installation.
3. The use of low-flush toilets and water-conserving shower heads and faucets shall be required in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Code of Regulations Section 1601(b), and applicable sections of Title 24 of the State Code.
4. In accordance with the General Construction Activities Stormwater Permit issued by the California State Water Resources Control Board, the project proponent shall develop and implement a stormwater pollution prevention plan (SWPPP) specifying best management practices (BMPs) to reduce construction-related stormwater runoff pollution to acceptable levels.

5. Should recycled water be made available by Desert Water Agency at the site at the time of project development, the proposed project shall irrigate landscaping with recycled water.

Mitigation Monitoring/Reporting Program

- A. The project landscape design program shall be reviewed to assure the maximum possible use of water efficient, drought tolerant landscaping.
Responsible Parties: Developer, Project Landscape Architect, City of Palm Springs, and DWA.
- B. Project design and plans shall reflect the use of efficient irrigation systems and moisture detectors, low flush toilets and water-conserving showerheads and faucets.
Responsible Parties: Developer, Project Architect, Project Landscape Architect. To be submitted to the City for review and approval.
- C. The applicant's SWPPP shall be submitted to the California Regional Water Quality Control Board. Proof of said approved plan and associated certification shall be provided to the City prior to the issuance of grading permits.
Responsible Parties: Project Engineer, Project Civil Engineer, California Regional Water Quality Control Board, City of Palm Springs, as required.

H. Land Use and Planning

Introduction

This section of the EIR analyzes the Museum Market Plaza Specific Plan's relationship to the City's General Plan, Zoning Ordinance and Redevelopment Plan. The Specific Plan, if approved, will be adopted by Ordinance as an amendment to the General Plan and Zoning Ordinance, and will be the tool used by the City to implement subsequent development projects within the Specific Plan boundary. This section of the EIR analyzes the components of the Specific Plan for conformance with the General Plan and Zoning Ordinance.

Thresholds of Significance/Criteria For Determining Significance

Standards and criteria have been drawn from a variety of sources, including Appendix G of the Environmental Checklist Form of the California Environmental Quality Act (CEQA) guidelines, and the Palm Springs General Plan. The Museum Market Plaza Specific Plan project would have a significant effect on land use and planning if it is determined that the project will:

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Palm Springs General Plan

The Palm Springs General Plan policies relevant to the proposed project are set forth below.

- LU1.1 Ensure that development meets or exceeds requirements and standards specified within each land use designation.
- LU1.3 Ensure that new land use projects are built with adequate utility and municipal infrastructure capacity to support them.
- LU1.4 Encourage the expansion of existing facilities or the introduction of new uses that are considered to be of significant importance and contribute exceptional benefits to the City.
- LU1.5 Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.
- LU1.6 Encourage and support projects of exceptional design and architectural quality, societal benefit (historic or environmental sustainability), or revenue generation through incentives in the review process.
- LU1.7 Require new construction to mitigate impacts on the City's housing, schools, public open space, childcare facilities, and other public needs.
- LU1.10 Encourage, where appropriate, high density projects to maximize the use of land.

- LU1.12 Ensure that land uses maintain and expand parks, recreational trails, bikeways, and pedestrian corridors and linkages throughout the City and between Palm Springs and adjacent municipalities.

- LU7.1 Encourage a diversity of high-quality commercial uses, attractive to both the resident and the visitor, including retail, entertainment, cultural, and food sales, in appropriate areas of the City.

- LU7.2 Ensure that visitor-serving uses such as hotels, restaurants, and entertainment, that generate high levels of activity, are developed in close proximity to the Palm Springs Convention Center.

- LU8.2 Encourage flexibility of design in development by allowing both a vertical and/or horizontal mix of uses.

- LU8.3 Encourage and accommodate the development of specialty uses such as boutiques, art galleries, bookstores, restaurants, interior decorators, hardware stores and other similar uses that cater to the residents in close proximity to mixed/multi-use areas.

- LU8.4 Allow designated mixed/multi-use areas to contain buildings that are taller than the surrounding neighborhood.

- LU8.5 Provide pedestrian links from the commercial, office, and retail uses within mixed/multi-use areas to minimize vehicular traffic.

- LU8.7 On-site parking access is encouraged from side streets or public alleys to minimize traffic impacts on major streets and to avoid interruption in the street-front design of commercial centers.

- LU10.1 Support the development of a centrally located “village square” to serve as the key visual, social, and aesthetic component of the Downtown revitalization effort.

- LU10.3 Encourage development that promotes a flow between indoor and outdoor activities such as outdoor cafes, arcades, paseos, and courtyards.

- LU10.4 Accommodate a broad range of uses Downtown to meet the needs of both residents and visitors and to stimulate both daytime and evening activity.

- LU10.5 Facilitate and promote special events and community celebrations in the Downtown area to stimulate its role as a community focal point.

- LU10.6 Strengthen the unique sense of place currently present in Downtown by preserving and incorporating cultural and historic uses.

- LU10.7 Provide a logical transition between land uses and the built environment in Downtown and those proposed in the Section 14 Specific Plan.
- LU10.8 Maintain the Plaza Theatre for use as a multipurpose community performing arts center for film festivals, premieres, and live stage productions, while preserving its historical value.
- LU10.9 Require all new development in Downtown to be consistent with the design principles found in the Downtown Urban Design Plan that address streets and circulation, parking, public spaces and gathering places, landscaping, signage, lighting, street furniture, and building height, orientation, massing, and design.
- LU10.10 Encourage higher density housing at the perimeter of the downtown retail area.
- CD1.4 Implement appropriate review procedures that advance the aesthetic quality of the community through high-quality architecture, outstanding site design, and responsiveness to the desert environment.
- CD1.5 Encourage the use of natural colors, materials, and textures in public and private development and streetscape improvements to complement the natural environment. Allow for the use of accent colors to complement the desert color palette.
- CD4.1 Utilize unifying and consistent streetscape elements—landscaped parkways and distinctive medians, regularly spaced trees, specialized lighting, street furniture, banners and public signs—to visually unify the City’s major corridors.
- CD4.4 Continue to explore the impact of reconfiguring traffic flow and parking along Palm Canyon Drive and Indian Canyon Drive from San Rafael Drive to Ramon Road. Ensure that enhanced streetscape elements—such as landscaping, signage, street furniture, textured pedestrian crossings, and specialized lighting fixtures—are incorporated into the final design of the corridor’s street sections.
- CD12.1 Integrate interactive, visually pleasing, and convenient gathering places—including plazas, pedestrian areas, and recreational open spaces—into the City’s design.
- CD12.2 Design public spaces with pedestrian safety and comfort in mind.
- CD12.3 Provide as many pedestrian amenities as feasible, including:
Ample shade
Mister systems for outdoor air conditioning
Fixed and movable seating
A central focal point, such as a fountain, piece of public artwork, historic marker, or monument feature
Outdoor dining, where appropriate
Wide paths or trails

- Drinking fountains and toilet facilities, where appropriate
Decorative water features
- CD12.4 Include landscaping, signage, and other design elements that reinforce the village character and design identity of the City into the design of gathering places.
- CD12.5 Locate public spaces in areas with high levels of activity and visibility.
- CD12.6 Orient development toward plazas, parks, village greens, outdoor eating areas, and other public gathering places.
- CD12.7 Encourage the creation of small sitting areas and/or shaded courtyards within or close to shopping areas. Use landscaping and other buffering strategies in the design of these sites to minimize the impact of traffic and parking.
- CD12.8 Design plazas that contain well-defined spaces, such as those created by the sides of buildings and other structures.
- CD12.9 Ensure that gathering places are at a scale appropriate to the area and intended use.
- CD12.10 Design gathering places so that they can be used by all age levels and are accessible to people with disabilities.
- CD19.1 Encourage design flexibility in mixed/multi-use development by allowing the vertical and/or horizontal mix of uses in specified areas.
- CD19.2 Ensure that new mixed-/multi-use developments are compatible with adjacent neighborhoods through project design, scale, and appropriate buffers and transitions between uses. In general, taller projects should step down their heights as they approach adjacent development.
- CD19.3 Locate mixed/multi-use development in areas of high visibility and accessibility, and along streets that balance vehicular and pedestrian traffic.
- CD19.4 Locate commercial or office uses on the ground floor with residential or office uses on the upper floors in vertical mixed-use projects.
- CD19.5 Encourage architectural design that differentiates ground-floor commercial/office uses from residential uses above.
- CD19.6 Locate ground-floor commercial uses near the sidewalk to provide high visibility from the street.
- CD19.7 Design new development with the pedestrian in mind by including wide sidewalks, shade street trees, sitting areas, and clearly defined pedestrian routes.

- CD19.8 Minimize the visual impact of surface parking by providing parking structures or rear or side-street parking with effective landscape buffering.
- CD19.10 Ensure privacy for residents by providing each residential use with its own private space (such as balconies, patios or terraces) and larger communal spaces such as lobbies, central gardens, or courtyards.
- CD30.1 Require new development in the Downtown area to conform to the Downtown Urban Design Plan for design guidelines. New development applications in the Downtown area shall include an analysis of a project's compliance with the provisions of the Downtown Urban Design Plan.
- CD30.2 Integrate streetscape improvements, landscaping, and signage that uniquely identify the Downtown area as the principal commercial activity center of the City.
- CD30.3 Encourage retail uses that maintain extended evening hours and support nighttime activity.

1. Existing Conditions

The proposed project site is located in the urban core of the City of Palm Springs. The project area consists of 20.6± acres, generally located north of Tahquitz Canyon Way, and west of North Palm Canyon Drive. More specifically, the project area includes:

- The existing Desert Fashion Plaza, bounded by Tahquitz Canyon on the south, the Hyatt Suites hotel on the north, Museum Drive on the west, and North Palm Canyon Drive on the east.
- Lands located north of Tahquitz Canyon Way and south of Andreas Road, east of North Palm Canyon Drive and west of Indian Canyon Drive, which are developed with multiple one and two story commercial buildings and parking lots.
- On the east side of Belardo Road, north of Arenas Road and south of Tahquitz Canyon, a surface parking lot which accommodates both Mercado Plaza tenants and customers, and general public parking.
- The southwest corner of Cahuilla Road and Tahquitz Canyon Drive, which is currently vacant land, and has been graded and scraped in the past.

The Desert Fashion Plaza consists of approximately 350,000 square feet of interior space, which is currently mostly vacant, but which has in the past been fully occupied and operational as a regional shopping center. The project also includes surface, above ground and below ground parking. The parking structures connect to the existing and operating Hyatt Suites structure immediately north of the project site. This area totals 16.65 acres.

On the east side of Palm Canyon Drive, and west of Indian Canyon Drive, are a total of approximately 51,000 square feet of partially occupied space, consisting of a mixture of retail commercial, office commercial and restaurant land uses. Surface parking areas also occur

adjacent to Indian Canyon, in the northern and southern extremities of this portion of the site. This area totals 1.89 net acres.

The parking lot on the east side of Belardo, north of Arenas Road, consists of 1.22 acres fully developed as a surface parking lot, with associated landscaping.

The portion of the project area located at the southwest corner of Cahuilla Road and Tahquitz Canyon Way consists of 0.83 net acres and is presently vacant.

The majority of the project area is designated Central Business District (CBD) in the General Plan, with corresponding CBD zoning. The area located at the southwest corner of Cahuilla Road and Tahquitz Canyon Way is designated Small Hotel, and has an R-3 (High Density Residential) zoning designation.

Lands to the north of the project area are fully developed, and include the O'Donnell Golf Course and the Hyatt Suites Hotel north of Andreas Road (extended) and west of North Palm Canyon Drive. On the north side of Andreas Road, east of Palm Canyon Drive are single and two story commercial buildings which are occupied with multiple businesses in small buildings. Some of these buildings have residential units on the second floor.

On the east side of Palm Canyon Drive, between Andreas Road and Tahquitz Canyon Way, but outside the project area are multiple one and two story commercial retail buildings, including one which extends the entire length of Tahquitz Canyon Way between Palm Canyon and Indian Canyon. These buildings are occupied by multiple businesses.

On the east side of Indian Canyon Drive, between Andreas Road and Tahquitz Canyon Way, is the existing Spa Hotel, including parking areas, fitness center, and hotel spa. The hotel is currently operational, and a replacement structure is being designed, although project-specific plans are not available at this writing.

On the south side of Tahquitz Canyon Way, west of Palm Canyon Drive, are two story commercial buildings, a parking lot, and a resort hotel of two stories in height, which extends from Baristo Road to Cahuilla Road. West and south of Cahuilla Road at Tahquitz Canyon are a mixture of restaurant, small hotel and single and multiple family residential land uses, which extend to the foot of the San Jacinto mountains on the west, and to Arenas Road and beyond on the south.

On the west side of Museum Way is the Palm Springs Art Museum and its associated courtyards and parking areas, which extend from Tahquitz Canyon Way to the O'Donnell Golf Course.

On the west side of Baristo Road, south of Tahquitz Canyon Way, are two resort hotels, both two stories in height.

On the south side of Arenas Road, west of Palm Canyon Drive and east of Baristo Road, is a restaurant and its surface parking lot.

Lands to the north of the project area have General Plan designations of CBD and Open Space – Parks/Recreation; lands to the south are designated Small Hotel and CBD; lands to the west are designated Public/Quasi-Public, Open Space – Parks/Recreation, High Density Residential and Small Hotel; and lands to the east are designated CBD. On the east side of Indian Canyon is the Section 14 Master Plan area, which includes high-density residential, commercial, entertainment and resort hotel land use areas.

Lands to the north of the Specific Plan area are zoned CBD and O-20 (Open Land, 20 acre minimum); lands to the south are zoned R-3 and CBD; lands to the west are zoned CBD, R-3 and O-20; and lands to the east are zoned CBD and C-2 (General Commercial).

2. Project Impacts

The proposed project consists of a Specific Plan of Land Use, which establishes the goals, policies, development standards and design guidelines for the project area. The Specific Plan, if adopted, will be adopted by Ordinance, and will be incorporated into the City’s General Plan and Municipal Code.

The Specific Plan proposes policies and development standards for a master planned, mixed use project to include Retail, Office, High Density Residential and Resort development on 20.6 acres. The proposed project site is irregular in shape, but is generally bounded by Andreas Road on the north, Arenas Road on the south, Museum Drive on the west, and Indian Canyon Drive on the east.

The Specific Plan consists of the following components, which have been divided in the Specific Plan into three Planning Areas (please see Exhibit I-5, Project Site Plan):

- Planning Area 1 (PA1) represents the core of the site and all lands north of Tahquitz Canyon Way. This Planning area allows for the broadest range of development, with a mixed use theme. Retail commercial is required to be developed on the ground floor on Palm Canyon Drive, with some exceptions. A mix of professional office and/or retail development is envisioned on the ground floor on all other project roadways, and on the second and/or third floors of Blocks A, C, D and F. Residential development is allowed above the ground floor in Blocks A and C, and on all floors in Blocks D, E, F, G H and K. Also allowed in this Planning Area are hotels, timeshare projects, condo-hotels and similar projects.
- Planning Area 2 (PA2) is at the southwest corner of Cahuilla and Tahquitz Canyon Way. Land uses for PA2 include limited ground floor retail, High Density Residential, Resort Residential, parking and compatible accessory uses.
- Planning Area 3 (PA3) encompasses the Mercado Plaza parking lot, and is planned for a parking structure with three levels. PA3 is currently planned for parking structure

development only and is intended to support the commercial and resort uses in PA1 and PA2 and the existing Mercado Plaza.

The Specific Plan allows the following:

**Table III-28
Maximum Land Use Intensities**

Land Use	Planning Area 1	Planning Area 2	Planning Area 3	Total
Retail or Office (square feet)	385,000	15,000	N/A	400,000
Residential (dwelling units)	900	55	N/A	955
Hotel (rooms)	565	55	N/A	620

The Specific Plan allows for an average maximum building height of 60 feet throughout the Specific Plan area. Building height within PA1 may extend to 67 or 79 feet, depending on the area, while maximum building height is proposed at 44 feet in PA2, and 34 feet in PA3.

General Plan Conformance

The proposed project, as stated above, occurs primarily within the Central Business District (CBD) land use and zoning designation, with the southwest corner of Cahuilla Road and Tahquitz Canyon Way having a land use designation of Small Hotel, and a zoning designation of R-3 (High Density Residential). The Specific Plan proposes that the Central Business District definition be applied to the entire project site. As the Specific Plan, if adopted, would become both the General Plan and Zoning designation for the property, the approval of the Specific Plan would amend the General Plan designation at this corner to CBD, and the standards of that designation would apply.

The portion of the site occurring at the southwest corner of Cahuilla Road and Tahquitz Canyon Way is surrounded by streets on the north and east; commercial development on the west, and multiple family residential on the south. The Specific Plan’s change to CBD at this location does not represent a significant impact as it relates to land use compatibility, as the site’s surrounding land uses are consistent with the mixed use nature of the CBD designation, and will serve as a buffer to single family development further south and west.

The General Plan defines Central Business District as:

Central Business District (1.0 FAR; 21–30 dwelling units per acre). Bounded approximately by Ramon Road, Calle Encilia, Alejo Road and Belardo Road, the Central Business District designation allows for a mix of commercial, residential, and office uses at a higher concentration, density, and intensity than in other areas of the City. The CBD serves as the main activity center and cultural core of the community and, as such, theatres, museums, retail, and other entertainment venues are encouraged here. Uses such as grocery stores, hardware stores, and convenience or pharmacy stores that provide services to the Downtown’s residential population are also encouraged. The Central Business District is

subdivided into zones or areas that provide for diversity in development standards and land use intensities. These subareas are defined in Appendix A, Downtown Urban Design Plan. Examples include the gateways into Downtown, Downtown Central Core, and the Downtown Outer Core. The Downtown Central Core (roughly bounded by Amado Road, Tahquitz Canyon Way, Museum Drive, and Indian Canyon Drive) and the Gateway areas (at roughly the north and south ends of the CBD) may be developed with a maximum FAR of 3.5. If projects in these areas provide substantial public spaces or plazas, an FAR of up to 4.0 may be developed upon approval of a Planned Development District or Specific Plan. The Downtown Central Core may also accommodate up to 70 dwelling units per acre for residential or hotel uses if a Planned Development District or Specific Plan is prepared and approved.

The Specific Plan occurs in the Downtown Central Core, and proposed residential, commercial and office land uses, including entertainment land uses which are consistent with the land use designation. The Specific Plan also proposes a total potential square footage of 2,065,500 square feet, which represents a floor area ratio of 2.3, which is less than the maximum floor area ratio allowed within the CBD designation. As described above, the site could be allowed up to 4.0 floor area ratio, based on the open space areas, both public and private, required in the Specific Plan. The Specific Plan proposes a maximum hotel and residential density of 76 units per acre, which exceeds the current General Plan definition for the land use district. Finally, as described above, the Specific Plan being proposed for the project is the appropriate vehicle for increased floor area ratio and density of up to 70 units per acre.

As described above, the proposed project is consistent with the General Plan designation of CBD, with the exception of the maximum density allowed for residential and hotel uses, which it exceeds by 6 units per acre. As the Specific Plan amends the General Plan's standards, if approved, impacts associated with density will be less than significant.

As listed above, a number of policies are applicable to the proposed Specific Plan. The following analysis determines the level to which the proposed Specific Plan is consistent with these policies.

LU1.1 Ensure that development meets or exceeds requirements and standards specified within each land use designation.

As described above, the proposed Specific Plan will amend the CBD land use designation, as defined in the General Plan.

LU1.3 Ensure that new land use projects are built with adequate utility and municipal infrastructure capacity to support them.

The proposed project occurs in a fully developed area of the City. As described in the Public Facilities and Utilities sections of this EIR, the project site is served by adequate infrastructure, and will connect to that infrastructure.

LU1.4 Encourage the expansion of existing facilities or the introduction of new uses that are considered to be of significant importance and contribute exceptional benefits to the City.

LU1.5 Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.

LU1.6 Encourage and support projects of exceptional design and architectural quality, societal benefit (historic or environmental sustainability), or revenue generation through incentives in the review process.

The proposed Specific Plan will both expand existing commercial land uses in the Downtown, and add residential uses. The project includes a central plaza, a key component of the Downtown, according to the Downtown Urban Design Plan (also see further discussion of the DUDP below). The Specific Plan will introduce residents and visitors to an area which currently is lacking in around-the-clock activity. The Specific Plan's land use intensity, and permitted commercial land uses, will provide added sales and transient occupancy taxes to the City.

The purpose of a Specific Plan is to provide flexibility in design standards and guidelines. The Specific Plan establishes setback and stepback standards, and provides guidelines for architectural styles designed to encourage creative and high quality design.

The proposed project is consistent with these policies.

LU1.7 Require new construction to mitigate impacts on the City's housing, schools, public open space, childcare facilities, and other public needs.

The proposed Specific Plan incorporates residential development, and will add to the variety of housing stock available to existing and new residents. The project also provides a public plaza in its center, as a gathering place for the community. The project will be required to contribute school mitigation fees (please see Section III-K), and may include childcare within one of the blocks, as the market demand increases with the expansion of the residential uses in the Downtown. The proposed project is consistent with this policy.

LU1.10 Encourage, where appropriate, high density projects to maximize the use of land.

The General Plan calls for high density development in the Downtown Core, and the proposed project proposes this type of development. As previously discussed, the proposed project exceeds the current maximum density, but the Specific Plan, if adopted, will amend the General Plan, thereby establishing new density limits for the project site. No significant impact would result.

LU1.12 Ensure that land uses maintain and expand parks, recreational trails, bikeways, and pedestrian corridors and linkages throughout the City and between Palm Springs and adjacent municipalities.

The proposed Specific Plan will provide a central plaza, and requires the provision of recreational facilities for all residential components within it. In addition, the Specific Plan proposes the addition of two new roadways in the area to encourage a walkable environment in the urban core. The project will also be conditioned to include in its construction the General Plan bicycle trail along Museum Way, as part of the project's street improvements. The proposed project is consistent with this policy.

LU7.1 Encourage a diversity of high-quality commercial uses, attractive to both the resident and the visitor, including retail, entertainment, cultural, and food sales, in appropriate areas of the City.

LU7.2 Ensure that visitor-serving uses such as hotels, restaurants, and entertainment uses that generate high levels of activity are developed in close proximity to the Palm Springs Convention Center.

The proposed Specific Plan includes as permitted uses those uses identified in policy LU7.1. Further, the project's location at the center of the Downtown is particularly appropriate for such land uses. The proposed Specific Plan also includes hotel facilities, which will be located within one mile of the Convention Center. The proposed project is consistent with these policies.

LU8.2 Encourage flexibility of design in development by allowing both a vertical and/or horizontal mix of uses.

The proposed Specific Plan includes standards for the development of retail commercial on the ground floor or first floor, and offices and residential units on the floors above, in conformance with this policy.

LU8.3 Encourage and accommodate the development of specialty uses such as boutiques, art galleries, bookstores, restaurants, interior decorators, hardware stores and other similar uses that cater to the residents in close proximity to mixed/multi-use areas.

The proposed Specific Plan includes permitted uses consistent with this policy, and with the inclusion of residential units above the commercial land uses, will create the synergy which this policy strives to achieve.

LU8.4 Allow designated mixed/multi-use areas to contain buildings that are taller than the surrounding neighborhood.

The Specific Plan proposes building heights ranging from 34 feet to 79 feet. The buildings in Planning Area 1 are proposed to extend to a height of 79 feet in some areas. The surrounding neighborhood consists of one and two story older buildings, and the Hyatt Suites building, which extends to 72 feet. The proposed project will provide the mix of land uses intended for mixed use projects, is at the City's Downtown Core, and therefore is an appropriate location for buildings which are taller than the surrounding neighborhood.

LU8.5 Provide pedestrian links from the commercial, office, and retail uses within mixed/multi-use areas to minimize vehicular traffic.

The compact layout of the proposed project, and the vertical integration of land uses will help to connect the mix of land uses proposed within the project area. In addition, the project proposes the creation of narrow, local streets within the site to create a pedestrian scale. The proposed Specific Plan is consistent with this policy.

LU8.7 On-site parking is encouraged to be accessed from side streets or public alleys to minimize traffic impacts on major streets and to avoid interruption in the street-front design of commercial centers.

The Specific Plan circulation system does not propose access to structures on either Palm Canyon or Indian Canyon, and its design will limit the interruption of street front designs on these two thoroughfares. As components of the Specific Plan are processed for specific projects, access points will be from the side streets, or the newly extended Belardo or Museum Way.

LU10.1 Support the development of a centrally located “village square” to serve as the key visual, social, and aesthetic component of the Downtown revitalization effort.

LU10.3 Encourage development that promotes a flow between indoor and outdoor activities such as outdoor cafes, arcades, paseos, and courtyards.

The proposed Specific Plan includes a central plaza of approximately one acre, which will provide the “village square” which is sought in the General Plan. In addition, the project will be oriented to the plaza, and includes restaurant or café uses on and surrounding the plaza.

LU10.4 Accommodate a broad range of uses Downtown to meet the needs of both residents and visitors and to stimulate both daytime and evening activity.

LU10.5 Facilitate and promote special events and community celebrations in the Downtown area to stimulate its role as a community focal point.

As previously stated, the proposed Specific Plan will bring around-the-clock activity to the Downtown by creating a residential neighborhood. In addition, the central plaza mandated within the Specific Plan will provide the focal point for the Downtown area.

LU10.6 Strengthen the unique sense of place currently present in Downtown by preserving and incorporating cultural and historic uses.

The uses proposed in the Specific Plan are consistent with those which have historically occurred there. Most of the two story buildings along North Palm Canyon Drive were originally designed to incorporate residential units in the second floor. Although the scale of the proposed project will be more intense than what has occurred in the past, the uses proposed are consistent with those historically occurring in this area.

LU10.7 Provide a logical transition between land uses and the built environment in Downtown and those proposed in the Section 14 Specific Plan.

The proposed project includes the creation of a new local street from the Museum to Indian Canyon. This street will provide a direct connection to Section 14. In addition, the access will allow visitors at Section 14 hotels, the Convention Center and other uses in that Specific Plan access to commercial and entertainment uses within the proposed project.

LU10.9 Require all new development in Downtown to be consistent with the design principles found in the Downtown Urban Design Plan that address streets and circulation, parking, public spaces and gathering places, landscaping, signage, lighting, street furniture, and building height, orientation, massing, and design.

The proposed Specific Plan's consistency with the Downtown Urban Design Plan is addressed in detail below.

CD1.4 Implement appropriate review procedures that advance the aesthetic quality of the community through high-quality architecture, outstanding site design, and responsiveness to the desert environment.

CD1.5 Encourage the use of natural colors, materials, and textures in public and private development and streetscape improvements to complement the natural environment. Allow for the use of accent colors to complement the desert color palette.

The Specific Plan includes standards which will require the significant articulation of building elevations to avoid continuous vertical frontages to new buildings. In comparison to the present level of development, the Specific Plan proposes a more intense form that is overtly urban in scale, and consistent with the intensity of development sought in this area of the City. The Specific Plan standards, and the City's Architectural Advisory Committee, Planning Commission and City Council processes will assure thorough review of the Major Architectural applications which will be required of individual projects. These reviews, and the standards and guidelines in the Specific Plan, will assure that continuous vertical frontages are not proposed for the new buildings.

CD4.1 Utilize unifying and consistent streetscape elements—landscaped parkways and distinctive medians, regularly spaced trees, specialized lighting, street furniture, banners and public signs—to visually unify the City's major corridors.

CD4.4 Continue to explore the impact of reconfiguring traffic flow and parking along Palm Canyon Drive and Indian Canyon Drive from San Rafael Drive to Ramon Road. Ensure that enhanced streetscape elements—such as landscaping, signage, street furniture, textured pedestrian crossings, and specialized lighting fixtures—are incorporated into the final design of the corridor's street sections.

The Specific Plan includes a landscape hierarchy and landscape palette which will be implemented consistently throughout the project, to assure a unified theme. The hierarchy is further based on the existing public landscaping which occurs on Palm Canyon Drive, and proposes to expand the landscaping on Indian Canyon Drive. The central plaza and other public areas are required to incorporate enhanced paving, street furniture and similar treatments into their design.

CD12.1 Integrate interactive, visually pleasing, and convenient gathering places—including plazas, pedestrian areas, and recreational open spaces—into the City’s design.

CD12.2 Design public spaces with pedestrian safety and comfort in mind.

CD12.3 Provide as many pedestrian amenities as feasible, including:

Ample shade

Mister systems for outdoor air conditioning

Fixed and movable seating

A central focal point, such as a fountain, piece of public artwork, historic marker, or monument feature

Outdoor dining, where appropriate

Wide paths or trails

Drinking fountains and toilet facilities, where appropriate

Decorative water features

CD12.4 Include landscaping, signage, and other design elements that reinforce the village character and design identity of the City into the design of gathering places.

CD12.5 Locate public spaces in areas with high levels of activity and visibility.

CD12.6 Orient development toward plazas, parks, village greens, outdoor eating areas, and other public gathering places.

CD12.7 Encourage the creation of small sitting areas and/or shaded courtyards within or close to shopping areas. Use landscaping and other buffering strategies in the design of these sites to minimize the impact of traffic and parking.

The Specific Plan includes a central plaza which is designed to provide a resting place, entertainment and dining area, in a setting which is distinct from the surrounding activity areas. The landscaping design for this area is designed to incorporate shade and water, as cooling elements to the urban landscape. The incorporation of kiosks, street furniture and outdoor dining will provide the components needed to create a gathering place that is consistent with these policies.

CD12.8 Design plazas that contain well-defined spaces, such as those created by the sides of buildings and other structures.

CD12.9 Ensure that gathering places are at a scale appropriate to the area and intended use.

CD12.10 Design gathering places so that they can be used by all age levels and are accessible to people with disabilities.

The central plaza in the Specific Plan will be defined by surrounding buildings, and will be of a scale sufficient to open the space to a large number of people. The plaza, as a public space, will be required to be accessible to persons with disabilities.

CD19.2 Ensure that new mixed-/multi-use developments are compatible with adjacent neighborhoods through project design, scale, and appropriate buffers and transitions between uses. In general, taller projects should step down their heights as they approach adjacent development.

CD19.3 Locate mixed/multi-use development in areas of high visibility and accessibility, and along streets that balance vehicular and pedestrian traffic.

The Specific Plan land use plan and development standards prescribe commercial land uses on the major streets surrounding the project, while allowing residential uses to the west, thereby lessening the intensity of development adjacent to surrounding land uses. The pedestrian character of Palm Canyon and Indian Canyon Drives will be enhanced by the local streets created through the project, thereby increasing pedestrian activity in the area.

CD19.4 Locate commercial or office uses on the ground floor with residential or office uses on the upper floors in vertical mixed-use projects.

CD19.5 Encourage architectural design that differentiates ground-floor commercial/office uses from residential uses above.

CD19.6 Locate ground-floor commercial uses near the sidewalk to provide high visibility from the street.

As previously described, the Specific Plan prescribes a hierarchy of land uses which focus retail and office development on the ground floor, particularly on major roadways. The Specific Plan also includes design guidelines which emphasize good design and a variety of architecture to assure an integrated and unique project.

CD19.7 Design new development with the pedestrian in mind by including wide sidewalks, shade street trees, sitting areas, and clearly defined pedestrian routes.

CD19.8 Minimize the visual impact of surface parking by providing parking structures or rear or side-street parking with effective landscape buffering.

The design of the individual projects within the Specific Plan will be required to include wide sidewalks, as required in the circulation plan standards of the document. The parking structures required are all located away from activity areas, and will not conflict with surrounding land uses. The landscaping standards and palette prescribed in the Specific Plan will assure continuity of design, and visual relief.

CD19.10 Ensure privacy for residents by providing each residential use with its own private space (such as balconies, patios or terraces) and larger communal spaces such as lobbies, central gardens, or courtyards.

The Specific Plan includes minimum standards for both private and public open space for all residential developments within the project area.

CD30.1 Require new development in the Downtown area to conform to the Downtown Urban Design Plan for design guidelines. New development applications in the Downtown area shall include an analysis of a project's compliance with the provisions of the Downtown Urban Design Plan.

The analysis of the proposed Specific Plan's consistency with the Downtown Urban Design Plan is provided below.

CD30.2 Integrate streetscape improvements, landscaping, and signage that uniquely identify the Downtown area as the principal commercial activity center of the City.

The Specific Plan includes a unified landscaping palette, streetscape design and enhanced entry features to assure that the "sense of place" sought in this policy is achieved.

Downtown Urban Design Plan

The Downtown Urban Design Plan (DUDP) does not include "policies" as provided in the General Plan. The DUDP instead acts as a guiding document, rather than a policy document.

The DUDP includes "Key Design Concepts" which are to guide design within the Downtown area. The Specific Plan is consistent with these Design Concepts, insofar as it:

- Creates a new central plaza in a prominent and highly accessible location in the project area;
- Creates mid-block walkthrough and pedestrian connections through the extension of Belardo Road and the new Museum Way;
- Creates a new view corridor at Museum Way;
- Creates a vibrant, compact and walkable core by combining a mix of uses which will reduce vehicle trips;
- Concentrate a tall project in the center of the Downtown core;
- Connect the Downtown with Section 14 by implementing the new Museum Way to Indian Canyon Drive;
- Construct and improve wide sidewalks as a design requirement on project streets; and

- Create a “hot spot” of activity at the center of Downtown by establishing a new residential neighborhood within the commercial core.

The DUDP includes “Land Use & Development/Districts”. The proposed project is located in the Downtown Core district. The Downtown Core is defined as:

The downtown core... should be a vibrant, compact, and walkable center of activity in the downtown area. The core should be comprised of a central core area consisting of taller (max. 60 ft...), high intensity mixed use (residential/commercial) buildings surrounded by an equally vibrant, but shorter (max. 30 to 45 ft.) mixed use (commercial/office/residential) outer core area.

The DUDP further defines building height as being “a maximum of 30 feet on the street front stepping back to 60 feet in height with minor intrusions for architectural features.” The proposed Specific Plan includes building heights of 34 and 44 feet on its southern and perimeter, in Planning Areas 2 and 3, consistent with the outer core description. However, the proposed Specific Plan includes standards which would permit building heights of 68 to 79 feet adjacent to the street throughout Planning Area 1.

As shown in Exhibits III-8, View 7, and Exhibit III-12, View 11 in Section III-A, Aesthetics, the 79-foot height depicted exceeds DUDP height limits by one to two floors. In the other views in Section III-A, buildings along Tahquitz and Palm Canyon are shown at a height of 68 feet, which would be equivalent to less than one floor (each floor above the ground floor was simulated at 10 feet, with the ground floor simulated at 20 feet). The perceptible difference of one to two floors will not be visually significant, as described in Section III-A. However, the standard established in the DUDP limits building height in the Downtown Core to 60 feet. As an amendment to the General Plan, the Specific Plan, if approved, will set new standards specific to the site, and impacts will therefore be less than significant.

Although somewhat more intrusive in form, the level of development proposed to the west of Palm Canyon Drive largely corresponds with existing levels. Subject to articulated frontages and the stepping back of the upper floors to new buildings, implementation of the Specific Plan would be generally consistent with the DUDP, and generally implement the principles of the DUDP. If building stepbacks were omitted, continuous vertical frontages will accentuate building mass and lend a sense of tight enclosure to the street scene. The Specific Plan includes requirements for stepbacks at different building heights for different blocks. These requirements will assure that each building proposed within the project site is varied in design from its neighbors, which will be consistent with the DUDP.

Zoning Ordinance

The proposed Specific Plan, if adopted, will become the Zoning Ordinance for the project site. As described above, the proposed Specific Plan varies from the City’s standards in the Downtown Core. The Zoning Ordinance standards for the CBD zone are not currently consistent with the General Plan, insofar as the General Plan sets standards for the zone which have not been modified in the Ordinance as of this writing.

The Specific Plan, however, is intended as a tool which allows the establishment of special development and standards for projects. As such, the proposed Specific Plan will become the Zoning Ordinance for the project site. As the City's Municipal Code and State law allow for the approval of variations to development standards and guidelines through the approval of Specific Plans, the Specific Plan would become a part of the Zoning Ordinance, and would provide new standards. The variations in standards proposed in the Specific Plan will therefore not significantly impact the Zoning Ordinance.

Redevelopment Plan

The proposed project occurs within the City's Merged Project Area I Redevelopment Plan boundary. California law allows the creation of Redevelopment Areas, and implementation of Redevelopment Plans to remove blighted conditions and foster economic growth. The City's Redevelopment Agency uses tax increment financing to fund economic development and housing programs in the Redevelopment Area. The Agency is required, through its Five Year Implementation Plan, to identify economic and housing projects which will be funded by revenues of the Agency.

The proposed project will contribute to growth in Merged Project Area I by generating revenues associated with property tax, which will be provided directly to the City's Redevelopment Agency. The detailed analysis of the revenues which the proposed project could generate is provided in Section III-O, Economics. As shown in that Section, the proposed project will generate substantial revenues at build out, and will therefore be consistent with the economic development goals of the Redevelopment Agency.

The proposed project will also remove blight in Merged Project Area I by demolishing and replacing the existing Desert Fashion Plaza. The existing building is underutilized and obsolete, and has not been successfully operated in a number of years. It currently constitutes blight in the Downtown Core, and implementation of the Specific Plan would eliminate that blight – a primary goal of Redevelopment.

Finally, the Redevelopment Agency is responsible for the provision of affordable housing both within the Plan boundary and throughout the City. Redevelopment law requires that 15% of all housing within a Redevelopment Plan boundary be affordable to low and very low income households. The proposed project allows up to 955 high-density residential units. Based on the 15% requirement described above, the proposed project will generate a need for up to 143 housing units affordable to low and very low income households. The Specific Plan does not provide any standards or requirements for the provision of affordable housing. If the units are not produced within the project, or at another location within Merger Project Area I, the City's Redevelopment Agency will be required to produce these units, or cause them to be produced, at another location. Although the proposed project will generate tax increment directly to the Agency, and the Agency will be required to apply 20% of that tax increment to affordable housing projects, there is no assurance that the affordable housing need generated by the proposed project will be constructed as a result of these funds. This represents a potentially significant impact which required mitigation, as provided below.

3. Mitigation Measures

In order to mitigate impacts associated with land use and planning, the following mitigation measures shall be implemented.

1. Prior to the issuance of any building permit on the project site, the applicant and City shall enter into an agreement which assures that 15% of the total residential units built within the project area are to be affordable to households in the low and very low income categories, consistent with State law. Alternatively, the agreement can provide the housing outside the Specific Plan boundary, if the alternate location is within Merged Project Area I, and is under the applicant's or City's control at the time the agreement is finalized. The agreement shall be recorded on all parcels proposed for residential development within the Specific Plan boundary.

Mitigation Monitoring and Reporting Program

The Planning Department shall assure that the Specific Plan is modified by the applicant to include no more than 1,442 residential units and hotel rooms.

Responsible Party: Applicant, City Planning Department

The Redevelopment Agency and Applicant shall record an agreement for the provision of affordable housing on all properties proposing residential development.

Responsible Party: Applicant, Redevelopment Agency

Buildings in excess of 60 feet in height shall not be permitted within the Specific Plan boundary without approval of a General Plan Amendment.

Responsible Party: City Council

I. Noise

Introduction and Background

This section describes existing conditions in the planning area noise environment, including noise levels and sources within the project site and vicinity. It analyzes the potential impacts of the various potential sources of noise associated with the implementation of the MMP Specific Plan and sets forth mitigation measures that are designed to off-set or reduce project noise impacts to the greatest degree practicable.

Development of the MMP project will be phased and will involve extensive demolition, site preparation and construction, which will generate varying levels of vibration and other types of noise in the project area. Noise impacts will also occur at different times and locations in the area as phased development is accomplished. At build out, the increased intensity of development and concomitant increase in street activity, vehicular traffic, and mechanical equipment will result in higher ambient noise levels over the long term. The extent to which the proposed MMP project will adversely contribute to the community noise environment is assessed below.

An acoustical study has been prepared for the project and is included in Appendix F of this EIR. The Museum Market Plaza Specific Plan Noise Impact Study⁷⁵ and the City of Palm Springs 2007 General Plan, in conjunction with a variety of standards references, have been used in researching and analyzing the project and its potential effects.

Thresholds of Significance/Criteria For Determining Significance

Significance thresholds and criteria have been drawn from a variety of sources, including Appendix G of the Environmental Checklist Form of the CEQA Guidelines, and the City General Plan. In order to adequately address noise related impacts that may arise from the development of the MMP Specific Plan site, and to suggest appropriate mitigation measures, the following factors should be considered. The proposed Museum Market Plaza Specific Plan will have a significant effect on noise if it:

- a. Generates or exposes persons to noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
- b. Generates or exposes persons to excessive ground-borne vibration or ground-borne noise levels
- c. Causes a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project
- d. Causes a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

In community noise assessment, changes in noise levels of less than 1 dBA are usually not discernable to the human ear, and are therefore considered insignificant. Changes in noise levels

⁷⁵ Museum Market Plaza Specific Plan Noise Impact Study, prepared for Terra Nova Planning by Endo engineering, September 2008

ranging from 1 to 3 dBA are only slightly discernable to people with sensitive hearing. Changes greater than 3 dBA are typically considered noticeable. For the purposes of this project, roadway noise impacts should be considered significant if project-related traffic increases noise levels above background by 3 dBA (CNEL) and if:

- 1) existing noise levels already exceed the 50dBA (night-time), 55 dBA (evening) and 60 dBA (day-time) (CNEL) high density residential/commercial standards; or
- 2) the project increases noise levels from below the standard per time period to above the standard per time period.

The project impact should also be considered significant if it increases noise levels by 5 dBA (CNEL) and noise levels within the project remain below the 50dBA (night-time), 55 dBA (evening) and 60 dBA (day-time) (CNEL) high-density residential/commercial standards.

City of Palm Springs General Plan Policies

In the Noise Element of the City of Palm Springs General Plan, several policies address issues associated with noise generation and control and include the following:

- NS1.1 Continue to enforce acceptable noise standards consistent with health and quality of life goals established by the City and employ noise abatement measures, including the noise ordinance, applicable building codes, and subdivision and zoning regulations.
- NS1.2 Encourage the application of site planning and architectural design techniques that reduce noise impacts on proposed and existing projects.
- NS1.3 Utilize maximum anticipated, or “worst case,” noise conditions as the basis for land use decisions and design controls as a means of preventing future incompatibilities.
- NS1.4 Evaluate the compatibility of proposed land uses with the existing noise environment when preparing, revising, or reviewing development proposals.
- NS1.5 Protect noise-sensitive land uses such as schools, hospitals, and convalescent homes from unacceptable noise levels from both existing and future noise sources.
- NS1.6 Require mitigation where sensitive uses are to be placed along transportation routes to ensure compliance with state noise standards.
- NS1.7 Allow new developments in areas exposed to noise levels greater than 60 dB CNEL only if appropriate mitigation measures are included such that applicable noise standards are met.
- NS1.8 Include measures within project design that will assure that adequate interior noise levels are attained as required by the California Building Standards Code (Title 24), California Noise Insulation Standards (*Title 25*) and pertinent sections of the California Building Code and the City’s Municipal Code.

- NS1.9 Develop joint agreements with adjacent jurisdictions to apply standardized zoning and soundproofing requirements to reduce noise incompatibilities across jurisdictional boundaries.
- NS1.10 Minimize noise spillover from commercial uses into adjacent residential neighborhoods.
- NS1.11 Encourage public agencies and institutions located in the City to incorporate appropriate measures to contain noise generated by their activities on-site.
- NS3.1 Require that automobile and truck access to commercial properties—including loading and trash areas—located adjacent to residential parcels be located at the maximum practical distance from the residential parcel.
- NS3.2 Require that parking for commercial uses adjacent to residential areas be enclosed within a structure or separated by a solid wall with quality landscaping as a visual buffer.
- NS3.3 Require that parking lots and structures be designed to minimize noise impacts on-site and on adjacent uses, including the use of materials that mitigate sound transmissions and configuration of interior spaces to minimize sound amplification and transmission.
- NS3.4 Minimize, to the greatest extent possible, noise impacts on adjacent residential areas from live entertainment, amplified music, or other noise associated with nearby commercial or restaurant uses.
- NS3.5 Require that entertainment uses, restaurants, and bars control the activities of their patrons to the greatest extent possible to minimize noise impacts on adjacent residences.
- NS3.6 Restrict, where appropriate, the development of entertainment uses and other high-noise-generating uses adjacent to residential areas, senior citizen housing, schools, health care facilities, and other noise-sensitive uses.
- NS3.7 Pursue the development of municipal parking structures in commercial districts to reduce parking overflow into adjacent neighborhoods and the noise impacts associated with overflow parking.
- NS3.8 Coordinate with the Police Department to determine the appropriate police enforcement efforts necessary in residential neighborhoods to minimize noise-related disturbances from entertainment, restaurants, retail, and other uses.
- NS3.9 Encourage commercial uses that abut residential properties to employ techniques to mitigate noise impacts from truck deliveries, such as the use of a sound wall or enclosure of the delivery area.

- NS3.10 Require that construction activities that impact adjacent residential units comply with the hours of operation and noise levels identified in the City Noise Ordinance.
- NS3.11 Require that construction activities incorporate feasible and practical techniques which minimize the noise impacts on adjacent uses, such as the use of mufflers and intake silencers no less effective than originally equipped.
- NS3.12 Encourage the use of portable noise barriers for heavy equipment operations performed within 100 feet of existing residences, or make applicants provide evidence as to why the use of such barriers is infeasible.

1. Existing Conditions

Introduction

Noise is simply defined as unwanted sound. Excessive noise affects physical health, psychological wellbeing, social cohesion, property values and economic productivity. Development in general and urbanization in particular typically lead to increased levels of noise in the environment. Excessive noise levels can be undesirable and have the potential to contribute to temporary and permanent physical impairments including hearing loss, fatigue, stress, annoyance, and anxiety. In order to prevent noise levels from becoming excessive, standards can be adopted and implemented. Also, certain mitigation measures can be applied to reduce noise levels and ensure that a high quality of life is preserved in an urban environment.

Ambient sound levels in the project area are primarily affected by traffic noise from the surrounding streets. The downtown area also experiences noise from activities on the streets, including Villagefest, special events, outdoor dining, and similar activities. Finally, the area's noise environment is affected by a wide range of mechanical equipment, including compressors, exhaust fans and air exchangers associated with heating, ventilation and air conditioning (HVAC) equipment.

Noise Rating Terminology

Noise levels are calculated on a logarithmic scale in decibels (dB), which is the unit of measurement that describes the amplitude, or strength, of sound. The measurements are weighted and added over a specified time period to reflect not only the magnitude of the sound, but also its duration, frequency and time of occurrence.

The most common unit for measuring noise levels is the A-weighted decibel (dBA) scale, which de-emphasizes the very low and high frequency components of sound in a manner similar to the response of the human ear, and gives accurate correlation with subjective reactions to noise. The most common sounds measure between 40 dBA (very quiet) and 100 dBA (very loud). A rural night-time environment typically measures about 25 dBA, while a jet flying overhead is 105 dBA. Due to the logarithmic nature of the decibel scale, doubling the sound energy of a noise source only increases the decibel rating by 3dBA. A sound must be nearly 10 dBA higher than another sound before the human ear perceives it as being twice as loud.

The Community Noise Equivalent Level (CNEL) is the average intensity of a sound over a 24-hour period, and it includes weighting penalty factors for sounds that occur in evening and nighttime hours. Five decibels are added to sounds that occur during evening hours (from 7 p.m. to 10 p.m.), and 10 decibels are added to sounds that occur during nighttime hours (between 10 p.m. and 7 a.m.). These adjustments account for the decrease in background noise levels that occur during evening and nighttime hours, as well as people's increased sensitivity to, and decreased tolerance for, noise during these times.

Noise sources can be classified as either "line sources" (such as a busy street) or "point sources" (a commercial air compressor). A number of factors affect noise as it travels through the air, including temperature, wind speed and direction, hard and soft ground surfaces, and intervening vegetation and walls. "Soft site" conditions represent the sound propagation loss over natural surfaces, such as earth and vegetation, while "hard site" conditions represent the less substantial noise energy loss over hard ground surfaces, such as asphalt, concrete, and stone. A noise reduction rate of 4.5 dBA per doubling of distance is typically observed in soft site conditions, while a reduction of 3.0 dBA typically occurs in hard site conditions.

Sensitive Receptors

Sensitive receptors are those land uses that are particularly sensitive to noise intrusion, including residences, schools, libraries, churches, hospitals, nursing homes, and other health care facilities. Day care centers, parks, and other outdoor recreation areas may also be considered sensitive receptors. Moderately sensitive land uses include cemeteries, golf courses, hotels and motels, and dormitories.

The Museum Market Plaza Specific Plan includes hotels and a substantial multi-family residential component. It thus introduces both moderately sensitive receptors and sensitive receptors to the planning area.

Ambient Noise in the Project Vicinity

Evaluation of the existing noise environment in the project vicinity has included the use of traffic data taken from the MMP Specific Plan Traffic Impact Study⁷⁶ and noise modeling locations were selected based on their respective impact potential. Primary noise sources in the project area and vicinity included vehicular traffic and background noise associated with sidewalk activities, as well as HVAC equipment. Ambient noise levels emanating from area roadways range from a low of 45.0 CNEL (at 50 feet from the centerline of Andreas Road, west of Indian Canyon Drive) to a high of 74.5 CNEL (at 50 feet from the centerline of Indian Canyon Drive, south of Tahquitz Canyon Way). Twenty percent of the roadway segments modeled (primarily along Belardo Road, Cahuilla Road and Andreas Road) currently generate noise levels below 60 CNEL at the right-of-way.

Existing CNEL noise contours along major roadways in the project vicinity are identified in Table III-29, below. Distance to noise contours from the centerline of the street are provided for the 60, 65, and 70 dBA CNEL noise levels. The contours were generated by the Federal

⁷⁶ Museum Market Plaza Specific Plan Traffic Impact Study, prepared by Endo Engineering, September, 2008.

Highway Administration (FHWA) Traffic Noise Prediction Model FHWA-RD-77-108 method. They are based on a number of existing roadway characteristics, including average daily traffic volumes, roadway classifications (e.g., collector, secondary, major and prime arterial), roadway widths, traffic speeds, vehicle mix, roadway grades, and “hard” or “soft” site conditions. Traffic volumes were obtained from the project’s traffic study described in Section III-M of this document⁷⁷. Other roadway data were obtained from 2008 traffic counts, field observations, and the Circulation Element of the Palm Springs 2007 General Plan.

⁷⁷ Ibid

**Table III-29
Existing Exterior Noise Exposure Adjacent to Area Roadways**

Roadway Segment	ADT ^a (Veh/Day)	CNEL @ 50 Feet ^b	Distance to Contours (Ft.) ^c		
			70 dBA	65 dBA	60 dBA
Palm Canyon Drive					
- North of Amado Road	16,400	74.1	121	380	1,199
- South of Amado Road	17,190	74.3	127	397	1,256
- North of Andreas Road	17,550	74.4	130	407	1,285
- South of Andreas Road	17,550	74.4	130	407	1,285
- North of Museum Way	17,550	74.4	130	407	1,285
- South of Museum Way	17,550	74.4	130	407	1,285
- North of Tahquitz Cyn Way	17,550	74.4	130	407	1,285
- South of Tahquitz Cyn Way	17,340	74.3	127	397	1,256
- North of Arenas Road	12,820	73.0	95	295	931
- South of Arenas Road	12,600	73.0	95	295	931
Indian Canyon Drive					
- North of Amado Road	14,590	73.9	110	341	1,077
- South of Amado Road	16,400	74.4	123	383	1,208
- North of Andreas Road	15,830	74.2	118	366	1,154
- South of Andreas Road	15,640	74.2	118	366	1,154
- North of Museum Way	16,450	74.4	123	383	1,208
- South of Museum Way	16,450	74.4	123	383	1,208
- North of Tahquitz Cyn Way	16,450	74.4	123	383	1,208
- South of Tahquitz Cyn Way	16,800	74.5	126	392	1,236
- North of Arenas Road	14,660	73.9	110	341	1,077
- South of Arenas Road	15,000	74.0	113	349	1,102
Belardo Road					
- North of Amado Road	2,740	59.2	R/W	R/W	42
- South of Amado Road	2,680	59.1	R/W	R/W	41
- South of Tahquitz Cyn Way	2,990	59.6	R/W	R/W	46
- North of Arenas Road	2,460	58.7	R/W	R/W	37
- South of Arenas Road	2,580	59.0	R/W	R/W	40
Museum Drive					
- South of Tahquitz Cyn Way	3,540	60.3	R/W	R/W	54
Cahuilla Road					
- South of Tahquitz Cyn Way	1,140	55.4	R/W	R/W	R/W
- North of Arenas Road	800	53.9	R/W	R/W	R/W
- South of Arenas Road	450	51.3	R/W	R/W	R/W
Amado Road					
- East of Belardo Road	1,630	62.9	R/W	R/W	97
- West of Palm Canyon Drive	1,900	63.6	R/W	R/W	114
- East of Palm Canyon Drive	5,660	68.3	R/W	106	336
- West of Indian Canyon Drive	4,200	67.0	R/W	79	249
- East of Indian Canyon Drive	2,340	64.5	R/W	R/W	140

Table III-29 (Continued)
Existing Exterior Noise Exposure Adjacent to Area Roadways

Roadway Segment	ADT ^a (Veh/Day)	CNEL @ 50 Feet ^b	Distance to Contours (Ft.) ^c		
			70 dBA	65 dBA	60 dBA
Andreas Road					
- West of Indian Canyon Drive	220	45.0	R/W	R/W	R/W
- East of Indian Canyon Drive	1,830	54.2	R/W	R/W	R/W
Tahquitz Canyon Way					
- West of Museum Drive	860	55.5	R/W	R/W	R/W
- East of Museum Drive	4,150	62.7	R/W	33	89
- West of Cahuilla Road	4,180	62.7	R/W	33	89
- East of Cahuilla Road	4,010	62.5	R/W	32	85
- West of Belardo Road	3,590	62.0	R/W	30	76
- East of Belardo Road	3,890	67.8	R/W	91	282
- West of Palm Canyon Drive	6,090	69.8	R/W	142	446
- East of Palm Canyon Drive	9,480	71.7	71	219	690
- West of Indian Canyon Drive	9,330	71.6	70	214	675
- East of Indian Canyon Drive	9,950	72.2	77	231	728
Arenas Road					
- West of Cahuilla Road	1,080	61.1	R/W	R/W	64
- East of Cahuilla Road	860	60.1	R/W	R/W	51
- West of Belardo Road	950	60.5	R/W	R/W	56
- East of Belardo Road	1,560	62.7	R/W	R/W	93
- West of Palm Canyon Drive	1,800	63.3	R/W	R/W	106
- East of Palm Canyon Drive	2,210	64.2	R/W	42	131
- West of Indian Canyon Drive	2,180	64.2	R/W	42	131
- East of Indian Canyon Drive	2,510	62.4	R/W	R/W	86

- a. ADT is the average daily traffic volume on a typical weekday in the peak season of 2008.
b. CNEL values are given at 50 feet from all roadway centerlines.
c. All distances are measured from the centerline. R/W means the contour falls within the right-of-way.

City of Palm Springs Noise Ordinance

The City of Palm Springs Noise Ordinance.” (Ord. 1167 § 1 (part), 1982) is meant to assure that noise-related land use incompatibilities are minimized to the greatest extent practical. The ordinance establishes one-hour average sound level limits for various types of land use, including commercial and residential. In Commercial and High Density Residential areas, a 60 dBA limit applies from 7 am-6 pm, a 55dBA limit applies from 6 pm to 10 pm, and a 50dBA limit applies from 10 pm to 7 am. The ordinance also establishes acceptable hours for the operation of construction vehicles and machinery.

Other Noise Standards and Regulations

The Federal Highway Program Manual Vol. 7, Ch. 7, Section 3, 1982 provides a land use compatibility chart for community noise. According to this chart, “normally acceptable” noise limits are 50 to 60 db for residential land uses (single and multi family dwellings, group quarters, and mobile homes), and 50 to 65 db for commercial land uses. Noise levels up to 70 db are considered “conditionally acceptable” for residential, transient lodging, schools, libraries and

commercial uses. However, noise exposure up to only 65 db is considered “conditionally acceptable” for recreational uses.

The California Department of Health Services has developed guidelines for establishing compatible land uses and limiting human exposure to noise.⁷⁸ These guidelines recommend that the “normally acceptable” exterior noise limit is 60 db for residential land uses (including single-family dwellings, duplexes, and mobile homes) and 65 db for multifamily residential dwellings and transient lodging. Noise levels up to 70 db are “normally acceptable” for commercial land uses. Noise levels up to 70 db are considered “conditionally acceptable” for residential, lodging, schools, libraries, churches and hospitals.

Maximum noise level standards and recommendations have also been established by other agencies, including the U.S. Department of Housing and Urban Development and U.S. Environmental Protection Agency (EPA). The California Administrative Code implements noise insulation standards for new multifamily structures within the 60 CNEL contour adjacent to roads, railroads, airports, industrial areas, and rapid transit lines. Acoustic analysis is mandatory to demonstrate that these multifamily units are designed to limit interior noise levels, with doors and windows closed, to 45 CNEL in any habitable room.

2. Project Impacts

Potential Construction Noise Impacts

Buildout of the proposed project will result in short-term, yet potentially intrusive, noise impacts associated with demolition of existing structures, grading and construction, as well as the transport of construction workers, materials and equipment to and from the site. The operation of excavation machinery, such as backfillers, bulldozers, and front loaders, could generate occasionally intrusive noise levels ranging from 73 to 96 dBA at a distance of 50 feet from the source. Activities associated with the erection of structures can generate occasionally intrusive noise levels ranging from 79 to 89 dBA at 50 feet, and grading and site preparation activities can generate noise levels ranging from 88 to 96 dBA at 50 feet. These activities could temporarily exceed community noise standards.

Demolition, grading and construction noise impacts will be temporary and short-lived, and are not expected to impact community noise levels on a long-term basis. Prior to the implementation of the Specific Plan, there are no sensitive receptors within the immediate project site, although construction activities may have some impact on residents who live closest to the site boundaries (i.e., those who live in the condominium complex located at the western terminus of Tahquitz Canyon Way) and visitors to the nearby hotels. The MMP Specific Plan includes hotels (moderately sensitive receptors) and a substantial multi-family residential component (sensitive receptors). Phased development of the project may result in some sensitive receptors being introduced to the project area in the early or mid-phase, although residential development is generally expected to occur later in the development time frame. At least some of the project's

⁷⁸ California Department of Health Services, “Guidelines for the Preparation and Content of the Noise Element in the General Plan,” 1990.

residential receptors could be temporarily subjected to noise impacts associated with the development of later phases.

The City of Palm Springs has identified temporary construction noise as an area of concern in the Palm Springs 2007 General Plan because construction noise frequently provokes community annoyance and complaints. It will be important, therefore, to incorporate sufficient noise reducing measures into the construction specifications to ensure that the potential for adverse impacts on the adjacent community is reduced to the maximum extent feasible.

Potential Operational Noise Impacts

The project site is located in the downtown urban core of the City, and uses in the Specific Plan are generally consistent with the Central Business District land use designation of the downtown area. Potential operational noise is expected to be consistent with existing noise levels in the adjoining Central Business District areas, where a 60 dBA limit applies from 7am-6pm, a 55dBA limit applies from 6pm to 10pm, and a 50dBA limit applies from 10pm to 7am.

Stationary Noise Sources

In addition to background noise from activities occurring in public open spaces and on sidewalks, other operational noise sources will include (HVAC) units and similar mechanical equipment. Tonal components generated by such equipment, including the constant hum of fans and compressors, can be particularly audible and intrusive. The Museum Market Plaza design guidelines require all roof-mounted equipment to be shielded by parapets or similar features, which are effective acoustical barriers. These design elements obstruct the line of sight between the noise source and the observer, and deflect sound upward and away from noise receptors. Proper and adequate shielding of mechanical equipment can reduce noise impacts from these sources to less than significant levels.

Truck Deliveries and Loading Areas

At least for the foreseeable future, diesel-fueled engines are likely to remain widely used to transport the deliveries of goods and merchandise to the site. Loading areas may be incorporated into building design or may be open areas adjacent to buildings being services. Loading and unloading of goods and materials can result in temporarily significant impacts to the area noise environment. Truck idling and movement on-site will increase noise levels as will the operation of transport refrigeration units (TRUs) on-site by carriers using diesel-powered refrigeration systems on trucks and/or trailers to transport perishable goods. While perishable food is being transferred from delivery vehicles to hotels, diesel-fueled transport refrigeration units may be operated to run cooling fans for the perishables.

Electrical standby is not commonly provided, because most TRUs are not equipped to operate on electrical standby and installation is costly. In accordance with the California Code of Regulations⁷⁹, drivers of diesel-fueled commercial vehicles (with gross vehicular weight ratings greater than 10,000 pounds) are prohibited from idling the vehicle's primary engine for more than five minutes at any location and this will minimize the potential for delivery truck idling noise to impact the surrounding community.

⁷⁹ Section 2485 of Chapter 10, Article 1, Division 3 of Title 13, California Code of Regulations.

At build out, the increased intensity of development and concomitant increase in street activity, together with the desired expanded hours of active use, will result in higher ambient noise levels over the long term, since the presence of residents in the area will have the potential to generate increased noise levels. However, the increase is expected to remain within acceptable levels for the downtown location, and noise impacts within the project and on surrounding areas will be less than significant.

Potential Traffic Noise Impacts

On-site traffic noise will consist primarily of that generated by residents and users of the area, and the main source of off-site noise impacts will be traffic using the adjoining public streets. Noise levels on area streets were quantified for the future planning horizon year 2030. Traffic volumes in the year 2030 were analyzed to determine the project-related impact on motor vehicle noise levels in the vicinity. The 2030 traffic projections were taken from the Museum Market Plaza Specific Plan Traffic Impact Study⁸⁰ and include traffic associated with fifteen cumulative developments, as well as area-wide build out per the 2007 Palm Springs General Plan. The year 2030 traffic projections were utilized to forecast ultimate on-site noise levels as well as identify the significance of long-term project-related increases in motor vehicle noise.

Since noise increases or decreases of 1.0 dBA cannot be perceived in the community, project-related motor vehicle noise impacts of this magnitude were not considered significant. Project-related changes in motor vehicle noise levels that exceed 3.0 dBA were considered potentially audible outside of a laboratory and potentially significant, provided noise-sensitive receptors would be affected.

Year 2030 Noise Impacts

Table III-30 presents the projected motor vehicle noise levels throughout the study area in the year 2030 buildout period. Noise levels at 50 feet from the centerline of area roadways are projected to range from a low of 45.0 CNEL (along Andreas Road, west of Indian Canyon Drive) to a high of 75.7 CNEL (along Indian Canyon Drive, south of Tahquitz Canyon Way).

The 70 CNEL contour will remain within the right-of-way along 39 of the roadway segments analyzed. The 65 CNEL contour will remain within the right-of-way along 26 of the roadway segments analyzed. All but four of the roadway segments modeled will generate sound levels in excess of 60 CNEL at the right-of-way.

Upon build out of the Specific Plan and the 2007 Palm Springs General Plan, sixteen of the roadway segments modeled (26 percent) are projected to generate noise levels at a distance of 50 feet from the roadway center line that exceed 75 CNEL. Seven of the links evaluated (11 percent) will generate noise levels at 50 feet that are between 70 CNEL and 75 CNEL. Eight roadway segments (13 percent of the links modeled) are projected to generate noise levels at 50 feet that are between 65 CNEL and 70 CNEL. Twenty-two links (35 percent of the links modeled) will generate noise levels at 50 feet that are between 60 CNEL and 65 CNEL. Noise levels at 50 feet from nine roadway segments will range be below 60 CNEL.

⁸⁰ Museum Market Plaza Specific Plan Traffic Impact Study, prepared by Endo Engineering; September 2008.

**Table III-30
Build Out Year 2030 Exterior Noise Exposure With the Specific Plan**

Roadway Segment	A.D.T. ^a (Veh/Day)	CNEL @ 50 Feet ^b	Distance to Contours (Ft.) ^c		
			70 dBA	65 dBA	60 dBA
Palm Canyon Drive					
- North of Amado Road	21,770	75.3	159	500	1,581
- South of Amado Road	21,570	75.3	159	500	1,581
- North of Museum Way	21,960	75.4	163	512	1,618
- South of Museum Way	22,230	75.4	163	512	1,618
- North of Tahquitz Cyn Way	22,230	75.4	163	512	1,618
- South of Tahquitz Cyn Way	22,610	75.5	166	524	1,655
- North of Arenas Road	18,480	74.6	136	426	1,345
- South of Arenas Road	18,600	74.6	136	426	1,345
Indian Canyon Drive					
- North of Amado Road	20,000	75.2	147	460	1,453
- South of Amado Road	20,690	75.4	154	482	1,521
- North of Andreas Road	20,060	75.2	147	460	1,453
- South of Andreas Road	19,560	75.1	144	449	1,420
- North of Museum Way	20,460	75.3	151	471	1,486
- South of Museum Way	21,360	75.5	157	493	1,557
- North of Tahquitz Cyn Way	21,360	75.5	157	493	1,557
- South of Tahquitz Cyn Way	22,430	75.7	165	516	1,630
- North of Arenas Road	22,180	75.7	165	516	1,630
- South of Arenas Road	22,200	75.7	165	516	1,630
Belardo Road					
- North of Amado Road	3,260	60.0	R/W	R/W	50
- South of Amado Road	5,330	62.1	R/W	R/W	81
- North of Museum Way	6,470	63.0	R/W	32	99
- South of Museum Way	4,920	61.8	R/W	R/W	75
- North of Tahquitz Cyn Way	4,980	61.8	R/W	R/W	75
- South of Tahquitz Cyn Way	4,690	61.6	R/W	R/W	72
- North of Arenas Road	4,020	60.9	R/W	R/W	61
- South of Arenas Road	3,720	60.5	R/W	R/W	56
Museum Drive					
- North of Museum Way	2,650	59.1	R/W	R/W	41
- South of Museum Way	2,030	57.9	R/W	R/W	31
- North of Tahquitz Cyn Way	2,100	58.1	R/W	R/W	33
Cahuilla Road					
- South of Tahquitz Cyn Way	2,200	58.3	R/W	R/W	34
- North of Arenas Road	1,290	55.9	R/W	R/W	R/W
- South of Arenas Road	630	52.8	R/W	R/W	R/W
Amado Road					
- East of Belardo Road	7,320	69.4	R/W	137	432
- West of Palm Canyon Drive	7,320	69.4	R/W	137	432
- East of Palm Canyon Drive	7,820	69.7	R/W	147	463
- West of Indian Canyon Drive	6,210	68.7	R/W	117	368
- East of Indian Canyon Drive	5,690	68.3	R/W	106	336

Table III-30 (Continued)
Build Out Year 2030 Exterior Noise Exposure With the Specific Plan

Roadway Segment	A.D.T. ^a (Veh/Day)	CNEL @ 50 Feet ^b	Distance to Contours (Ft.) ^c		
			70 dBA	65 dBA	60 dBA
Andreas Road					
- West of Indian Canyon Drive	220	45.0	R/W	R/W	R/W
- East of Indian Canyon Drive	4,090	57.7	R/W	R/W	30
Museum Way					
- West of Belardo Road	4,210	61.1	R/W	R/W	64
- East of Belardo Road	4,390	61.3	R/W	R/W	67
- West of Palm Canyon Drive	5,070	61.9	R/W	R/W	77
- East of Palm Canyon Drive	4,290	61.2	R/W	R/W	66
- West of Indian Canyon Drive	4,110	61.0	R/W	R/W	63
Tahquitz Canyon Way					
- West of Museum Drive	950	56.0	R/W	R/W	R/W
- East of Museum Drive	2,780	60.9	R/W	R/W	60
- West of Cahuilla Road	2,810	61.0	R/W	R/W	61
- East of Cahuilla Road	4,290	62.8	R/W	33	91
- West of Belardo Road	3,830	62.3	R/W	31	81
- East of Belardo Road	8,650	71.3	65	200	630
- West of Palm Canyon Drive	10,560	72.2	79	245	774
- East of Palm Canyon Drive	13,390	73.2	99	309	975
- West of Indian Canyon Drive	13,220	73.2	99	309	975
- East of Indian Canyon Drive	15,380	74.1	115	357	1,128
Arenas Road					
- West of Cahuilla Road	1,320	62.0	R/W	R/W	79
- East of Cahuilla Road	1,240	61.7	R/W	R/W	74
- West of Belardo Road	1,340	62.0	R/W	R/W	79
- East of Belardo Road	2,400	64.6	R/W	46	143
- West of Palm Canyon Drive	3,160	65.8	R/W	60	189
- East of Palm Canyon Drive	4,430	67.2	R/W	83	261
- West of Indian Canyon Drive	4,430	67.2	R/W	83	261
- East of Indian Canyon Drive	4,150	64.6	R/W	46	143

- a. A.D.T. refers to the average daily two-way traffic volume on a peak season weekday in the year 2030.
b. CNEL values are given at 50 feet from all roadway centerlines (see Appendix B for assumptions).
c. All distances are measured from the centerline. R/W means the contour falls within the right-of-way.

Motor vehicle noise resulting from the traffic generated by the proposed project will range from a low of 45.0 CNEL to a high of 75.7 CNEL as measured from the road right-of-way, and it will constitute a long-term incremental acoustic impact in the study area. However, project traffic noise impacts are not expected to be significant, since implementation of the Specific Plan would not generate an audible noise increase (greater than 3.0 dBA) along any of the roadway segments analyzed.

Projected community noise levels nonetheless result in a noise environment that can be conditionally compatible with the proposed hotel and residential development. As can be seen from Table III-30, above, traffic noise along Palm Canyon will be the greatest noise source, with the 65 dBA CNEL contour occurring 426 to 524 feet from the roadway center line. Certain portions of development, especially along Palm Canyon and Indian Canyon Drives may be

significantly impacted by future noise levels unless less sensitive uses are planned or adequate noise mitigation is incorporated into individual project design.

Summary of Impacts

The proposed MMP project is expected to have a less than significant impact on the existing noise environment. Neither stationary nor moving sources will make a significant contribution to the community noise environment. The existing and future noise environment includes noise levels, which could be potentially incompatible with certain proposed sensitive uses, i.e. hotel and residential.

3. Mitigation Measures

The following measures are recommended for incorporation in the project to minimize the potential for significant short-term and long-term noise impacts. The City shall also consider these measures in the development of Conditions of Approval for the subject MMP Specific Plan and implementing projects. These measures are designed to ensure that the construction-related and operational noise exposure to adjacent noise sensitive receptors will be reduced to levels that are less than significant.

Measures Required to Comply With City Noise Policies

1. Construction activities that impact adjacent residential units shall comply with the hours of operation and noise levels identified in the City Noise Ordinance. Grading and construction activities on-site shall be restricted to the hours between 7 a.m. and 7 p.m. on weekdays and the hours of 8 a.m. and 5 p.m. on Saturdays; no regular construction activities shall be allowed on Sundays or federal holidays to minimize the potential for noise impacts during more sensitive time periods, as specified by Palm Springs Municipal Code Section 8.04.220.
2. Future on-site development shall comply with all relevant development standards and Palm Springs Municipal Code requirements to ensure that grading and construction activities and site operations do not create adverse noise impacts beyond the site boundaries as specified in the Noise Ordinance⁸¹. Construction activities shall incorporate feasible and practical techniques, which minimize the noise impacts on adjacent uses, such as the use of mufflers and intake silencers no less effective than originally equipped per City Policy NS3.11.
3. The final layout and building design shall be evaluated by a qualified noise consultant to ensure that adequate noise attenuation features are incorporated in the project design to meet applicable City of Palm Springs noise standards as well as the California noise insulation standards. The applicant shall demonstrate to the City's satisfaction that all acoustic construction features required to assure acceptable interior noise levels (45 dBA CNEL or lower per City Policy NS1.6 and NS1.8) shall be incorporated in the project design, prior to the issuance of building permits.

⁸¹ Palm Springs Municipal Code Chapter 11.74

4. Parking structures and loading areas shall be designed to minimize noise impacts on-site and on adjacent uses, including the use of materials that mitigate sound transmission and configuration of interior spaces to minimize sound amplification and transmission per City Policy NS3.3.
5. Future on-site development shall comply with all relevant noise policies set forth in the Noise Element of the Palm Springs 2007 General Plan to minimize operational noise impacts.
6. Drivers of diesel-fueled commercial vehicles (with gross vehicular weight ratings greater than 10,000 pounds) shall be prohibited from idling the vehicle's primary engine for more than five minutes at any location on-site per Section 2485 of Chapter 10, Article 1, Division 3 of Title 13, California Code of Regulations.
7. Exterior elevations shall incorporate design features and materials to soften noise-reflective building surfaces in higher noise street frontages.

Measures Required to Mitigate Potentially Significant Short-term Noise Impacts

8. Prior to issuance of any grading or building permits, specifications shall be prepared that identify performance requirements regarding the attenuation of noise from construction vehicles and activities. The specifications shall include but not be limited to the following:
 - a. A construction traffic routing plan shall be developed and submitted for approval that demonstrates, to the extent feasible, avoidance of congested routes and routes with adjacent noise sensitive receptors (particularly residential development).
 - b. The general and sub-contractors shall comply with all local sound control and noise level rules, regulations and ordinances, which apply to any and all work performed pursuant to the contract.
 - c. Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without said muffler.
 - d. Construction activities shall incorporate feasible and practical techniques, which minimize the noise impacts on adjacent uses.
 - e. Construction activities shall take place only between 7:00 a.m. and 8:00 p.m. to minimize the potential for noise impacts during more sensitive time periods, as specified in the Palm Springs Noise Ordinance⁸². Construction activities shall not be permitted between the hours of 5:00 p.m. and 8:00 a.m. if the noise produced by such work is of such intensity or quality that it disturbs the peace and quiet of any other person of normal sensitivity, in conformance with Palm Springs Construction Site Regulations⁸³.

⁸² Palm Springs Municipal Code Section 11.74. 041.

⁸³ Palm Springs Municipal Code Section 8.04. 220.

- f. All construction equipment, fixed or mobile, should be equipped with properly operating and maintained mufflers or other appropriate sound attenuation device.
 - g. Stationary equipment should be placed such that emitted noise is directed away from noise sensitive receptors.
 - h. Stockpiling and vehicle staging areas should be located as far as practical from noise sensitive receptors.
 - i. Every effort shall be made to create the greatest distance between noise sources and sensitive receptors during construction activities.
 - j. Project phasing shall include initial development adjacent to residential areas, which then will shield them from noise generated during subsequent phases.
 - k. To the greatest extent practicable, the noisiest construction operations shall be arranged to occur together in the construction program to avoid continuing periods of greater annoyance.
 - l. All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.
 - m. Parking, refueling and servicing operations for all heavy equipment and on-site construction vehicles shall be located as far as practical from existing homes and other sensitive receptors.
9. Any extension of construction hours shall require a permit to be issued by the City of Palm Springs as specified in the Palm Springs Noise Ordinance⁸⁴

Mitigation Monitoring/Reporting Program

Pre-Construction

- A. During project design and specific building design, ensure acoustical analysis takes into consideration the following: (1) selection and placement of mechanical equipment for all buildings, and (2) shielding and buffering of mechanical equipment and truck loading/unloading areas for all buildings
Responsible Party: Project Proponent, Project Acoustical Engineer, City Planning and Building Departments
- B. Designate acceptable truck/construction equipment route(s), as appropriate.
Responsible Party: Project Proponent, City Planning and Public Works Departments

⁸⁴ Municipal Code Section 11.74.041.

During Construction

- C. Ensure functional mufflers are installed on all construction equipment.
Responsible Party: Project Proponent, General Contractor, City Building Department

- D. Ensure designated truck routes are being utilized.
Responsible Party: General Contractor, City Building Department

- E. Ensure construction equipment operates only during those hours designated by the City Noise Ordinance, except in emergencies.
Responsible Party: Project Proponent, General Contractor, City Building Department

J. Population and Housing

Introduction and Background

This section of the EIR analyzes the potential of the proposed project to induce growth in the City and region as a result of its implementation. The analysis is based on General Plan growth projections, as well as projections by the Southern California Association of Governments. The City's Housing Element was also consulted in the preparation of this section.

Thresholds of Significance/Criteria For Determining Significance

The following thresholds or criteria are derived from Section 15064 of CEQA, as well as from Appendix G of the CEQA Guidelines, which are used to determine the level of potential effect. The proposed Museum Market Plaza Specific Plan will have a significant effect on population and housing if it would:

- a. Induce substantial population growth in an area, either directly (for example by proposing new homes and businesses) or indirectly (for example through the extension of roads or other infrastructure).

City of Palm Springs General Plan Policies

Policies in the Land Use and Housing Element are applicable to the proposed project, as follows.

- LU4.2 Develop commercial facilities as integrated, attractive centers, with adequate parking, provision for pedestrian access from adjacent neighborhoods when feasible, organized traffic movement for motorists, and safety and convenience for pedestrians.
- LU4.3 Concentrate retail areas into commercial activity nodes to discourage the development of a "strip" commercial uses, which is characterized by long expanses of commercial building frontage devoid of building separations to provide visual relief. Such nodes shall be separated from one another by permanent open space, parks, major landscaped areas, or residential land uses.
- LU4.4 Encourage the reuse of obsolete commercial properties and discourage the proliferation of strip commercial centers through rezoning, parcel consolidation, or incorporation of midblock residential development in selected areas.
- LU6.1 Facilitate new residential development on vacant or underutilized properties that have been designated as mixed/multi-use areas on the Land Use Plan.
- LU6.2 Encourage new residential infill development.
- LU6.3 Convert underutilized commercial centers into new housing opportunity sites.
- LU7.4 Pursue and attract high-quality retail uses to the City, and specifically to Downtown.

- LU8.1 Encourage new mixed/multi-use developments in areas that are currently vacant or underutilized.
- LU10.2 Encourage development of housing and mixed-use land uses Downtown to increase activity in this area.
- HS1.2 Maintain a range of housing densities through general plan land use designations and zoning to facilitate and encourage single-family homes, apartments and townhomes, mobile homes, and special needs housing.
- HS1.3 Facilitate the production of quality mixed- and multi-use projects on vacant and underutilized land that are complementary with surrounding uses.
- HS1.5 Direct higher density residential uses near major activity centers and along corridors consistent with adopted architectural and design guidelines.

1. Existing Conditions

The Museum Market Plaza Specific Plan area is currently developed. The project area includes the existing Desert Fashion Plaza, bounded by Tahquitz Canyon on the south, the Hyatt Suites hotel on the north, Museum Drive and the Palm Springs Art Museum on the west, and North Palm Canyon Drive and commercial development on the east. The Specific Plan includes lands north of Tahquitz Canyon Way and south of Andreas Road, east of North Palm Canyon Drive and west of Indian Canyon Drive, which are developed with multiple one and two story commercial buildings and parking lots. On the east side of Belardo Road, north of Arenas Road and south of Tahquitz Canyon, is a surface parking lot which accommodates both Mercado Plaza tenants and customers, and general public parking. The southwest corner of Cahuilla Road and Tahquitz Canyon Drive is currently vacant land, which has been graded and scraped in the past.

Lands to the north include hotel and retail commercial development along North Palm Canyon, North Indian Canyon and Baristo. Lands to the east include retail commercial development on North Palm Canyon and Indian Canyon, and the Spa Hotel. Lands to the south include hotel and retail commercial development, single-family homes and the Wellwood Murray Library. Lands to the west include the Palm Springs Art Museum and the O'Donnell Golf Course, as well as single-family homes.

The project site currently includes approximately 380,000 square feet of commercial space, which is under-utilized. A high vacancy rate occurs within Desert Fashion Plaza, which currently has tenants only on its Palm Canyon Drive frontage. The Town and Country Center is partially occupied, with a mix of retail commercial and restaurant uses.

Population, Housing and Employment

The California Department of Finance estimates that the City has a population of 47,251 in 2008. This population is composed of 22,285 households occupying housing units in the City.

The Department further estimates that there are 33,479 housing units in the City, indicating a 33.4% vacancy rate. It is important to note, however, that the City's housing units include a high percentage of vacation homes, which are not occupied on a year-round basis, but are not available for rent or sale to new residents. It is estimated that 23.5%, or 7,867 homes, of all housing units in the City are seasonally occupied units.

The City's General Plan states that there were approximately 32,500 jobs in the City in 2000. No data is available on current jobs in the City.

2. Impacts

Implementation of the proposed project would result in up to 955 multi-family residential units, 300,000 square feet of retail commercial space, 100,000 square feet of office space, and 620 hotel rooms. The proposed project would therefore add up to 955 multi-family units and 620 hotel rooms to the Downtown area, and would provide an approximately equivalent amount of commercial space as currently occurs.

Housing Unit Growth

The General Plan estimates that the Land Use plan has a capacity for 51,406 housing units within the City limits and its Sphere-of-Influence, and that these housing units will result in a population of 94,950 at General Plan build out. The Department of Finance estimates that there are 33,479 housing units in the City in 2008. Therefore, the General Plan provides for an additional 17,927 housing units. The proposed project includes up to 955 housing units which are all proposed to be multi-family units – either condominiums, flats or apartments. The actual number of units built will be dependent on the mix of land uses proposed within the project area.

The Specific Plan includes maximum square footages for each Block, and therefore a higher square footage of commercial space and/or hotel space would reduce the number of potential residential units which could be built within the project area. However, even at maximum build out, the proposed project will generate 5.3% of the potential units anticipated in the General Plan.

The Southern California Association of Governments, in the preparation of its Regional Transportation Plan (RTP), has prepared projections for population and household growth in Palm Springs in the long term. The RTP projects that there will be 24,204 households in 2015, 24,416 in 2020, and 28,606 households in 2030 in the City. Using the SCAG growth forecast, and the total number of occupied housing units in the City currently, and given a projected project build out year of 2016, the City will have a demand for over 1,919 permanent housing units (not seasonal units) at project build out. Should the residential units within the project build out at the maximum allowed under the Specific Plan, the 955 housing units proposed within the Specific Plan area would represent 49.8% of all the permanent housing required in the City under SCAG's growth predictions. If it is further assumed that 23.5% of the units within the project

will be seasonal units, the proposed project would represent 730 permanent housing units, or 38.0% of the total demand in 2015. The SCAG forecasts clearly indicate that there will be a need for at least twice as much housing in the City as that proposed within the project area. Therefore, the proposed project will not significantly induce growth in the City, and impacts will be less than significant.

Job Growth

Implementation of the proposed project will generate jobs during construction and long term operation of the project. Construction and construction-related jobs will vary based on the types of construction occurring at any time and will occur over a multi-year period.

Over the life of the project, and as commercial development within the Specific Plan builds out, commercial establishments and offices may be expected to employ workers and professionals from a broad spectrum of skill and experience levels and educational backgrounds.

Employment generation factors come from a variety of sources, including the American Planning Association Planning Advisory Service, the Urban Land Institute, and the California Local Government Commission. An average of these references has been used to establish the following employment factors based on gross square feet of development.⁸⁵

- General Retail: 1 employee per 300 sq. ft.
- Office: 1 employee per 234 sq. ft.
- Hotel: 1.5 employee per room

Household formation can be estimated at a rate of one new household for each two new jobs.⁸⁶ Assuming 95% of the commercial and office square footage is leasable, with the balance being common areas and ancillary facilities, development of the Specific Plan could generate approximately 2,286 jobs at buildout, as shown in the table, below.

**Table III-31
Project Job Generation at Build Out**

Land Use	Jobs in the Specific Plan Area
Retail Commercial	950
Office Commercial	406
Hotel	930
Total	2,286

⁸⁵ "Palm Desert Comprehensive General Plan Draft Environmental Impact Report," prepared by Terra Nova Planning & Research, Inc, September 2003.

⁸⁶ Ibid.

SCAG estimates that growth in the City will generate a need for 44,054 jobs in the City by 2015. It was estimated that there were 32,500 jobs in the City in 2000. Therefore, there is a need for 11,554 new jobs to accommodate population and household growth in the City by 2015. The 2,286 jobs to be created at the proposed project represent 19.8% of the new jobs required between 2000 and 2015, and will not exceed demand forecasts prepared by SCAG.

Based on the estimate in Table III-31, the proposed project's job generation will result in 1,143 new households. Again, given the SCAG projection that at least 1,919 households will occur in the City in 2015, the proposed project will not exceed the growth anticipated for the City in the next 7 years.

Infrastructure

The proposed project will be constructed in an area of the City which is fully developed. The project site itself is currently developed and under-utilized. The project will require limited additions in water, sanitary sewer and storm drain systems. These additions will be made within the City's existing infrastructure framework, and will not require the extension of new service lines. The proposed project will not therefore, induce growth by extending services to an area which would not be otherwise serviced by water, sewer or other utilities. Build out of the proposed project will therefore not indirectly impact growth through the extension of infrastructure.

Summary

The proposed project will generate up to 955 housing units, and a population of up to approximately 2,000 persons; and potentially 2,286 new jobs in the City. Neither population nor job generation will exceed projections for growth established by the Southern California Association of Governments. Impacts associated with growth inducement will be less than significant.

3. Mitigation Measures

As stated above, the proposed project will not significantly impact population or housing. No mitigation measures are required.

K. Public Services

Introduction and Background

The project site is located in downtown Palm Springs and falls within the service boundaries of the Palm Springs Fire Department, the Palm Springs Police Department and the Palm Springs Unified School District. The City of Palm Springs owns and maintains public parks within the City.

This section describes the existing services, facilities and capacities of each of the service providers, analyzes the potential impacts of the Specific Plan on these resources and sets forth mitigation measures that will off-set project impacts. The City of Palm Springs General Plan, and various other resources have been used in researching and analyzing the project and its potential effects.

Thresholds of Significance /Criteria for Determining Significance

The following threshold or criterion is not that strictly recommended in 15064 of CEQA. Rather, it is derived from Appendix G of CEQA, which is used to determine the level of potential effect. The Specific Plan will have a significant effect on Public Services if, in order to maintain acceptable service ratios, response times or other performance objectives, it results in:

- substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities.
- a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts.

City of Palm Springs General Plan Policies

Policies in both the Safety Element and the Recreation, Open Space and Conservation Element are applicable to the proposed project, as follows.

- SA7.1 Maintain adequate resources to enable the Police Department to meet response-time standards, keep pace with growth, and provide high levels of service.
- SA7.4 Periodically evaluate population growth, development characteristics, level of service, and incidence of crime within the City to ensure that an adequate level of police service is maintained.
- SA7.5 Maintain adequate resources to enable the Fire Department to meet response-time standards, keep pace with growth, and provide high levels of service.
- SA7.6 Provide safe firefighting facilities of adequate size and at the best locations to meet NFPA 1710 standards for response time.
- SA7.9 Require that all buildings subject to City jurisdiction adhere to fire safety codes.

- RC1.1 Develop high-quality park, trail, and recreational facilities that meet the varied needs of children, adults, seniors, and people with disabilities.
- RC1.2 Ensure that a minimum of five acres of developed parkland are provided for every 1,000 residents in Palm Springs.
- RC1.3 Locate and distribute parks in such a manner to serve residential areas in terms of both distance and residential density.
- RC1.5 Encourage variety in the design and intended function of park and recreational facilities to reflect the needs of the community.

Fire Protection

1. Existing Conditions

Fire protection for the proposed project will be provided by the Palm Springs Fire Department, which provides fire, paramedic and emergency services within the corporate boundaries of the City and through mutual aid agreements in the City's Sphere of Influence.

The Department currently operates five fire stations located throughout the city. The station closest to the project site is station #441, located at 277 North Indian Canyon Drive, about 0.5 mile from the project site. The station houses one 75-foot Aerial Ladder Truck that is manned on a 24-hour basis with one Captain, one Engineer, and one Firefighter. The station also houses one Ford 550 Paramedic Squad, staffed with one Firefighter/Paramedic and one Firefighter. In addition, four other fire stations are available to serve the project site. Located within approximately 3 miles are stations #442 at 300 N. El Cielo Road, station #443 at 590 E. Racquet Club Road and station #444 at 1300 Laverne Way, while Fire Station #5 at 5800 Bolero Road is located about 5 miles away. During each 24-hour period, 18 on-duty firefighting personnel are available⁸⁷.

The Palm Springs Fire Department has established maximum fire response time at five minutes. It reacts to approximately 6,500 calls per year and records show that the number of responses increases annually by between 5 and 10 percent. The Department receives funding for operational and capital improvements through the City's General Fund.

⁸⁷ Memorandum from the City of Palm Springs Fire Chief to the City's Planning Director, June 27, 2008; Palm Springs Fire Department web-site, July 2008

2. Impacts

The Specific Plan proposes an intensive level of development and a mix of hotel, commercial, retail and restaurant uses that will maximize periods of active use and draw greater numbers of people downtown. In addition, the inclusion of residential uses is expected to introduce approximately 2,000 new residents to the area. Build out of the Museum Market Plaza may therefore have a significant impact on the Palm Springs Fire Department by generating an increased demand for fire protection services in the City. It also has potential to reduce the City's ISO rating for Public Protection from a Class 3 to a Class 4⁸⁸ rating.

The City has initiated the preparation of a Fire Department Master Plan, designed to establish the Department's needs for build out of the General Plan. The Master Plan will include analysis of facility and personnel needs, and prescribe financing of these facilities. The methods of financing could include Development Impact Fees, Community Facilities Districts or other assessment, or funding through the City's General Fund. The Specific Plan, if approved, would provide the framework for individual project proposals, which would be conditioned to participate in the fire facilities program as they are submitted. The implementation of the Master Plan will assure that impacts associated with Fire Department services remain at a less than significant level.

3. Mitigation Measures

The Specific Plan has potential to result in a significant increase in demand for fire protection services in the City. However, negative impacts generated by build out of the Museum Market Plaza may be effectively mitigated by the following measures:

1. The proposed project shall contribute its fair share to the siting and staffing of a new Downtown Fire Station, through participation in a Community Facilities District, participation in an other assessment district or Development Impact Fee, or other means, as determined in the Fire Department Master Plan.

Mitigation Monitoring/Reporting Program

- A. Prior to approval of any Major Architectural Review, Conditional Use Permit or other entitlement for each portion of the proposed project, the City Fire Chief shall review development plans to assure they meet minimum requirements and facilitate access for fire fighters and equipment, as well as adequately addressing other fire protection matters.

Responsible Party: City of Palm Springs Fire Department; City of Palm Springs Planning Department; Project Proponent

⁸⁸ Memorandum from the City of Palm Springs Fire Chief to the City's Planning Director, June 27, 2008

Police Protection

1. Existing Conditions

The Palm Springs Police Department is located at 200 South Civic Drive, approximately 2 miles east of the Museum Market Plaza project site. The department has 100 sworn police officers⁸⁹, a support staff and a team of volunteers, and provides response service, criminal investigation, traffic enforcement and preventative patrol throughout the City. The desired response time of the Palm Springs Police Department to emergency calls is 5 minutes, and 30 minutes for non-emergency calls. The Department has mutual-aid agreements with other local law enforcement agencies in the event of a major incident that exceeds the department's resources⁹⁰.

In order to provide a community policing service that is specially geared to the needs of the downtown environment where the project site is located, the Palm Springs Police Department also operates a 'Downtown Experience' facility at 105 South Indian Canyon Drive, adjacent to the proposed project.

2. Impacts

The Specific Plan proposes an intensive level of development and a mix of hotel, commercial, retail and restaurant uses that will maximize periods of active use and draw greater numbers of people downtown. In addition, the inclusion of residential uses is expected to introduce approximately 2,000 new residents to the area. Build-out of the Museum Market Plaza may therefore have a significant impact on the Palm Springs Police Department by generating an increased demand for surveillance and protection services in the City.

The Department has a Downtown office, which is available only for storage and minimal office work. The development of the proposed project will increase demands on the Department through increased calls for service, particularly since activity in the area will occur on a 24 hour basis with the introduction of residential units. When combined with other projects planned for this area of the City, the Downtown Department office is likely to require expansion into a Downtown Policing Facility. The proposed project should be responsible for its fair share of the costs associated with increased activity in the area.

The Specific Plan includes a range of defensive design features that will enhance safety for users and residents, while optimizing site surveillance by Police Officers and on-site security personnel, thereby reducing the need for active police responses.

Implementation of the project is phased so that any potential impacts on police protection would be distributed over a period of time, allowing the Department to gradually increase its capacity. Increases in property tax revenues, sales tax and other revenues will facilitate the funding of the

⁸⁹ Palm Springs Police Department Organizational Chart, July 2008

⁹⁰ Palm Springs Police Department web-site, July 2008

additional personnel required to provide service to the proposed project (please see Socio-Economic Resources section, below).

3. Mitigation measures

To assure the highest level of security and police protection within the Museum Market Plaza, the following mitigation measures shall be implemented:

1. The proposed project shall participate in the Public Safety Community Facilities District (CFD) to offset impacts associated with increased population and activity in the project area. The CFD revenues may, at the City Council's option, be used to expand the Downtown police office into a Downtown Policing Facility.
2. As part of the planning review process, the City Planning Department and the Palm Springs Police Chief shall evaluate project development plans from a 'defensible space' perspective.

Mitigation Monitoring/Reporting Program

- A. Prior to the issuance of building permits, the applicant shall have executed all documents to participate in the Public Safety Community Facilities District.
Responsible Party: Planning Department; Finance Department; City Council.
- B. Prior to the approval of development plans for individual components of the project, the City Police Chief shall review development plans to assure they minimize security risks and facilitate effective policing.
Responsible Party: City of Palm Springs Police Department; City of Palm Springs Planning Department

Schools

1. Existing Conditions

The Palm Springs Unified School District provides educational services for grades K-12 in the City. There are 15 elementary schools, 4 middle schools, one 9th grade academy, 3 high schools and 1 continuation high school in the District, which includes not only Palm Springs, but the cities of Desert Hot Springs, Cathedral City, and a portion of Rancho Mirage⁹¹. PSUSD receives State and local funding, as well as school facilities fees.

The District is authorized to collect school facilities fees as provided for in Government Code Section 53080et. seq. and 65995 et. seq. at an amount of \$3.20 per square foot of residential development and \$0.47 per square foot of commercial development⁹².

⁹¹ Palm Springs Unified School District, School Facilities Needs Analysis; April 2008

⁹² Palm Springs Unified School District web-site, July 2008.

There are 7 private schools in the City of Palm Springs and private vocational education is offered at Kaplan College.

2. Impacts

Residential development within the Museum Market Plaza comprises high density, multi family units that provide residents with an 'urban lifestyle' in a Downtown location. It may be less likely, therefore, to attract families with children. As a generator of new jobs, the project may contribute, to a limited extent, to a cumulative increase in the population of the City of Palm Springs (please also see Population and Housing, above). However, this is not expected to have a significant impact on the educational facilities in the area. The PSUSD will continue to plan for growth in order to accommodate population increase in the City and overall, the project is not expected to have a significant impact on schools in the Palm Springs area.

Estimated Student Enrollment

At build-out of the Specific Plan, a maximum of approximately 955 high-density attached dwelling units will be constructed. Although the residential units are not primarily designed to attract families with children, potential student generation for these units has been calculated based on factors provided by PSUSD, and Table III-32 shows potential school enrollment at project build-out.

**Table III-32
Potential School Enrollment at Specific Plan Build-out**

Grade Level	Potential Build-out Multi-family Units	Student Generation Rate	Build-out Enrollment
K - 5	955	0.1181	112
6 - 8	955	0.0770	73
9 - 12	955	0.0846	80
Total			265
Sources: Palm Springs Unified School District, School Facilities Needs Analysis; April 2008. Museum Market Plaza Specific Plan, April 2008			

Estimated School Developer Fees

PSUSD continues to plan for expanded facilities to serve the growing population within the City of Palm Springs. Based on current developer impact fees of \$3.20 per square foot of residential development and \$0.47 per square foot of commercial development, the following table provides an estimate of developer impact fees that development within the Specific Plan is expected to generate at build-out.

**Table III-33
Estimated School Mitigation Fees at Specific Plan Build-out**

Land Use	Total Square Feet	Estimated School Mitigation Fees
High Density Residential	1,146,000 Sq. Ft.*	\$3,667,200
Commercial	400,000	\$188,000
Total		\$3,855,200

* Calculated at an average of 1200 square feet per unit.

3. Mitigation Measures

1. The project proponent shall pay the statutory school mitigation fees in place at the time of issuance of building permits.

Mitigation Monitoring/Reporting Program

- A. The City shall assure that statutory mitigation fees are paid by the developer prior to the issuance of development permits.

Responsible party: Project Developer; Palm Springs Unified School District; City of Palm Springs Planning Department.

Parks

1. Existing Conditions

The City of Palm Springs has adopted the Park Standards of the National Recreational Park Association, which require 5 acres of parkland per 1,000 persons. There are presently 3 Community Parks, 2 Neighborhood Parks, 3 Specialty Parks and 2 Local Parks in Palm Springs. City owned recreational resources include 156 acres of developed parkland, 160 acres of public golf courses and several miles of developed greenbelts along major thoroughfares. Many of the City's parks include an array of amenities together with a wide range of sports facilities, and there is an Olympic-sized swimming pool and state-of-the-art Skate Park at Sunrise Plaza. Landscaped greenbelts or parkways have been developed along a number of major and secondary thoroughfares and include meandering bike paths, walking paths and other amenities such as benches and rest areas.

The City of Palm Springs Parks are fully analyzed as a Recreational Resource, in Section III-L of this report.

2. Impacts

Potential impacts on Parks are fully analyzed as a Recreational Resource, in Section III-L of this report.

3. Mitigation measures

Mitigation measures for possible park impacts associated with the project are discussed in detail in Section III-L, Recreational Resources.

Other Public Facilities

Medical Facilities

1. Existing Conditions

There are a number of small clinics and local physician's offices in the Coachella Valley, as well as several large medical facilities that are within the service area of the proposed project. A discussion of the major health care facilities is provided below.

Desert Regional Medical Center

The Desert Regional Medical Center (DRMC) is located in Palm Springs at 1150 North Indian Canyon Drive, less than one mile north of the development site. This hospital contains 367 beds, and offers general medical facilities, outpatient rehabilitation services and 24 hour Emergency/Trauma Services. It includes a Comprehensive Cancer Center, a Women and Infants Center, an Orthopedic center, a Bariatric facility, the Cardiovascular Institute of Palm Springs, the Nabisco Dinah Shore Wellness Center, and offers a Health Key Plus senior membership program. It currently operates at 74 percent capacity during the peak season and at 64 percent during the non-peak season⁹³.

Eisenhower Medical Center

The Eisenhower Medical Center contains a 253-bed hospital, the Annenberg Center for Health Sciences, the Barbara Sinatra Children's Center, and the Betty Ford Center. The facility is located at 39000 Bob Hope Drive in the City of Rancho Mirage, approximately 14 miles south-east of the project site. Currently, this medical center is expanding the emergency department, with completion expected in 2008, as well as constructing a new inpatient pavilion, scheduled to open in early 2010. The Annenberg Pavilion will house 34 beds in critical care units as well as offering patient rooms fully equipped with monitoring capabilities and medication dispensing technologies⁹⁴.

John F. Kennedy Memorial Hospital

The John F. Kennedy Memorial Hospital is located at 47-111 Monroe Street in the City of Indio, approximately 25 miles south-east of the project site. This facility contains 145 beds, offers a variety of inpatient and outpatient services, and includes a 24-hour emergency room.⁹⁵

⁹³ Desert Regional Medical Center, www.desertmedctr.com, accessed July 24,2008

⁹⁴ Eisenhower Medical Center, www.emc.org, accessed July 24 2008

⁹⁵ John F. Kennedy Memorial Hospital,; www.jfkmemorialhosp.com, accessed July 24 2008

2. Impacts

The project will contribute, to a limited extent, to a cumulative increase in regional population growth. However, the project is not expected to have any significant adverse impacts on the medical facilities in the area. As independent facilities, Valley hospitals will continue to plan for growth in order to accommodate regional population increases. It is expected that all of the Valley hospitals will expand as needs are identified and that regional health care facilities will be able to adequately service the future population.

3. Mitigation measures

No mitigation measures are required.

Library

1. Existing Conditions

The City of Palm Springs Public Library is located in Sunrise Park, approximately 2 miles east of the Museum Market Plaza project site. It provides comprehensive library and information services, offers internet and computer facilities, provides a passport service and runs a wide range of public educational events and adult literacy programs. Funding for the library comes from the City's General Fund and it is administered by a board of trustees. The library serves an estimated average population of 41,275 within the City of Palm Springs, as well as approximately 10,000 additional people from surrounding communities.⁹⁶ The Welwood Murray Memorial Library is located in Downtown Palm Springs, adjacent to the proposed project, and it is a privately owned, non-profit library operated by volunteers and open to the public.

2. Impacts

The project will contribute, to a limited extent, to a cumulative increase in regional population growth. However, the project is not expected to have any significant adverse impacts on the library facilities in the area. The Palm Springs Library will continue to expand its services and facilities in accordance with the goals and priorities of the library's Strategic Service Plan 2004-2009⁹⁷. It is expected that the facility will be able to adequately service the increase in population generated by the Specific Plan and that impacts on library services will be less than significant.

3. Mitigation Measures

In order to ensure that library facilities remain adequate, the following measures shall be implemented:

⁹⁶ Palm Springs Library, 1997

⁹⁷ Palm Springs Public Library web-site, July 2008

1. The City shall continue to monitor and assess library usage rate and level of service to determine the need for additional services and facilities.
2. The City shall determine whether mitigation fees are necessary to ensure adequate levels of library service and may incorporate such fees into its master development impact fee (DIF).

Mitigation Monitoring/Reporting Program

- A. The City shall continue to monitor library needs and usage, in order to ensure good levels of library service to the entire community, and it shall determine and assess library mitigation fees where appropriate.

Responsible Party: City Planning Department, City Librarian, Project Proponent

Electricity

1. Existing Conditions

Southern California Edison (SCE) provides electricity within the City of Palm Springs and power is derived from both renewable and non-renewable resources. SCE maintain major transmission lines in the city as part of their normal distribution system. Within the Specific Plan area, underground lines are located at Indian Canyon Drive, Palm Canyon Drive, Museum Drive, Belardo Road and Tahquitz Canyon Way, with overhead lines occurring on Cahuilla Drive, south of Tahquitz Canyon Way.

2. Impacts

The Specific Plan will generate additional demand for electrical power. Based upon annual consumption factors set forth in the South Coast Air Quality Management District CEQA Handbook⁹⁸, the proposed commercial development will generate an estimated demand of 11,166,882 kwh per year, and the proposed residential development will generate an estimated demand for 5,373,308 kwh per year. Actual demand may be affected by a number of factors, including project design. Table III-34 shows factors used to determine the total electrical power demand by the project. The present supply capacity of SCE is expected to be adequate to provide for increased consumption associated with the build out of the Museum Market Plaza development.

⁹⁸

CEQA Air Quality Handbook, prepared by South Coast Air Quality Management District, April 1993.

**Table III-34
Estimated Electrical Usage Rates
Museum Market Plaza**

Land Use Type	Usage Rate	Unit Type	Units (DU/Sq. Ft.)	Annual kwh
Residential (Dwelling Units) ¹	5,626.50	kwh/unit/year	955	5,373,308
Hotel/Motel ²	9.95	kwh/sq.ft./year	498,430	4,959,382
Retail / Commercial ³	13.55	kwh/sq.ft./year	275,000	3,726,250
Office ⁴	12.95	kwh/sq.ft./year	100,000	1,295,000
Restaurant ⁵	47.45	kwh/sq.ft./year	25,000	1,186,250
			Total	16,540,190

kwh= Kilowatt Hour

Source: Terra Nova Staff Estimates based on Table A9-11-A, Electricity Usage Rate, "CEQA Air Quality Handbook," prepared by the South Coast Air Quality Management District, April 1993; and the Paradise Valley Specific Plan Land Use Table I-1, July 15, 2008.

Source: Museum Market Plaza Specific Plan, Terra Nova Planning & Research, April 2008. Usage rates are based on Table A9-11-A, Electricity Usage Rate, "CEQA Air Quality Handbook," prepared by the South Coast Air Quality Management District, April 1993.

1) Residential: includes 955 attached units including those units.

2) Hotel/Motel is an estimate of all hotels within the planning area, and is based on an average hotel room size of 803.92 square feet.

3) Retail/Commercial is estimated to be 68.75% of total projected area for office and retail (400,000 square feet) as cited in the Specific Plan.

4) Office is estimated to be 25% of total projected area for office and retail (400,000 square feet) as cited in the Specific Plan.

5) Restaurant is estimated to be 6.25% of total projected area for office and retail (400,000 square feet) as cited in the Specific Plan.

3. Mitigation Measures

No significant impacts are associated with the provision of electrical usage for the proposed development, and no mitigation measures are necessary.

Natural Gas

1. Existing Conditions

The Southern California Gas Company (SCG) provides natural gas service to the project site. An extensive system of lines occurs in the area, including 3 inch lines in Palm Canyon Drive, south of Andreas Road, and Tahquitz Canyon Way; 2 inch lines in Andreas Road, Palm Canyon Drive north of Andreas Road, Belardo Road south of Tahquitz Canyon Way, Cahuilla Road south of Tahquitz Canyon Way, and Belardo Road/Museum Drive along the northern boundary of the Specific Plan. These lines will be extended through the project site to serve development as it occurs in the Specific Plan area. SCG is a public utility and operates under the jurisdiction of the Public Utilities Commission and federal regulatory agencies. The company offers services

and programs responsive to residential and commercial requirements, and integrates energy conservation techniques.

2. Impacts

The Specific Plan will generate additional demand for natural gas. The annual consumption factors set forth in the South Coast Air Quality Management District CEQA Handbook⁹⁹ are shown in Table III-35. The proposed commercial development will generate an estimated demand for 3,509,965 cubic feet per month, and the proposed residential development will generate an estimated demand for 3,830,983 cubic feet per month. Actual demand may be affected by a number of factors, including project design. Table III-36 shows factors used to determine the total natural gas demand by the project¹⁰⁰. The present supply capacity of SCG is expected to be adequate to provide for increased consumption associated with the build-out of the Museum Market Plaza development.

Table III-35
Museum Market Plaza
Natural Gas Consumption Factors

Multi-Family Residential	4,011.5 cubic feet/unit/month
Retail/Shopping Center	2.9 cubic feet/square feet/month
Office	2.0 cubic feet/square feet/month
Hotel	4.8 cubic feet/square feet/month

⁹⁹ CEQA Air Quality Handbook, prepared by South Coast Air Quality Management District, April 1993.

¹⁰⁰ Ibid

**Table III-36
Project Natural Gas Consumption Factors
Museum Market Plaza Specific Plan**

Land Use	Natural Gas Usage Factor	Units (DU/SF)	Natural Gas Consumption (cf/mo)
Multi-Family Residential ¹	4,011.5 cubic feet/unit/month	955	3,830,983
Hotel/Motel ²	4.8 cubic feet/sq. ft./month	498,430	2,392,466
Retail / Commercial ³	2.9 cubic feet/sq. ft./month	275,000	797,500
Office ⁴	2.0 cubic feet/sq. ft./month	100,000	200,000
Restaurant ⁵	4.8 cubic feet/sq. ft./month	25,000	120,000
Total			7,340,948

Source: Terra Nova Staff Estimates based on Table A9-12-A, Natural Gas Usage Rate, "CEQA Air Quality Handbook," prepared by the South Coast Air Quality Management District, April 1993

- 1) Residential: includes 955 attached units including those units.
- 2) Hotel/Motel is an estimate of all hotels within the planning area, and is based on an average hotel room size of 803.92 square feet.
- 3) Retail/Commercial is estimated to be 68.75% of total projected area for office and retail (400,000 square feet) as cited in the Specific Plan.
- 4) Office is estimated to be 25% of total projected area for office and retail (400,000 square feet) as cited in the Specific Plan.
- 5) Restaurant is estimated to be 6.25% of total projected area for office and retail (400,000 square feet) as cited in the Specific Plan.

3. Mitigation measures

No significant impacts are associated with the provision of natural gas. The proposed development is subject to the requirements of the Uniform Building Code and Title 24 of the California Administrative Code.

Telephone

1. Existing Conditions

A wide variety of basic and state-of-the-art telephone and other services are available throughout the City of Palm Springs. Telephone and telecommunications services are provided to the project site by AT&T and Verizon, as well as by a number of smaller, independent operators. Verizon has existing underground service in Indian Canyon Drive, Belardo Road, Cahuilla Road and Museum Drive.

2. Impacts

The major service providers design their infrastructure to accommodate future growth demands and build out of the Museum Market Plaza development is not expected to impact significantly on telecommunication services. As Specific Plan development occurs, it will be connected to existing lines and services.

3. Mitigation measures

No mitigation measures are required.

Cable

1. Existing Conditions

Cable television service throughout the City of Palm Springs is provided by Time Warner Cable and there are existing underground facilities in Indian Canyon Drive, Belardo Road, Cahuilla Road and Museum Drive.

2. Impacts

The implementation of the Specific Plan will result in the extension of existing services throughout the area as development occurs. The development of the Museum market Plaza is not expected to impact significantly on Cable television services in the area.

3. Mitigation measures

No mitigation measures are required.

L. Recreational Resources

Introduction and Background

This section describes the existing condition of recreational resources within the project site and vicinity. It analyzes the potential impacts of the Specific Plan on these resources and sets forth mitigation measures that will offset project impacts. The City of Palm Springs General Plan has been used in researching and analyzing the project and its potential effects.

Thresholds of Significance/Criteria For Determining Significance

The following thresholds or criteria are not those strictly recommended in 15064 of CEQA. Rather, they are derived from Appendix G of CEQA, which is used to determine the level of potential effect. The proposed Museum Market Plaza Specific Plan will have a significant effect on recreational resources if it:

- a. Increases the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b. Includes recreational facilities, or requires the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

City of Palm Springs General Plan Policies

In the Recreation, Open Space and Conservation Element of the City of Palm Springs General Plan, the following policies apply to the proposed project.

- RC1.1 Develop high-quality park, trail, and recreational facilities that meet the varied needs of children, adults, seniors, and people with disabilities.
- RC1.2 Ensure that a minimum of five acres of developed parkland are provided for every 1,000 residents in Palm Springs.
- RC1.3 Locate and distribute parks in such a manner to serve residential areas in terms of both distance and residential density.
- RC1.5 Encourage variety in the design and intended function of park and recreational facilities to reflect the needs of the community.

1. Existing Conditions

Introduction

The City of Palm Springs is a resort community and is well provided with a wide range of recreational amenities that cater to all segments of the population. There are presently 3 Community Parks, 2 Neighborhood Parks, 3 Specialty Parks and 2 Local Parks within City limits. City owned recreational resources include 156 acres of developed parkland, 160 acres of public golf courses and several miles of developed greenbelts along major thoroughfares. Many

of the City's parks include an array of amenities together with a wide range of sports facilities. Landscaped greenbelts or parkways have been developed along a number of major and secondary thoroughfares and include meandering bike paths, walking paths and other amenities such as benches and rest areas. The City partners with local nonprofit organizations to provide a wide range of recreational programs to meet the diverse needs of all residents and visitors.

The project site is located in the downtown core of Palm Springs and all of the City's recreational facilities are within easy reach.

In addition to City owned facilities, there are numerous privately owned golf courses and other sports and recreational facilities that are open to the public.

Local Recreational Resources

Local Parks are intended to serve the recreational needs of residents and workers located within a half-mile radius, and two are located in close proximity to the Specific Plan. The 1.2-acre Frances Stevens Park is adjacent to the downtown area and provides an art center, theater, historical site and picnic tables. The park is a center for artistic, historic and cultural activities throughout the year. Baristo Park is a 2-acre Local Park located to the southeast of the project site. It has landscaped areas with picnic facilities, ball courts and play areas, and a variety of events are held annually in the park.

Three Specialty Parks are within close range of the Specific Plan. These are The Village Green Heritage Centre in downtown Palm Springs, The Wellness Park which provides 5 acres of desert landscaping with walking paths and exercise facilities, and the Palm Springs Dog Park, which provides 1.6 acres of landscaped parkland for dogs and their owners.

The City has two Neighborhood Parks with play areas, sports fields, ball-courts, landscaped picnic areas and open areas for walking, and a third, Whitewater Park, is planned for north Palm Springs.

There are three Community Parks in greater Palm Springs. To the north of the City is Desert Highland Park, which is 18 acres in size and provides sports facilities, playgrounds and landscaped picnic areas. To the east of the Specific Plan is Sunrise Park, which is a 38-acre park that includes the Palm Springs Stadium, an Olympic-sized swimming pool and a state-of-the-art Skate Park. Demuth Park is 61 acres in size and is located in southeastern Palm Springs. It is designed to serve the needs of organized sports leagues and has an array of multi-purpose fields, as well as landscaped picnic and play areas.

Throughout the City, landscaped greenbelts or parkways have been developed along a number of major and secondary thoroughfares and include meandering bike paths, walking paths and other amenities such as benches and rest areas. There are 11 golf courses in the Palm Springs area, as well as a range of privately owned recreational facilities, such as Knott's Soak City Water Amusement Park.

Regional Recreational Resources

Regional recreational opportunities in close range of the project site include the Santa Rosa and San Jacinto National Monument, the Whitewater Wilderness Study Area and the San Jacinto State Park, as well as the Murray, Andreas and Palm Canyon recreation areas which are operated by the Agua Caliente Band of Cahuilla Indians.

Quimby Act

The Quimby Act of 1975 authorizes a City to adopt a local ordinance that can require dedications of land or in-lieu fees for development of new, or rehabilitation of existing, park facilities. The fees and land shall be given to the local public agency that provides park and recreation services. The City of Palm Springs has adopted the Park Standards of the National Recreational Park Association, which require 5 acres of parkland per 1,000 persons.

2. Project Impacts

Local Recreational Impacts

At build out, the Specific Plan will result in the addition of up to approximately 2,000 people who will have a need for recreational facilities. Based on the projected population of the project, development of the Museum Market Plaza will result in the need for as much as 10 additional acres of parkland. However, the Museum Market Plaza is designed as an integrated community that offers a full range of on-site recreational amenities and entertainment options consistent with its downtown core location. The development includes several open spaces for a variety of compatible recreational uses, as well as 'living sidewalks' that are designed to accommodate ancillary recreational activities and extend the hours of active use. The Specific Plan requires that each Block, including the residential blocks, incorporate a minimum of 35% of common area open space, and a minimum of 50 square feet of private open space per unit. This requirement will assure that courtyards, pool areas and gardens are provided in each component of the project. The actual square footage to be provided will depend on building design, and could include roof-top decks or ground floor gardens. In all cases, however, the open space provided for the residents should be equivalent to the City's Quimby requirement, in order to assure that sufficient open space is provided by the project to meet General Plan policies. A mitigation measure is provided below to assure that this does occur.

Regional Recreational Impacts

Development of the Museum Market Plaza may increase to some extent the usage of existing regional parks and recreational facilities, although these impacts are expected to be less than significant in relation to the volume of current recreational users. The Museum Market Plaza is designed as an integrated community that offers a full range of active and passive on-site recreational amenities that are appropriate to its downtown location. It is expected that most recreational needs associated with the new development will primarily be satisfied locally, either on-site or within the neighboring areas of Palm Springs.

3. Mitigation Measures

1. The project proponents will participate in the city's parkland fee program/Quimby requirements, thereby off-setting any impacts associated with parks that may be generated by the employees, users and residents of the new development. The City will credit on-site open space against the requirement.

Mitigation Monitoring/Reporting Program

- A. The City's approval process shall assure that Quimby requirements are met.
Responsible Party: City Planning Department

- B. All development plans shall be reviewed by the City to assure their substantial compliance with the design parameters concerning the provision and treatments of spaces suited to appropriate recreational uses.
Responsible Party: City Planning Department

M. Transportation and Traffic

Introduction and Background

This section describes existing transportation and traffic conditions within the project site and vicinity. It analyzes the potential impacts of the Specific Plan within the context of existing and future development as identified by identifiable individual projects and background growth associated with longer-term General Plan buildout. This section also sets forth transportation-related mitigation measures that will effectively reduce project impacts to acceptable levels. A traffic impact analysis has been prepared for the project¹⁰¹ and it is included in Appendix G. The Palm Springs 2007 General Plan update and associated traffic analysis has also been used in analyzing the project and its potential effects.

The build out of the Museum Market Plaza development will replace approximately 380,000 square feet of existing commercial space, and will add hotel and residential development, which will result in a net increase in traffic on local streets and changes to the existing levels of service. The project is also expected to result in an increased demand for parking. The realignment of an existing street (Belardo Road) and the opening of private drives connecting to public streets will also change the existing circulation pattern in the area.

Thresholds of Significance/Criteria For Determining Significance

The following thresholds or criteria are derived from Section 15064 of CEQA, as well as from Appendix G of the CEQA Guidelines, which are used to determine the level of potential effect. The proposed Museum Market Plaza Specific Plan will have a significant effect on transportation and traffic if it:

- a. Causes an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)
- b. Exceeds, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways
- c. Results in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks
- d. Substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- e. Results in inadequate emergency access
- f. Results in inadequate parking capacity
- g. Conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)

¹⁰¹ "Museum Market Plaza Specific Plan Traffic Impact Study", prepared by Endo Engineering, September 2008

City of Palm Springs General Plan Policy

The Circulation Element of the City General Plan sets forth policies, which address transportation and traffic issues, and provide additional guidance related to circulation in the City's downtown through the Downtown Urban Design Plan. General Plan Circulation Element policies particularly relevant to the proposed MMP project are set forth below.

- CR1.1 Develop a system of roadways that provides travel choices and reduces traffic congestion.
- CR1.2 Preserve and extend the City's fine grid of streets to the greatest extent possible. Where possible, allow the grid of streets to curve and meander to slow traffic and to create more interesting streetscapes.
- CR1.4 Cross-section standards may be modified by the City Council to take into consideration the need for special right-of-way widths in areas where property cannot feasibly be acquired. Such modifications should be considered for projects that implement traffic-calming, projects associated with public parking facilities or structures, or for areas where it is desirable to maintain the natural terrain and prevent the scarring of the landscape. Any approved special rights-of-way widths shall be adopted through a general plan amendment and shall be noted on the Circulation Plan.
- CR1.13 Require the owner or applicant of new development projects to fund the cost to mitigate traffic impacts generated by the new development project to LOS D or better.
- CR1.15 Private roads shall be developed in accordance with the City's published engineering standards for public streets, unless otherwise approved by the City Engineer.
- CR1.16 Require developers, prior to approval of development plans, to provide increased right-of-way through land dedications to accommodate additional demand for dual left-turn and exclusive right-turn lanes, interchange improvements, bus stops and lanes, bicycle facilities or other improvements required to maintain a minimum operating LOS D at critical intersections identified in the General Plan Appendix C and Table 4-3.
- CR3.1 Provide an environment within the Central Business District along Palm Canyon Drive and Indian Canyon Drive that is suited to slower traffic speeds and more frequent pedestrian crossings.
- CR3.2 Consider the use of cross-streets (such as Amado, Andreas, and Arenas Roads) between Belardo Road and Indian Canyon Drive for use as combination street/parking and/or pedestrian zones.
- CR3.3 Extend east-west streets in the Downtown area to better integrate vehicular and pedestrian flow between Downtown and Section 14.

CR4.3 Continue to coordinate with SunLine Transit Agency to establish or modify bus stop locations to provide adequate access for local residents to destination places, such as Downtown, the airport, or the Convention Center.

Levels of Service

The “Level of Service” (LOS) is a qualitative measurement which describes operational conditions within a traffic stream and considers speed, travel time, driving comfort, safety and traffic interruptions. Levels of Service are described as a range of alphabetical connotations, “A” through “F,” which are used to characterize roadway operating conditions. LOS A represents the best, free flow conditions, and LOS F indicates the worst conditions and system failure. Levels of service are also sometimes represented as volume to capacity ratios, or vehicle demand divided by roadway capacity. As the ratio approaches 1.00, roadway operations approach LOS F.

Intersection Capacity

At intersections, the level of service is characterized by the quality of traffic flow and the length of delays. The 2000 Highway Capacity Manual (HCM)¹⁰² methodology expresses the level of service at an intersection in terms of delay time for the various intersection approaches. The procedures used to determine levels of service vary with the type of intersection controls, including signs and signals.

1. Existing Conditions

The proposed project is located in the center of the City’s downtown and is bordered or crossed by City streets, including North Palm Canyon Drive, Indian Canyon Drive, Tahquitz Canyon Way, Belardo Road, and Museum Drive. These streets all have General Plan classifications and are generally constructed to their General Plan build out paved sections. As a major resort community, Palm Springs has significant variations in traffic volumes over the course of a year, especially in the downtown area, with winter traffic volumes as much as 50% greater than summer traffic volumes. The midday peak hour traffic volumes in the study area exceed the morning peak hour traffic volumes. On weekends, the highest travel demand occurs in the midday on Saturdays and can exceed the weekday peak hour demand at some intersections.

Villagefest and other special events, festivals, and parades occur in Downtown Palm Springs periodically throughout the year. Every Thursday night, the Villagefest street fair occurs on North Palm Canyon Drive, between Amado Road and Baristo Road. The closure of North Palm Canyon Drive to southbound traffic on Thursday evenings to accommodate Villagefest activities dramatically increases traffic volumes (through traffic, local traffic, and Villagefest visitor traffic alike) on Belardo Road (between Amado Road and Baristo Road) and on Museum Drive. Traffic volumes also increase east of the study area (along Calle Encilia) during Villagefest.

¹⁰² “2000 Highway Capacity Manual,” Transportation Research Board Special Report 209; National Research Council, Washington DC.

Existing Project Traffic

The trip generation associated with the current occupancy of existing land uses on-site is approximately 6,700 external trip-ends on a typical weekday and 9,320 external trip-ends on a Saturday in the peak season which are currently using the surrounding street system in the study area for access. The existing traffic from current occupancies in the project area is quantified in the table below. It is important to note that current occupancy is approximately 23.6% of that available within existing development. The traffic associated with the full occupancy of the 380,000± square feet of leasable space has, in the past, already been accommodated by the existing roadway network. Therefore the traffic potential of existing land uses is approximately four-times that currently being realized by current levels of occupancy. Nonetheless, the following analysis provides an important frame of reference for assessing impacts of the proposed project.

Table III-37
Site Trip-Generation with Existing Land Uses^a

Land Use Category (ITE Code)	Land Use Quantity ^b	Midday Peak Hour			PM Peak Hour			Daily 2-Way
		In	Out	Total	In	Out	Total	
EXISTING LAND USE								
Weekday								
Town & Country (820)	50.977 TSF	143	160	303	193	209	402	4,380
Desert Fash. Plaza (820)	39.643TSF	121	135	256	164	177	341	3,720
Total		264	295	559	357	386	743	8,100
Saturday								
Town & Country (820)	50.977 TSF	290	268	558	--	--	--	6,040
Desert Fash. Plaza (820)	39.643 TSF	247	228	475	--	--	--	5,160
Total		537	496	1,033	--	--	--	11,200

a. Based upon trip generation data published by the ITE in *Trip Generation* (7th Edition December 2003). For the Preferred Project and all alternatives, the trip generation rates for the morning “peak hour of the generator” were utilized to forecast the midday peak hour trip generation associated with the hotel and multi-family attached residential land uses. Since the proposed number of hotel units was outside of the plotted range associated with the ITE’s peak hour trip generation data for hotels, the weighted average ITE trip generation rates for hotels were used.

b. TSF=Thousand square feet of building floor area. Rooms=Hotel rooms. DU=Dwelling Units.

The City of Palm Springs has determined that roadways and intersections shall operate at LOS D or better to maintain a successful circulation system and to be consistent with the Riverside County Congestion Management Program¹⁰³

The SunLine Transit Agency provides a bus transit service in the Specific Plan area, connecting downtown Palm Springs with neighboring parts of the city as well as to other cities in the Coachella Valley. Also see discussion on public transit below.

Existing Roadway Classifications and Improvements

The public roadways surrounding and intersecting the project are largely constructed to City General Plan Standards. The existing roadway characteristics of major streets that may be affected by the Specific Plan are briefly examined below.

Exhibit III-16, below, depicts the street system within the study area. North/south access is provided primarily by a one-way couplet formed by Palm Canyon Drive and Indian Canyon Drive. These streets are designated for one-way traffic in the study area, and typically have a somewhat greater capacity than two-way streets due to the reduced friction and because left-turn movements can be made more easily when there is no opposing traffic. Better traffic signal progression is also often possible on one-way streets. Where cross streets are also one-way, (e.g., Palm Canyon Drive at Andreas Road and Indian Canyon Drive at Andreas Road) turning movement conflicts are further reduced. The reduction in total possible movements reduces pedestrian-vehicular conflicts.

East/west access is provided primarily by Tahquitz Canyon Way, which connects downtown Palm Springs to the Resort/Convention Center District within Section 14 and the Palm Springs International Airport to the east. Tahquitz Canyon Way also provides access to the residential neighborhood located southwest of the project site.

Local access is provided by Belardo Road, Amado Road, Andreas Road, and Arenas Road. Direct site access is provided by Belardo Road, North Palm Canyon Drive, Indian Canyon Drive, Museum Drive, Cahuilla Road, Andreas Road, and Arenas Road.

Palm Canyon Drive is designated as a "Major Thoroughfare" with a variable 100 to 110-foot right-of-way. In the project area, North Palm Canyon provides three (3) one-way (southbound) travel lanes and parking on both sides of the street. The posted speed limit along Palm Canyon Drive is 30 miles per hour (MPH).

Indian Canyon Drive is designated as a "Major Thoroughfare" with a variable 100 to 110-foot right-of-way. In the project area, Indian Canyon Drive provides four northbound travel lanes and parallel parking on both sides of the street. The posted speed limit is 30 mph. Indian Canyon Drive provides direct access to and has an interchange with the Interstate 10 Freeway. In conjunction with Palm Canyon Drive, Indian Canyon Drive provides the primary north/south arterial access to Downtown Palm Springs as the northbound side of this one-way couplet.

¹⁰³ City of Palm Springs 2007 General Plan, Circulation Element.

Tahquitz Canyon Way is designated as a "Major Thoroughfare" with a variable 100 to 110-foot right-of-way, and is the most direct link between the Palm Springs International Airport and the study area. East of Indian Canyon Drive, Tahquitz Canyon Way is improved as a 4-lane divided east/west roadway with a raised landscaped median and a posted speed limit of 30 mph. West of Indian Canyon Drive, Tahquitz Canyon Way is improved as a 52-foot wide two-lane undivided street with on-street parallel parking on both sides of the roadway and sufficient pavement width for a dedicated left-turn lane at intersections. West of Museum Drive, Tahquitz Canyon Way provides access to a condominium complex. The intersections of Tahquitz Canyon Way with Palm Canyon Drive and with Indian Canyon Drive are both signalized.

Belardo Road is a north/south two-lane undivided Collector Street located approximately 325 feet west of Palm Canyon Drive (at Amado Road). South of Amado Road, Belardo Road diverts to the west to connect to Museum Drive. At Tahquitz Canyon Drive, Belardo Road again proceeds south. Belardo Road is controlled by a STOP sign at Tahquitz Canyon Way. An all-way STOP controls the intersection of Belardo Road and Arenas Road. The functional speed on Belardo Road appears to be approximately 25 mph, being affected by numerous drives and on-street parking.

Amado Road is a two-lane undivided variable width that is designated Major Thoroughfare between Belardo Road and Avenida Caballeros, and a Secondary Thoroughfare between Caballeros and Sunrise Way. Amado Road is signalized at the intersections of Palm Canyon Drive and Indian Canyon Drive. Amado Road provides a direct connection between the project site and the Spa Resort Casino and Palm Springs Convention Center. East of Indian Canyon Drive, Amado Road has sufficient pavement width to accommodate four travel lanes. The current functional speed on Amado Road in the study area appears to be 25 mph.

Andreas Road is currently improved as a two-lane undivided roadway with sufficient pavement width to accommodate four travel lanes east of Indian Canyon Drive. Between Palm Canyon Drive and Indian Canyon Drive, Andreas Road is a single lane one-way (eastbound) street with angled parking on the south side and parallel onstreet parking on the north side of the roadway. The intersection of Andreas Road and Indian Canyon Drive is signalized, and the eastbound approach is channelized to prevent eastbound through movements across Indian Canyon Drive. With the angled parking on the south side of Andreas Road, the eastbound approach is sufficiently off-set to the north of receiving lane on Andreas Road (east of Indian Canyon Drive) as to make it impractical to allow the eastbound vehicles to make a through movement. Traffic on Andreas Road currently moves at low speeds (15 mph) throughout the day.

Arenas Road is an east/west two-lane undivided roadway that extends across the southern portion of the study area, and is classified as a Secondary Thoroughfare. The intersection of Arenas Road and Cahuilla Road is two-way stop controlled with STOP signs on Cahuilla Road. The intersection of Arenas Road and Belardo Road is all-way stop controlled. The two intersections of Palm Canyon Drive and Indian Canyon Drive with Arenas Road are controlled by traffic signals. West of Indian Canyon Drive, the posted speed limit is 25 mph. East of Indian Canyon Drive, Arenas Road has angled parking on the north and south side of the street and operates with a prima facie speed of 15 mph.

Museum Drive is a north/south two-lane undivided roadway that extends from Tahquitz Canyon Way north to Belardo Road, along the western edge of the project site. Museum Drive is classified as a Collector (2-lanes undivided) and provides access to the Palm Springs Art Museum as well as parking areas for the Desert Fashion Plaza. It also serves as a de facto connector for currently separated segments of Belardo Road. The posted speed limit on Museum Drive is 25 mph. Bike lanes are located on both sides of Museum Drive/Belardo Road. On-street parallel parking is permitted on Museum Drive.

Cahuilla Road is a north/south two-lane undivided roadway, which extends south of Tahquitz Canyon Way approximately 310 feet west of Belardo Road. The two intersections of Cahuilla Road with Tahquitz Canyon Way and Arenas Road are two-way stop controlled with STOP signs on Cahuilla Road. The speed on Cahuilla Road is approximately 25 mph.

Existing Intersection Conditions

Evaluation of intersection capacities provides a realistic picture of the maximum volume of traffic that can be accommodated on urban roadways. Because intersections are generally the most constrained locations within the street systems, service levels at these points are of the highest concern.

Following coordination with the City of Palm Springs and based upon the City's significance threshold of 50 project-related peak hour trips, 13 key intersections are identified within, or in the vicinity of, the project area.

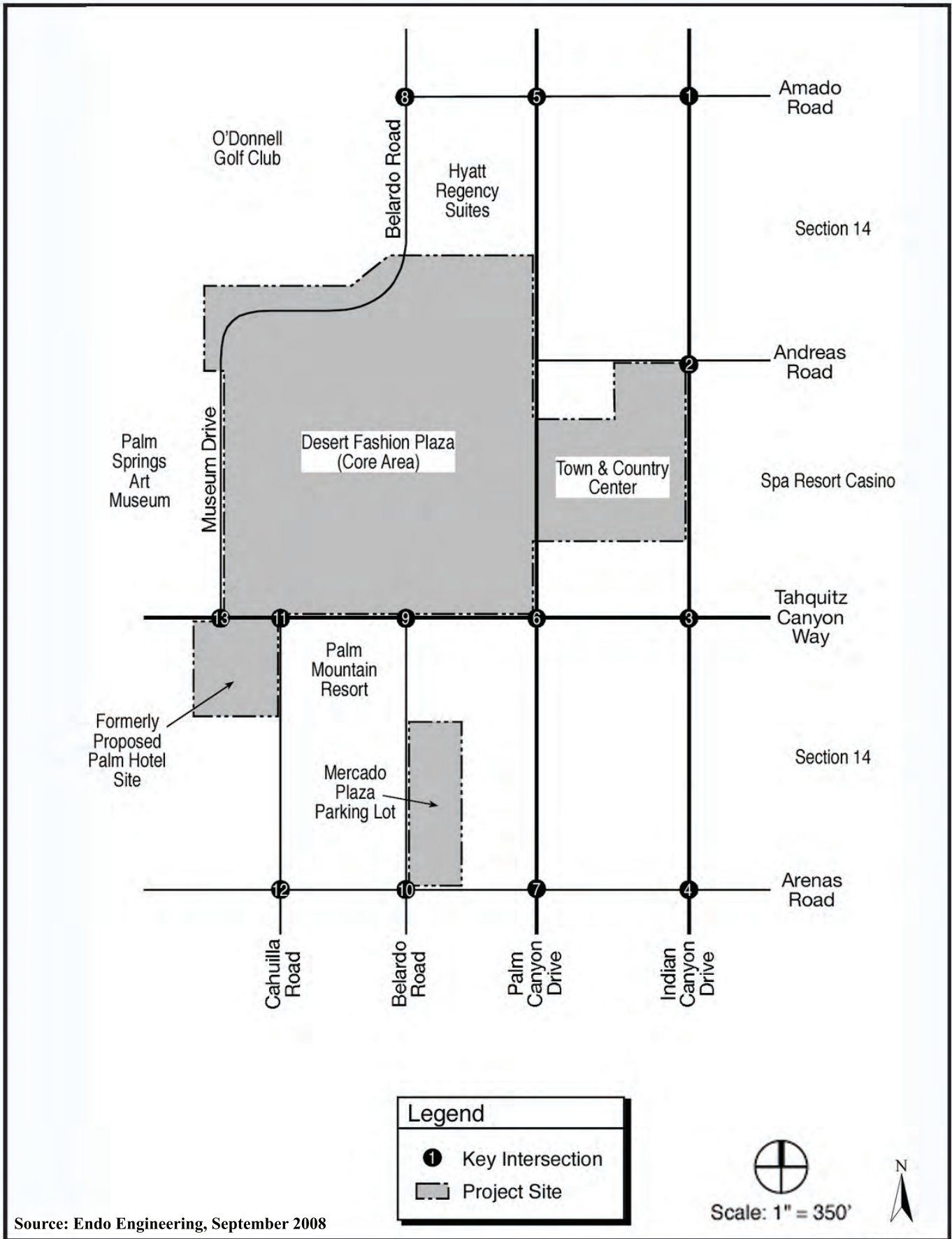
1. Indian Canyon Drive at Amado Road;
2. Indian Canyon Drive at Andreas Road;
3. Indian Canyon Drive at Tahquitz Canyon Way;
4. Indian Canyon Drive at Arenas Road;
5. Palm Canyon Drive at Amado Road;
6. Palm Canyon Drive at Tahquitz Canyon Way;
7. Palm Canyon Drive at Arenas Road;
8. Belardo Road at Amado Road;
9. Belardo Road at Tahquitz Canyon Way;
10. Belardo Road at Arenas Road;
11. Cahuilla Road at Tahquitz Canyon Way;
12. Cahuilla Road at Arenas Road; and
13. Museum Drive at Tahquitz Canyon Way.

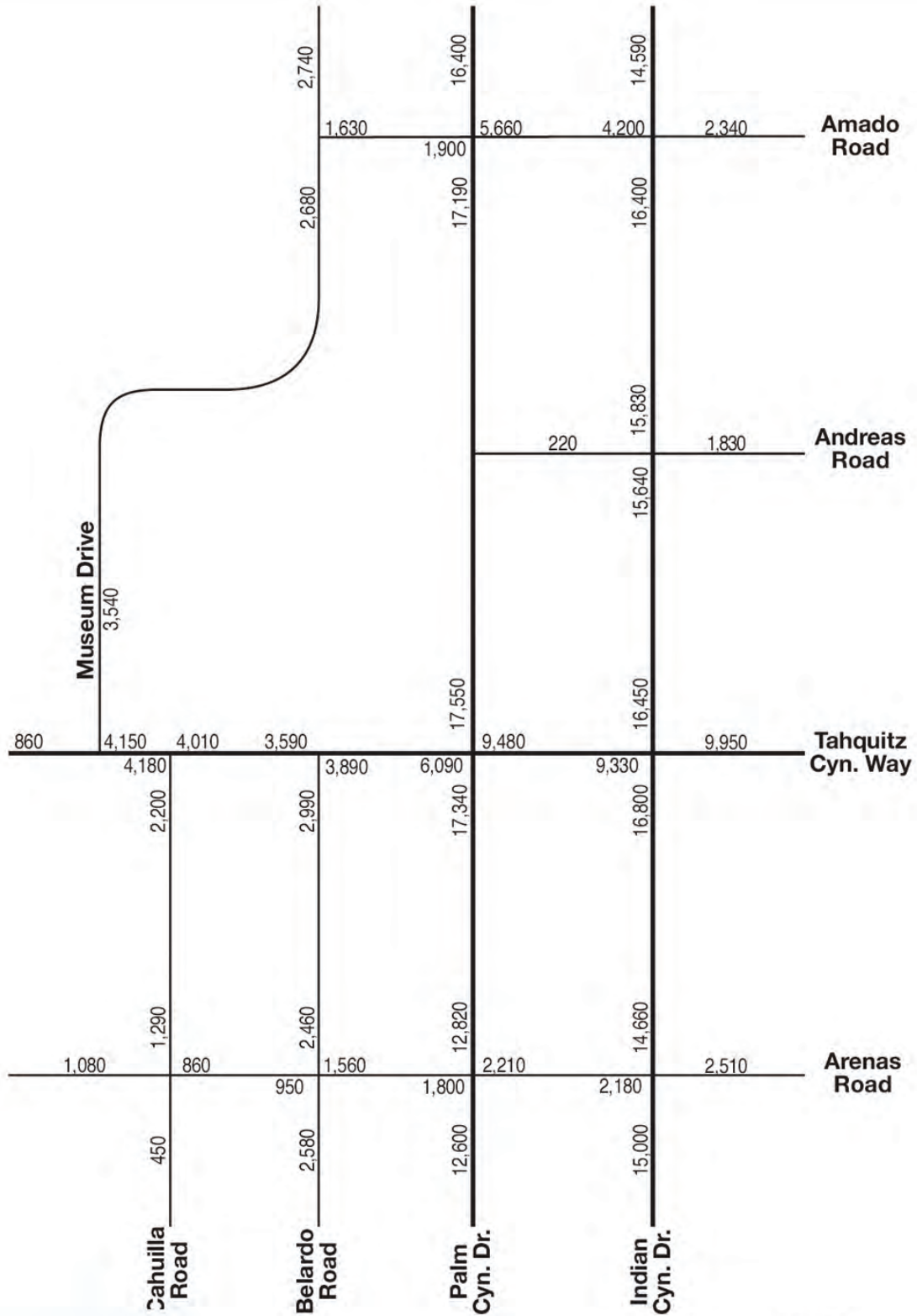
Traffic Counts and Growth Rate Assumptions

A variety of data were collected and used to analyze existing roadway operating conditions in the project area. Traffic volumes were measured at the existing key intersections providing two-hour midday peak (11:00 AM to 1:00 PM) and two-hour evening peak (4:00 PM to 6:00 PM) turning movements on Wednesday, July 9, 2008 at six key intersections, adjusted for seasonality. Peak hour traffic volumes available from previous studies for the remaining key intersections were also evaluated and used in the analysis. Twenty-four hour machine traffic counts were also made on Wednesday, Thursday, and Saturday (July 9, 10, and 12, 2008) on five of the study area

roadways. The resulting 24-hour traffic count data (see Appendix G of this EIR) was used to identify an appropriate seasonal correction factor for the peak hour intersection count data collected on the same three days at the key intersections in the study area. Seasonal adjustments were also made by comparing the 24-hour traffic count data collected with peak season traffic counts published by CVAG, peak season counts in other traffic studies for the area, and City of Palm Springs traffic count data.

Based upon historical traffic counts compiled by the City and CVAG on Palm Canyon Drive, average weekday traffic volumes in the study area have remained approximately constant for the past thirteen years. Therefore, the traffic counts were corrected to reflect the peak season, but the recent traffic counts did not include an annual traffic growth rate.





Scale: 1" = 350'



Source: Endo Engineering, September 2008



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**Museum Market Plaza Specific Plan Draft EIR
Existing Weekday Traffic (ADT)
Palm Springs, California**

Exhibit

III-17

The majority of the intersections studied for this project are currently operating at LOS D or better. This analysis is based on recent peak period traffic counts collected in July 2008.

**Table III-38
Existing Intersection Conditions and Level of Service**

Intersection (Reference Number)	Mid-Day Peak Hour		Evening Peak Hour	
	Delay ^a (Sec./Veh.)	V/C Ratio (LOS)	Delay ^a (Sec./Veh.)	V/C Ratio (LOS)
TYPICAL WEEKDAY				
Indian Canyon Drive @				
- Amado Road (1)	5.8	0.31 (A)	5.5	0.29 (A)
- Andreas Road (2)	3.4	0.23 (A)	3.1	0.22 (A)
- Tahquitz Canyon Way (3)	18.0	0.57 (B)	17.4	0.57 (B)
- Arenas Road (4)	6.2	0.27 (A)	6.3	0.24 (A)
Palm Canyon Drive @				
- Amado Road (5)	9.3	0.52 (A)	7.7	0.36 (A)
- Tahquitz Canyon Way (6)	15.2	0.51 (B)	17.4	0.55 (B)
- Arenas Road (7)	6.0	0.31 (A)	6.3	0.24 (A)
SATURDAY				
Indian Canyon Drive @				
- Amado Road (1)	10.3	0.55 (B)	-	-
- Andreas Road (2)	3.7	0.35 (A)	-	-
- Tahquitz Canyon Way (3)	26.0	0.82 (C)	-	-
- Arenas Road (4)	7.5	0.48 (A)	-	-
Palm Canyon Drive @				
- Amado Road (5)	11.8	0.67 (B)	-	-
- Tahquitz Canyon Way (6)	19.4	0.73 (B)	-	-
- Arenas Road (7)	7.0	0.49 (A)	-	-

a. Based upon the 2000 *Highway Capacity Manual* Signalized Operation Methodology implemented by the latest release (Version 4.1e) of the Highway Capacity Software (HCS 2000). LOS is the intersection level of service. LOS was determined from the delay (≤ 10 sec./veh.=LOS A; >10 and ≤ 20 sec./veh.=LOS B; >20 and ≤ 35 sec./veh.=LOS C; >35 and ≤ 55 sec./veh.=LOS D; >55 and ≤ 80 sec./veh.=LOS E; >80 sec./veh. = LOS F) per 2000 HCM page 10-16.

Public Transportation Services

SunLine Transit Agency is the regional public transit agency operating a variety of bus and multi-passenger vehicles in Palm Springs and the Coachella Valley. SunLine Transit is a joint powers authority created by the nine cities of the Coachella Valley, as well as the County of Riverside. There are six routes that currently serve the City of Palm Springs, including Route No. 24, which serves the museum area. There are two additional SunBus lines that pass through or adjacent to the study area. Line 111 is the major trunk line, which is interconnected with eleven

smaller community feeder routes that provide access to every community in the Valley. Buses on line 111 enter the study area by traveling west on Tahquitz Canyon Way and travel north on Indian Canyon Drive. Line 111 also extends along Palm Canyon Drive with a major stop at Baristo Road. Lines 24 and 14 also serve the project planning area.

2. Project Impacts

With implementation of the MMP Specific Plan, Belardo Road would be extended northerly from its current termination at Tahquitz Canyon Drive and through the proposed development to connect with the existing north leg of this roadway. The current direct (dog leg) connection via Museum Drive would be maintained by private parking lanes, providing continued emergency/secondary access but not a public road connection. A new connection to Museum Drive and the Palm Springs Art Museum would be provided by the proposed Museum Way, a private road that would connect Belardo Road and North Palm Canyon with Museum Drive. The proposed Belardo Road extension and private Museum Way would provide enhanced pedestrian-oriented treatment.

The Specific Plan also proposes a second private east/west drive to be constructed north of and parallel with Museum Way, between Palm Canyon Drive and Belardo Road. Although the precise location of this roadway has not been determined, it would be south of Andreas Road, between planning block Block A and Block B. The existing surface parking lot in Block J would be replaced by a three-level parking structure providing 500 parking spaces, 75 of which would be reserved for the Mercado Plaza.

The MMP Specific Plan project would maintain a minimum of three travel lanes on North Palm Canyon Drive, and would provide angled parking on that portion of the west side of this roadway between Museum Way and Tahquitz Canyon Drive. The balance of parking along North Palm Canyon Drive will be parallel-parked. Indian Canyon Drive would retain four northbound travel lanes, with parallel parking on both sides of the street.

Project Traffic Impact Analysis

The analysis of traffic impacts associated with the MMP Specific Plan involves several steps of data and information collection, calculations of project trip generation, the modal split, and trip distribution and assignment. The analysis also involves projections of future traffic associated with buildout of the City General Plan and known development projects the implementation of which is reasonably anticipated.

Trip Distribution

Trip distribution is the directional orientation of traffic to and from the project site. The geographical location of the site, especially in relation to downtown hotel and residential development, employment centers and service providers, has the greatest influence on how traffic is distributed. Traffic distribution is also significantly affected by the local and regional roadway network, which impacts decisions about which routes to take to and from the development. The directional orientation of project traffic has been determined by evaluating existing and planned land uses, major roadways in the project area, existing traffic patterns and volumes, and through consultation with City staff.

Modal Split

In order to conduct the most conservative analysis possible, the traffic reducing potential of public transit has not been considered in the subject traffic analysis. Public transit has the potential to substantially reduce the number of trips generated by the site and is further discussed in the mitigation section. Therefore, for purposes of this analysis, all traffic is presumed to be individual vehicles rather than mass transit.

Trip Distribution and Assignment

The general directional characteristics of project traffic are determined and given a general distribution on the roadway network. Finally, traffic is assigned to specific streets, whether currently existing or planned for construction. The character of the trips generated, distribution characteristics and existing and planned roadways that will serve the project are considered in trip assignment.

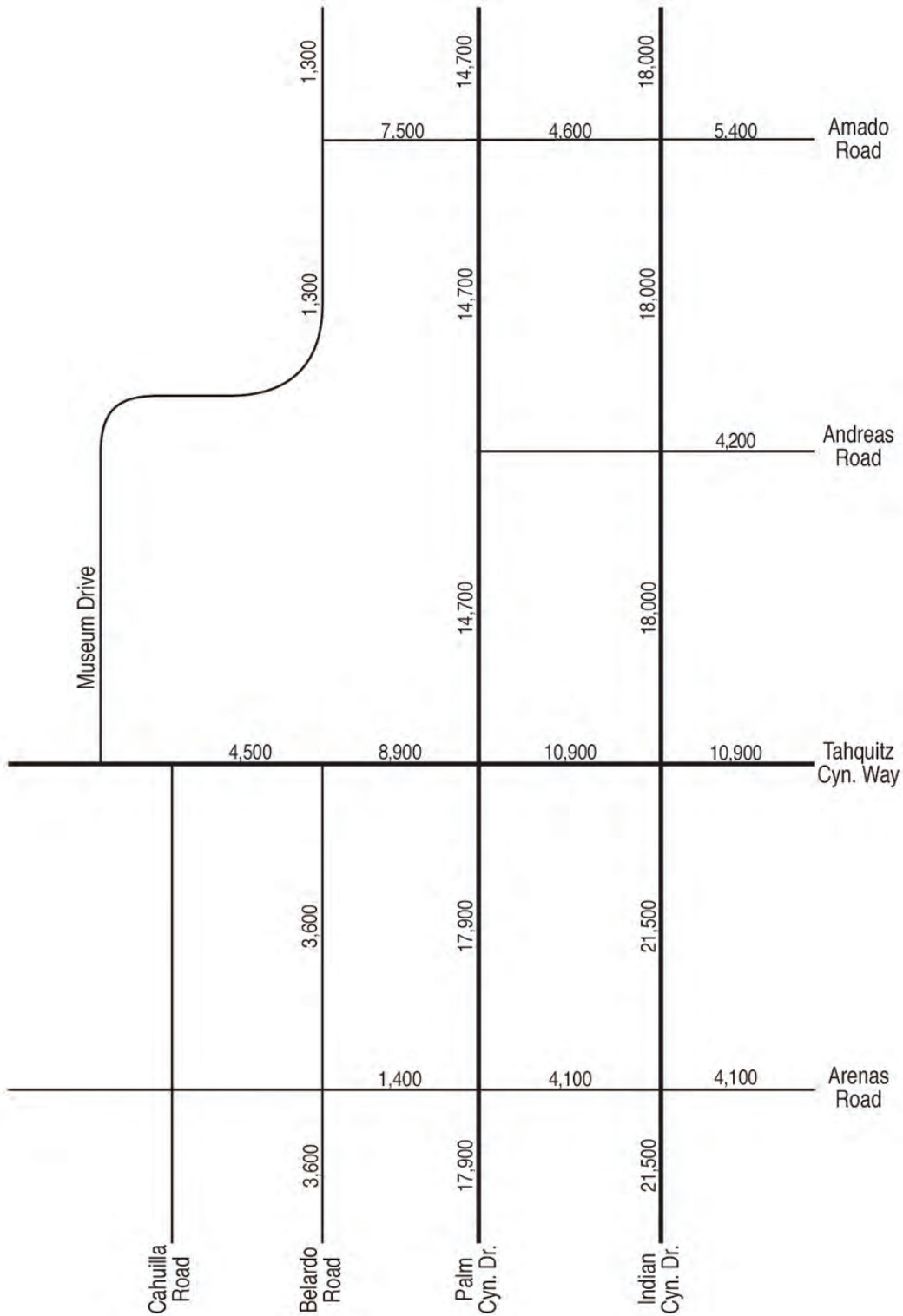
Trip Generation

Trip generation represents the amount of traffic that is attracted to a site or that is produced by the development that occurs there. The various components of the Museum Market Plaza Specific plan project are comprised of a planned 300,000± square feet of commercial retail, 100,000 square feet of professional office, 600 hotel rooms and 955 high-density residential units. Trip generation rates for the project are based on data collected by the Institute of Transportation Engineers (ITE).¹⁰⁴ For traffic impact analysis purposes, build-out of the Museum Market Plaza is expected to occur in 2016.

A functional efficiency that tempers the project's trip generation is the 'internal capture' of trips within the project, trips that would otherwise end up on area roadways. Internal capture is the reduction in the overall traffic volumes due to the compatible and complementary mix of land uses within the project site. Internal capture rates are based on data collected by the Institute of Traffic Engineers.¹⁰⁵ The trip generation forecast for the proposed project set forth in Table III-39 has been adjusted to reflect internal trip interactions.

¹⁰⁴ Institute of Transportation Engineers (ITE), "Trip Generation Manual," 7th Edition, 2003.

¹⁰⁵ Ibid



Scale: 1" = 350'



Source: Endo Engineering, September 2008

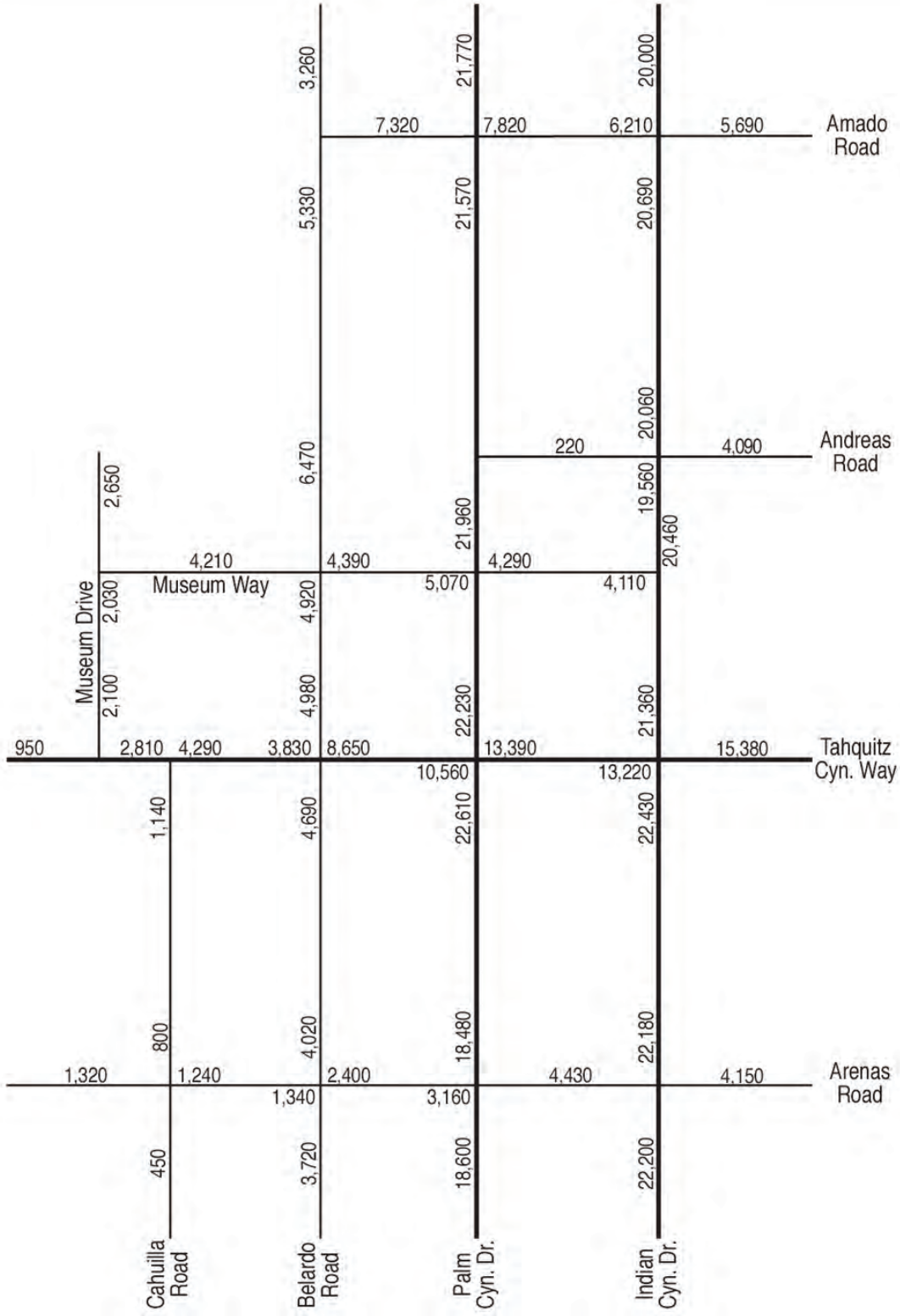


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**Museum Market Plaza Specific Plan Draft EIR
General Plan Build-Out Weekday ADT Without Project
Palm Springs, California**

Exhibit

III-18



Source: Endo Engineering, September 2008

Scale: 1" = 350'



**Museum Market Plaza Specific Plan Draft EIR
General Plan Buildout Weekday ADT With Project
Palm Springs, California**

**Exhibit
III-19**

Table III-39
Museum Market Plaza Adjusted Site Trip-Generation
Year 2016 Project Build-out

On-Site Alternative (Scenario Evaluated)	Trip Type	Midday Peak Hour			PM Peak Hour			Daily 2-Way
		In	Out	Total	In	Out	Total	
Weekday	Unadjusted	1,107	988	2,095	1,059	1,133	2,192	24,200
	Adjusted	1,036	917	1,953	978	1,052	2,030	22,400
	Internal	142	142	284	162	162	324	3,600
	External	965	846	1,811	897	971	1,868	20,600
Saturday	Unadjusted	1,327	1,244	2,571	--	--	--	27,740
	Adjusted	1,256	1,173	2,429	--	--	--	26,060
	Internal	142	142	284	--	--	--	3,360
	External	1,185	1,102	2,287	--	--	--	24,380

- a. Based upon trip generation data published by the ITE in *Trip Generation* (7th Edition December 2003). For the Preferred Project and all alternatives, the trip generation rates for the morning “peak hour of the generator” were utilized to forecast the midday peak hour trip generation associated with the hotel and multi-family attached residential land uses. Since the proposed number of hotel units was outside of the plotted range associated with the ITE’s peak hour trip generation data for hotels, the weighted average ITE trip generation rates for hotels were used.
- b. TSF=Thousand square feet of building floor area. Rooms=Hotel rooms. DU=Dwelling Units.
-

Year 2030 Levels of Service at Key Intersections

As discussed above, intersections represent the most constrained portion of the roadway network. The following tables set forth the impacts of the project and background traffic in the Year 2030, which for analysis purposes is the assumed General Plan buildout period. Analysis was conducted for both signalized and unsignalized intersections.

Table III-40
Museum Market Plaza, Year 2030
Weekday Peak Hour LOS At Unsignalized Intersections ^a

Intersection (Reference Number)	Mid-Day Overall Avg. at AWSC Minor St. Approach at TWSC		PM Overall Avg. at AWSC Minor St. Approach at TWSC	
	Delay ^b (Sec./Veh.)	Level of Service	Delay ^c (Sec./Veh.)	Level of Service
Belardo Road @				
- Amado Road (8)	11.7	LOS B	11.6	LOS B
- Museum Way (14)	[10.94]	[LOS B]	[10.90]	[LOS B]
- Tahquitz Canyon Way (9) ^d	24.0	LOS C	21.1	LOS C
- Arenas Road (10)	[8.54]	[LOS A]	[8.31]	[LOS A]
Cahuilla Road @				
- Tahquitz Canyon Way (11)	10.1	LOS B	9.5	LOS A
- Arenas Road (12)	9.6	LOS A	9.7	LOS A
Museum Drive @				
- Tahquitz Canyon Way (13)	9.7	LOS A	9.1	LOS A

- a. Delay=average control delay for the left-turn move from the major street that exhibits the most delay at TWSC intersections. Values shown in brackets reflect intersections with all-way stop control.
- b. The values shown in brackets reflect intersections that are all-way stop controlled.
- c. Delay=average control delay for the intersection approach that exhibits the most delay.

Table III-41
Museum Market Plaza, Year 2030
Weekday Peak Hour LOS At Signalized Key Intersections ^a

Intersection (Reference Number)	Mid-Day Peak Hour		Evening Peak Hour	
	Delay (Sec./Veh.)	V/C Ratio (LOS)	Delay (Sec./Veh.)	V/C Ratio (LOS)
Indian Canyon Drive @				
- Amado Road (1)	8.2	0.47 (A)	7.8	0.45 (A)
- Andreas Road (2)	3.5	0.31 (A)	3.3	0.28 (A)
- Museum Way (16)	5.4	0.41 (A)	5.7	0.44 (A)
- Tahquitz Canyon Way (3)	26.0	0.83 (C)	24.2	0.80 (C)
- Arenas Road (4)	7.6	0.47 (A)	7.6	0.40 (A)
Palm Canyon Drive @				
- Amado Road (5)	12.4	0.72 (B)	9.2	0.50 (A)
- Museum Way (15)	7.7	0.57 (A)	7.4	0.51 (A)
- Tahquitz Canyon Way (6)	19.9	0.73 (B)	23.2	0.78 (C)
- Arenas Road (7)	8.2	0.47 (A)	8.1	0.41 (A)

- a. An eight percent truck mix and the existing traffic control and intersection approach lane geometrics were assumed. Based upon Version 4.1e of the HCS 2000 software.

Table III-42
Museum Market Plaza, Year 2030
Saturday Peak Hour LOS At Signalized Key Intersections ^a
(Peak Season 11:00 AM-1:00 PM)

Signalized Intersection	Year 2030 Peak Hour		
	Delay ^a (Sec./Veh.)	Critical V/C Ratio	LOS ^b
Indian Canyon Drive @			
- Amado Road (1)	10.2	0.55	LOS B
- Andreas Road (2)	3.6	0.34	LOS A
- Museum Way (16)	6.1	0.42	LOS A
- Tahquitz Canyon Way (3)	22.5	0.77	LOS C
- Arenas Road (4)	8.0	0.51	LOS A
Palm Canyon Drive @			
- Amado Road (5)	10.3	0.62	LOS B
- Museum Way (15)	8.9	0.58	LOS A
- Tahquitz Canyon Way (6)	19.0	0.70	LOS B
- Arenas Road (7)	8.2	0.52	LOS A

- a. Delay = Intersection Control Delay (seconds per vehicle). An eight percent truck mix and the existing traffic control and intersection approach lane geometrics were assumed. Based upon Version 4.1e of the HCS 2000 software
- b. LOS is the intersection level of service. LOS was determined from the delay (≤ 10 sec./veh.=LOS A; >10 and ≤ 20 sec./veh.=LOS B; >20 and ≤ 35 sec./veh.=LOS C; >35 and ≤ 55 sec./veh.=LOS D; >55 and ≤ 80 sec./veh.=LOS E; >80 sec./veh. = LOS F) per 2000 HCM page 10-16.

Table III-43
Traffic Signal Warrant Analysis Summary ^a

Scenario For Which Warrant Was Checked	Weekday Peak Hour	Saturday Highest Hour	Villagefest Highest Hour
- Belardo Road at Amado Road (8)	No	No	Yes
- Belardo Road at Tahquitz Cyn. Way (9)	No	No	No
- Belardo Road at Arenas Road (10)	No	No	No
- Belardo Road at Museum Way (14)	No	No	Yes
- Palm Canyon Drive and Museum Way (15)	Yes	Yes	No
- Indian Canyon Drive and Museum Way (16)	Yes	Yes	No

As indicated in the above tables, in the peak season of the year 2030, all of the key intersections are projected to meet the City of Palm Springs minimum performance standard of LOS D *in the midday and evening peak hours* on typical weekdays without off-site mitigation. The levels of delay at the intersections evaluated with two-way stop control would be within the range considered acceptable by the City of Palm Springs on weekdays in the year 2030.

In the peak season of the year 2030, all of the Specific Plan key intersections are projected to meet the City of Palm Springs minimum performance standard of LOS D *in the midday peak hour on Saturdays* without mitigation.

Villagefest Traffic Impacts

On Thursday evenings the City holds its downtown Villagefest street fair, which involves the closing of a portion of North Palm Canyon adjacent to the project. The traffic analysis prepared for the MMP Specific Plan indicates that in the year 2030 during the hours the Villagefest is underway, the intersection of Belardo Road and Arenas Road is projected to operate at LOS F with all-way stop control. Although signalization would allow this intersection to operate at acceptable levels of service, urban signal warrants do not appear to be met by the projected peak hour traffic volumes at this intersection in the year 2030.

Also during Villagefest in 2030, the intersection of Belardo Road and private Museum Way on-site is projected to operate at LOS F with all-way stop control with the proposed project. This intersection appears to require signalization during Villagefest to meet the City of Palm Springs minimum performance standard.

On Thursday evenings in the year 2030 when Villagefest is underway and Palm Canyon Drive is closed to southbound traffic, the westbound (Amado Road) approach to the intersection of Belardo Road is projected to operate at LOS F with the existing two-way stop control. Signalization may be necessary at this intersection to maintain acceptable levels of minor-street control delay during the evening hours on Villagefest Thursdays; under these special, short-term conditions, urban peak hour traffic signal volume warrants appear to be met during this period.

If signalization is not desirable to accommodate Villagefest traffic, the following alternatives may be considered: (1) closure of the north leg of Belardo Road at Amado Road to permit the westbound left-turn movement to proceed unimpeded; (2) the provision of a traffic control officer to manually direct traffic during peak hours; and (3) the provision of remote parking at underutilized parking lots with shuttles to Villagefest activities.

With the proposed project, traffic signals would be warranted and required to meet the City minimum intersection performance standard at the proposed intersection of Palm Canyon Drive with Museum Way and at Indian Canyon Drive with Museum Way.

By eliminating a segment of the existing bike lanes on both sides of Belardo Road between the northern site boundary and Museum Drive, the vacation of right-of-way proposed along Belardo Road/Museum Drive would adversely affect the connectivity and continuity of the existing recreational bike trails in the area as well as access to the Las Palmas Loop, the Heritage Trail, the City-wide Loop, and the Downtown Loop bike trail.

The Specific Plan would substantially increase the number of pedestrians crossing roadways at-grade within the downtown, including Palm Canyon Drive and Indian Canyon Drive. Pedestrian travel typically peaks during the lunch hour in Central Business Districts when volumes will likely be double the average flow. The provision of Museum Way as a pedestrian corridor would create a critical connection between the downtown core area and the City's resort amenities (including the convention center, casino, and hotels in Section 14). The pedestrian flows are expected to be greatest along the Palm Canyon Drive, Indian Canyon Drive, and Tahquitz Canyon Way block faces. Therefore, a major east/west pedestrian boulevard located along Museum Way which connects Indian Canyon Drive to Palm Canyon Drive appears to provide the requisite connectivity while minimizing conflicts with motorists entering and leaving the site.

The proposed project would substantially increase the demand for public transportation services within the downtown core area. The transit service improvement plan recently developed by the SunLine Transit Agency would reduce the significance of this impact by increasing access to public transportation along Indian Canyon Drive via Routes 14, 30, and 111.

The Specific Plan would adversely impact the General Plan street system within the study area by providing angled parking on the west side of Palm Canyon Drive. The sight distance for motorists backing out of the angled parking spaces would be very poor when large vehicles (minivans, SUVs, RVs or delivery trucks) were parked beside them, restricting the driver's view of approaching traffic until they backed a considerable distance into the travel lane to get a clear view around the adjacent vehicle. Approaching drivers would be forced to react suddenly to unexpected mid-block conflicts by braking to a stop to avoid collisions, with the additional concern of being rear-ended. A major thoroughfare (such as Palm Canyon Drive and Indian Canyon Drive) that has numerous vehicles backing out of angled parking spaces into the adjacent travel lane cannot safely accommodate high traffic volumes and would have substantially higher crash rates with angled parking than parallel parking.

The proposed project would adversely impact the General Plan street system by deleting an existing "Collector" street link (Belardo Road/Museum Drive) shown in the current Circulation Element of the Palm Springs General Plan. The proposed improvement of Belardo Road across the site to Tahquitz Canyon Way as a private street with on-street angled parking would make through traffic movements secondary to the provision of short-duration on-street parking and access to the abutting development. Studies have shown that angled parking results in substantially higher accident rates than parallel parking in Central Business Districts. Although the capacity of Belardo Road does not appear to be of concern with year 2030 weekday or Saturday traffic volumes, Belardo Road is projected to operate near the capacity of a two-lane street during Villagefest, especially near the intersection of Museum Way. With the need to maintain capacity and pedestrian safety along Belardo Road, as well as the risk of higher accident rates associated with angled parking, Belardo Road should not provide angled parking through the study area.

The Specific Plan would increase the number of pedestrians and the demand for pedestrian facilities on-site when compared to the existing uses. Pedestrian facilities need to be provided to

link the parking areas with the proposed uses to provide easy and safe access throughout the project site. Pedestrian crossings of Palm Canyon Drive and Indian Canyon Drive should be provided in conjunction with the east/west streets to take advantage of the required traffic signal control.

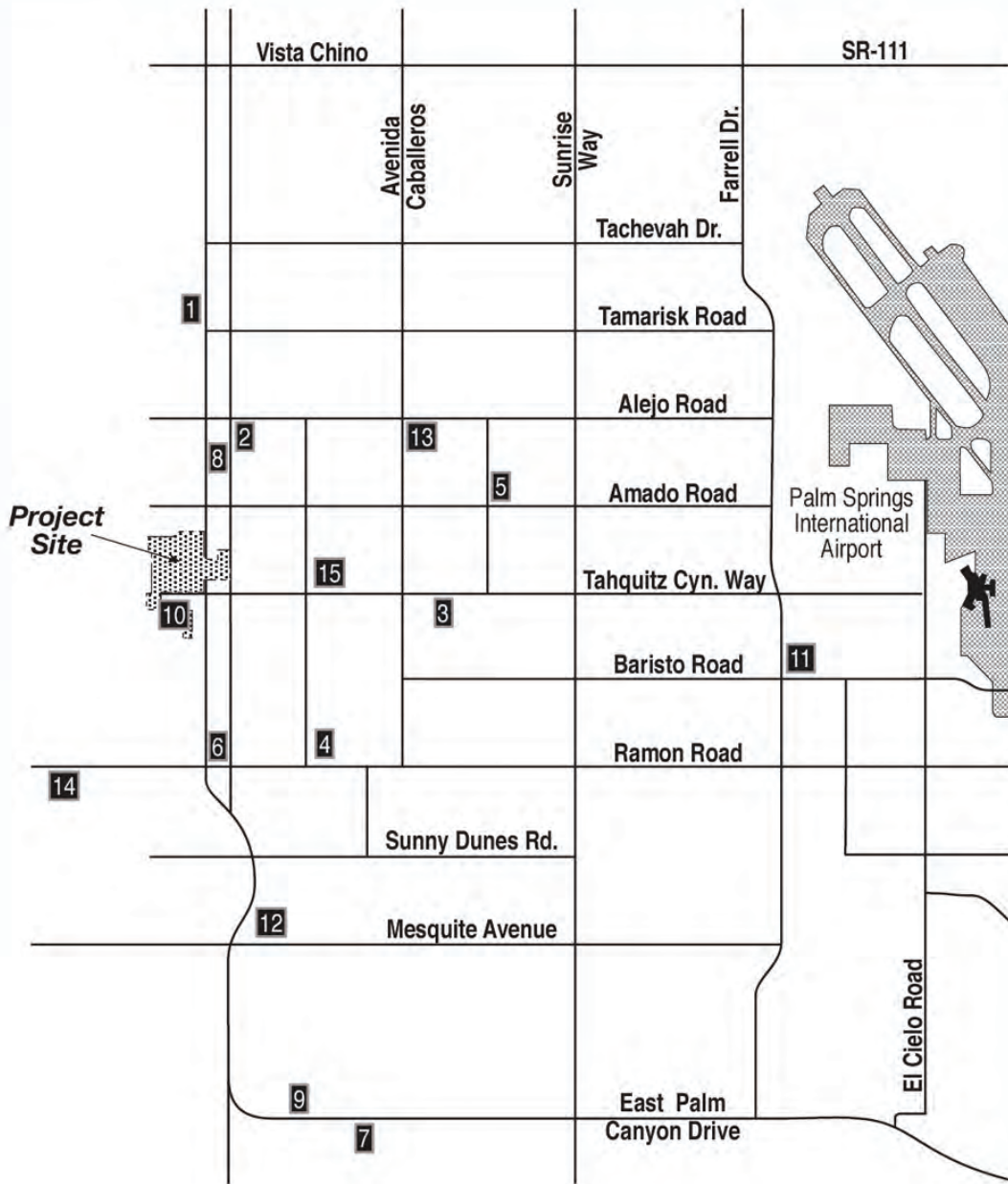
With Palm Canyon Drive closed during Villagefest, Belardo Road provides the shortest access to the area west of Palm Canyon Drive for the Palm Springs Fire Department. If Belardo Road/Museum Drive is vacated and abandoned as proposed, the extension of Belardo Road must be extended across the project site to Tahquitz Canyon Way. The Belardo Road extension must have adequate capacity to provide acceptable levels of service at all times (including during Villagefest) to maintain acceptable response times by emergency services responding to calls from areas west of Palm Canyon Drive.

The proposed project would increase the demand for off-street parking and short duration on-street parking within the immediate project vicinity. The project would eliminate some of the off-street parking spaces that have been used to meet the peak parking demands generated by the land uses within Downtown Palm Springs. However, new parking facilities will be constructed at various locations throughout the project site. It may be necessary for the applicant to have a shared parking study prepared for City review and approval as well as enter into new shared parking agreements to assure sufficient off-street parking to satisfy the peak parking demands generated by the mixed-use development proposed within the Museum Market Plaza Specific Plan site. Up to 25 percent of the required parking for the Specific Plan area may be provided through the payment of in lieu fees.

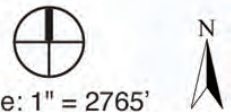
The Specific Plan would increase traffic volumes on Palm Canyon Drive at the existing pedestrian crosswalks located north and south of Andreas Road and would also increase the number of pedestrians using these crosswalks to reach the proposed development as well as the casino, the convention center, and various resorts within Section 14. These increases may adversely affect the safety of pedestrians using these crosswalks by increasing the potential for vehicle-pedestrian collisions. Provided that adequate intersection sight distance and minimum stopping sight distance is maintained along Palm Canyon Drive, the adverse effect should not be significant, as these crosswalks have been designed and constructed with appropriate features to facilitate the safe and efficient movement of large numbers of pedestrians.

Cumulative Projects

In coordination with the City of Palm Springs, fifteen cumulative projects have been identified that will generate traffic through the study area once they are developed. The location of each of the cumulative developments is shown in Exhibit III-20, and Trip Generation Forecasts are set forth in tables 4-3 included in Appendix G of this EIR. Unadjusted trip generation forecast was based upon a direct application of the peak hour of the generator trip generation rates and regression equations published by the ITE *Trip Generation* (Seventh Edition). Additional information on the cumulative projects analyzed can be found in Tables 4-3 and 4-4 of the MMP Traffic Impact Study in Appendix G of this EIR.



Legend					
1	Palm Canyon @ Tamarisk	6	TTM 33514	11	TTM 33341
2	TTM 31104	7	Camino Real, LLC	12	TTM 33575
3	Agua Caliente Museum	8	Rael Development	13	TTM 34165
4	Village Traditions	9	TTM 32378	14	TTM 34938
5	TTM 33936	10	Palm Mountain Resort Hotel	15	TTN 35600



Source: Endo Engineering, September 2008



**Museum Market Plaza Specific Plan Draft EIR
Cumulative Developments in Vicinity
Palm Springs, California**

It should be noted that cumulative projects are those that have not to date (2008) but can be reasonably expected to eventually make their respective contributions to area traffic in the foreseeable future. The analysis also includes an annual growth rate in background traffic, which when computed with cumulative projects overstates the likely traffic that will be realized by future development. Nonetheless, the cumulative projects traffic analysis provides some insight into how the compounding effects of existing, project and approved development will affect the area roadways in the near to mid-term. The project traffic analysis estimates that cumulative projects will generate 17,190 average daily trips. Figure 4-3 of the project traffic impact study (see Appendix G) shows the assignment of traffic associated with the cumulative projects.

Proposed Street Circulation System

The public roadways surrounding the project will be constructed to City General Plan standards, with limited exceptions. As discussed in section 2 Project Impacts, the proposed introduction of Sections impacts on both pedestrian safety and traffic flow. Street cross-sections as proposed in Exhibit III-21 are consistent with the MMP Specific Plan and are briefly described below.

North Palm Canyon Drive is constructed at its ultimate right of way of 80 feet. The Specific Plan proposes to alter the layout of the roadway to provide 45 degree angled parking on the west side of this street south of proposed private Museum Way, and parallel parking will remain on the east side, with three south-bound travel lanes being maintained. The roadway plans also provide 15 feet of sidewalk on each side of the street.

Indian Canyon Drive is developed at its ultimate right-of-way. The Specific Plan will maintain existing conditions of four northbound travel lanes. Parallel parking is proposed.

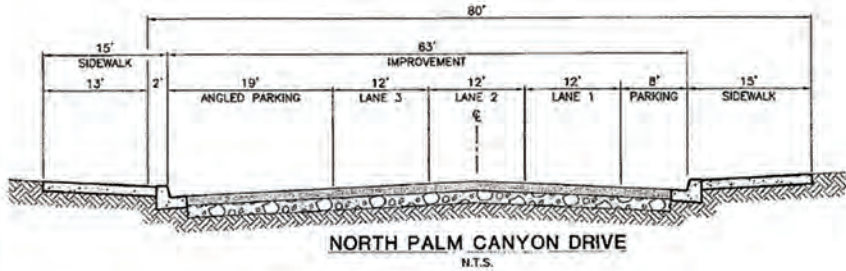
Tahquitz Canyon Way is constructed to a paved width of 50 feet within an 88-foot right-of-way. The 2007 General Plan classification for this roadway is as a Major Thoroughfare; however, west of Indian Canyon Drive Tahquitz Canyon is constructed to Collector standards with a 60 to 66 foot right of way. In the Specific Plan area, the north side of Tahquitz Canyon will be designed to provide one lane of westbound traffic, a center turn lane, and parallel parking within a 26 foot half-width. A 14-foot sidewalk will be provided on the north side of Tahquitz Canyon.

Belardo Road will be extended through the Specific Plan area with a 62-foot right-of-way, to allow one lane of travel in each direction, and 45 degree angled parking on each side. A 12-foot sidewalk will also be provided on each side of the road.

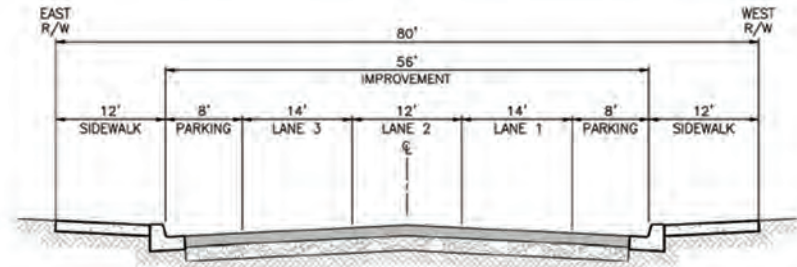
Museum Drive is a public street that will continue to provide 48 feet of right-of-way, with a single travel lane in each direction, and parallel parking adjacent to the Specific Plan frontage. A 12-foot sidewalk will be provided adjacent to the Specific Plan on the east side of this street.

Museum Way will be a new private east-west drive proposed through the center of the Specific Plan that will extend from Museum Drive on the west to Indian Avenue on the east. It will be constructed within a 60.8-foot right of way, and will accommodate one lane of traffic in each direction, with 45-degree angled parking on each side of this roadway.

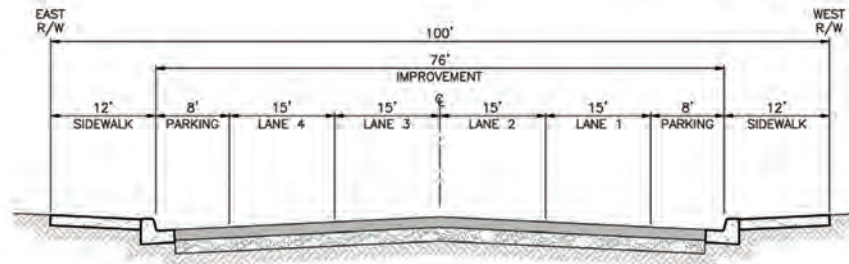
Additional drives and access roads may be designed as part of the development of each block. All such roads and drives are proposed to be private, and will be designed within a 36-foot right-of-way, with one lane of traffic in each direction, with no on-street parking, but with the provision of 6-foot sidewalks on each side. These and other design details will be subject to subsequent review and approval by the City, consistent with the development standards and guidelines set forth in the MMP Specific Plan.



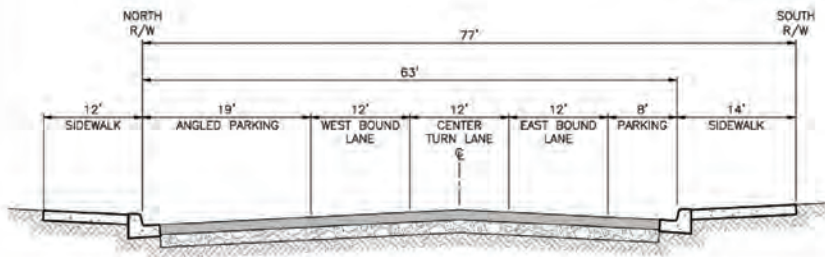
NORTH PALM CANYON DRIVE
N.T.S.



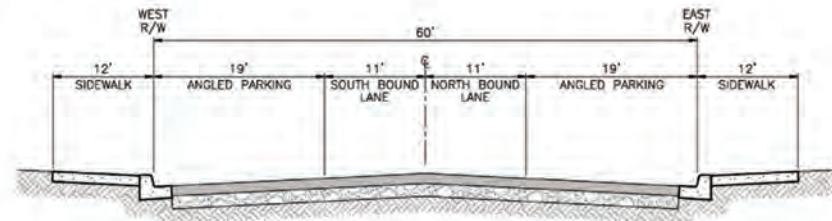
NORTH PALM CANYON DRIVE - NORTH OF MUSEUM WAY
N.T.S.



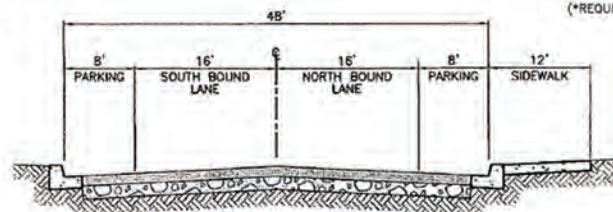
NORTH INDIAN CANYON DRIVE
N.T.S.



TAHQUITZ CANYON WAY
N.T.S.



BELARDO DRIVE / MUSEUM WAY
(*REQUIRES MASTER PLAN OF ACCESS FOR FIRE DEPARTMENT)
N.T.S.



MUSEUM DRIVE
N.T.S.

Sources: Endo Engineering, September 2008
MSA Consulting, Inc., August 2008



Emergency Access

Emergency access throughout the Museum Market Plaza has been planned in a manner consistent with the requirements of emergency service providers and the Palm Springs Municipal Code. Implementation of the Specific Plan is therefore not expected to result in inadequate emergency access to any part of the site or impede emergency access to any neighboring areas. However, it must be noted that with Palm Canyon Drive closed during Villagefest, Belardo Road provides the shortest access to the area west of Palm Canyon Drive for the Palm Springs Fire Department and other emergency service providers.

If Belardo Road/Museum Drive is vacated as proposed, the extension of Belardo Road should be extended across the project site to Tahquitz Canyon Way also as proposed. The Belardo Road extension should have adequate capacity to provide acceptable levels of service at all times (including during Villagefest) to maintain acceptable response times by emergency services responding to calls from areas west of Palm Canyon Drive. It should be noted that the Specific Plan provides for parking facilities that will provide through-access that emulates the current connection between the north leg of Belardo Road and Museum Drive. Emergency access should also be enhanced by these improvements, as well as by the connectivity provided by proposed Museum Way.

Proposed Project Parking Plan

The provision of adequate parking is an essential element of the proposed project and its success. The MMP Specific Plan is embedded in the downtown commercial core of the City and is expected to take advantage of passerby traffic of both drivers and pedestrians. Therefore, at least some of the project's parking demand associated with commercial services is relieved by parking being provided by other developments and the City. Project parking is provided at a level consistent with City requirements and within on-site subterranean and above grade parking structures, as well as will on-site surface parking and on-street parking.

Project Parking Demand

The Specific Plan would increase the demand for off-street parking and short-duration, on-street parking within the immediate project vicinity. The project would eliminate some of the off-street parking spaces that have been used to meet the peak parking demands generated by the land uses within Downtown Palm Springs. However, new parking facilities will be constructed at various locations throughout the project site, which will replace existing parking lost to the new development and to accommodate the parking needs of planned future development. The MMP Specific Plan provides adequate parking for the various uses in conformance with City parking standards.

Proposed On-Street Angled Parking

Most of the streets in the study area currently permit parallel on-street curb parking. Parking bays have been constructed along both sides of North Palm Canyon Drive and Indian Canyon Drive to provide for the short-duration parking needs of abutting uses while minimizing the potential for adverse impacts on capacity and safety that are typically associated with on-street parking along arterial streets.

The conceptual plans for Museum Market Plaza would increase the on-street parking supply by providing diagonal, 45-degree angle on-street parking spaces along: both sides of Museum Way, the extension of Belardo Road through the Specific Plan area, and Street “A/B” (to be located between Block A and B). In addition, Palm Canyon Drive would be modified to provide diagonal parking along the west side of the street and south of proposed Museum Way, but would retain the existing parallel parking elsewhere along this roadway. Indian Canyon Drive currently provides four travel lanes and parallel parking on both sides of the roadway.

Angled on-street parking has been widely used in central business districts that support a wide variety and scale of commercial and other services. In addition to providing more parking than parallel parking, angled parking poses certain consequences on traffic capacity and safety. Angled on-street parking should only be allowed under certain circumstances, depending on the specific function and width of the street, the adjacent land uses, the traffic volume, and anticipated traffic operations. Angled parking presents special problems because of the varying length of vehicles and the sight distance obstructions associated with vans, SUVs and other over-size vehicles. The extra length of such vehicles may also interfere with the traveled way if parking angles are too obtuse, parking stalls are of inadequate depth or adjacent travel lanes are too narrow.

Angled parking along streets with even moderate traffic volumes has been demonstrated to increase accident rates compared to parallel parking. With angled parking, it is often difficult to clearly see approaching vehicles before backing out into the flow of traffic in the advancing travel lane. The accident rate for angled parking on streets has been found to be approximately three times greater than that for parallel parking. For this reason, angled parking is generally limited to use within parking lots, where travel speeds are very low and the need to efficiently accommodate through travel is not a design consideration.

Where possible, angled parking should be avoided on narrow high-speed high-volume streets. Based upon the findings of numerous traffic studies of the effects of angled parking on accident rates, the provision of angled parking on North Palm Canyon Drive, as proposed, would adversely impact traffic capacity and safety and would be expected to increase the mid-block accident rate substantially. On-street parking maneuvers on two-lane streets can also reduce the roadway traffic capacity by one-third.

The MMP project proposes to include angled parking along the east and west sides of Belardo Road within the project boundaries. The capacity of Belardo Road does not appear to be significantly compromised with year 2030 weekday or Saturday traffic volumes. However, as noted above Belardo Road is projected to operate near the capacity of a two-lane street during the few hours of Villagefest each week, especially near its intersection with Museum Way.

The MMP Specific Plan would construct 45-degree angled parking spaces where they are proposed. Although 45-degree angled parking provides 18 percent fewer parking spaces than 60 degree angled parking, 45-degree angled spaces require only 11 feet of pavement width for maneuvering space to complete the parking maneuver. With a typical lane width of 12 feet, departing vehicles will still block the advancing lane but would not be likely to encroach on the opposing travel lane.

With 45-degree angled parking, 18.4 feet of pavement width would be occupied by a single row of parking stalls adjacent to the curb (each 9 feet wide and 17 feet long). An additional 12 feet of pavement width would be required for the advancing travel lane. Therefore, a minimum roadbed or paved section 60.8 feet wide would be required to provide two 12-foot travel lanes with 45-degree angled parking on both sides of the roadway.

While the impacts of angled parking along Belardo may not rise to the level of significance during most periods, the design and location of angled parking should be given thoughtful consideration. Also, to the extent intersection levels of service are affected by angled parking, design of such facilities should limit impacts to intersections to the greatest extent practicable.

Alternative Transportation

The SunLine Transit Agency provides bus transit service in the Specific Plan area, with three lines connecting downtown Palm Springs with neighboring parts of the City and other cities in the Coachella Valley. Buildout of the Museum Market Plaza is not expected to have any significant impact on the existing public transportation structure, as the service presently provided by the SunLine Transit Agency has available capacity¹⁰⁶. The project as a whole is designed to the human scale, and in addition to encouraging the use of public transport it also facilitates pedestrian activity and bicycling.

Summary of Impacts

Based on the analysis of existing and future traffic conditions, the Specific Plan intersections in the planning area are projected to operate at acceptable levels of service during weekday and Saturday peak hours, with the roadway and traffic signal improvements, and other mitigation measures set forth below and in the Museum Market Plaza Traffic Study¹⁰⁷.

Emergency access throughout the Museum Market Plaza planning area will be consistent with the requirements of emergency service providers and the Palm Springs Municipal Code.

Although Implementation of the Specific Plan is not expected to result in inadequate parking capacity, proposed angled parking could affect roadway capacity and safety where proposed along Belardo Road and North Palm Canyon Drive. The alignment and distribution of proposed angled parking on these two streets will need to be thoughtfully analysed at the time of proposed development projects implementing the MMP Specific Plan to assure adequate right-of-way for all facilities.

Implementation of the proposed project is not expected to have any significant impact on the public transportation system, which will be expanded to meet additional demand. The project as a whole is designed to encourage pedestrian activity and bicycling, and limits certain impacts by virtue of design.

¹⁰⁶ Sunline Transit Agency: www.sunline.org; July 2008.

¹⁰⁷ Museum Market Plaza Specific Plan Traffic Impact Study, prepared by Endo Engineering, September 2008.

3. Mitigation Measures

Mitigation Overview

The City Engineer has reviewed the traffic study submitted for the Museum Market Plaza (MMP) Specific Plan, has determined that it has been prepared in accordance with City standards, and that City staff generally concur with the findings relative to traffic impacts. The City General Plan circulation policies require a minimum of Level of Service 'D' at intersections potentially impacted by project traffic. The study indicates that it is possible to achieve adequate levels of service for potentially affected intersections and is therefore considered consistent with applicable General Plan policy.

As discussed above, the proposed MMP Specific Plan project is expected to have an incremental impact on local and regional traffic conditions, adding to previously realized traffic associated with the use of the subject lands. With the incorporation of mitigation measures listed below, the overall impacts will be reduced to levels that are less than significant and will maintain required levels of service.

Additional measures will be taken to further reduce potential impacts during both the construction and operational phases of the project. It is also understood that the actual phasing of development at the MMP Specific Plan site may differ from that shown in the Conceptual Phasing Plan shown in the Draft Specific Plan. The following on-site and off-site improvements are recommended to accommodate project access and circulation needs.

General Mitigation Measures

1. The project proponent shall dedicate appropriate right-of-way, as needed, to accommodate the ultimate improvement of all General Plan public roadways within and adjacent to the project site to accommodate additional demand for exclusive right-turn lanes, bus stops and lanes, bicycle facilities or other improvements required to maintain a minimum operating LOS D at intersections.
2. Master planned roadways shall be improved on and adjacent to the site in accordance with the approved design standards specified in the Museum Market Plaza Specific Plan.
3. Private roads shall be developed in accordance with the approved design standards specified in the Museum Market Plaza Specific Plan or, where not provided in the Specific Plan, with City's published engineering standards for public streets, unless otherwise approved by the City Engineer.
4. Where necessary and appropriate, the project proponent shall implement the Specific Plan and provide bikeways and associated facilities on and/or adjacent to the project site, The goal of this measure is to reconnect the existing recreational bike trails in the area known as the Las Palmas Loop, the Heritage Trail, the Citywide Loop, and the Downtown Loop that would be disconnected as a result of the removal of the segment eliminated by the vacation and abandonment of Belardo Road/Museum Drive proposed.

The developer, may be required prior to approval of development plans, to provide right-of-way through land dedications to accommodate the City's network of trails and non-motorized routes.

5. The project proponent shall provide off-street parking and loading facilities for the proposed development, as specified in the development standards and guidelines within the Museum Market Plaza Specific Plan. Loading spaces shall be provided which meet the requirements of Section 93.07.01 of the Palm Springs Municipal Code. The off-street parking layout shall be subject to the review and approval of the City Engineer.
6. The project proponent shall provide accessible parking spaces and accessible parking aisles (96 inches wide and designated "Van Accessible") that are ADA compliant. If valet parking facilities are provided, an accessible passenger-loading zone shall also be provided on an accessible route to the entrance of the facility. If passenger-loading zones are provided on-site, then at least one passenger loading zone shall be ADA accessible.
7. The project proponent shall provide accessible routes of travel (including compliant curb ramps, sidewalks, and other improvements) along all public streets and within all public spaces and common areas, in accordance with current ADA guidelines and standards.
8. The project proponent shall contribute traffic impact mitigation fees, by participating in the Traffic Uniform Mitigation Fee (TUMF) program.

Mitigating Intersection Improvements

The following table summarizes the improvements needed at on-site and key intersections by the Year 2030 buildout period. Certain proposed mitigation measures set forth below and associated with addressing traffic conditions during Villagefest may be substituted with other measures or appropriate Conditions of Approval that adequately address these short-term impacts. The table also indicates the approximate project share of projected intersection traffic expected in 2030, and shall serve as the basis for assigning responsibility for improvements or appropriate levels of fee mitigation.

**Table III-44
Required Intersection Improvements (2030)**

Intersection Improvement	Project-Related Contribution To Future Traffic Growth
<p>WEEKDAY AND SATURDAY REQUIRED MITIGATION</p> <p>Palm Canyon Drive @ Museum Way</p> <ul style="list-style-type: none"> - install a traffic signal - construct an eastbound through lane - construct an eastbound right-turn lane^a - construct a westbound through lane - construct a westbound left-turn lane^a 	<p>Project Share of Traffic Increase = 68.22%</p>
<p>Indian Canyon Drive @ Museum Way</p> <ul style="list-style-type: none"> - install a traffic signal - construct an eastbound left-turn lane 	<p>Project Share of Traffic Increase = 49.90%</p>
<p>Belardo Road @ Museum Way</p> <ul style="list-style-type: none"> - install an all-way stop - construct a northbound approach lane - construct a southbound approach lane - construct an eastbound approach lane - construct a westbound approach lane 	<p>Project Share of Traffic Increase = 97.09%</p>
<p>Belardo Road @ Tahquitz Canyon Way</p> <ul style="list-style-type: none"> - install a two-way stop, with STOP signs on Tahquitz Canyon Way - stripe a northbound left-turn lane - construct a southbound left-turn lane - construct a southbound through/right-turn lane - stripe an eastbound left-turn lane - stripe a westbound left-turn lane 	<p>Project Share of Traffic Increase = 90.59%</p>
<p>ADDITIONAL MITIGATION ON VILLAGEFEST THURSDAY</p> <p>Belardo Road @ Amado Road</p> <ul style="list-style-type: none"> - install a traffic signal 	<p>Project Share of Traffic Increase = 59.32%</p>
<p>Belardo Road @ Museum Way</p> <ul style="list-style-type: none"> - install a traffic signal - add a northbound left-turn lane^a - add a southbound left-turn lane^a 	<p>Project Share of Traffic Increase = 97.09%</p>
<p>Belardo Road @ Arenas Road</p> <ul style="list-style-type: none"> - install a traffic signal - add a northbound left-turn lane^a - add a southbound left-turn lane^a 	<p>Project Share of Traffic Increase = 60.36%</p>

Specific Mitigation Measures

The following additional and specific mitigation measures are also recommended to further reduce potential circulation, site access and/or parking impacts associated with the proposed project.

1. The intersection approach lanes and traffic controls at the on-site and off-site key intersections shall be improved in a timely manner that preserves acceptable levels of service and consistent with the recommendations outlined in Figures 5-1 through 5-7 of the MMP Traffic Impact Study¹⁰⁸.
2. To accommodate projected year 2030 traffic volumes at acceptable levels of service with Villagefest traffic and the closure of Palm Canyon Drive, three additional intersections will require signalization: (1) Belardo Road at Amado Road, (2) Belardo Road at Museum Way, and (3) Belardo Road at Arenas Road.
3. To maintain the necessary roadway capacity while minimizing congestion, Belardo Road should be improved as a public “Collector” street. On-street parking should be restricted on the approaches to intersections to assure adequate intersection sight distances, particularly in the vicinity of Museum Way.
4. Detailed street and parking plans proposing angled parking along Belardo Road and Palm Canyon Drive shall be submitted to the City Engineer for approval. The subject facilities shall be designed to limit the impacts of angled parking on roadway capacity and the potential for increased accidents.
5. Final subdivision maps and development plans identifying locations of structures, access drives, parking and other circulation components shall be submitted to and approved by the City for each implementing component of the Specific Plan.
6. Adequate vehicle stacking capacity shall be provided at the access drives to all parking structures to assure that cars waiting for entry to the parking garages on-site do not obstruct the adjacent street, particularly in the peak travel periods.
7. Clear unobstructed sight distances shall be maintained at the unsignalized site driveways, site access intersections, and internal intersections. All driveways with traffic exiting across public sidewalks shall have a clear sight triangle inside the property measuring 8 feet by 8 feet to allow driver visibility of pedestrians on the sidewalk. Screening fences or shrubbery shall not produce view obstructions at driveways or intersections.
8. All off-street parking areas constructed on-site shall be adequately illuminated with properly shielded ground-level and mounted lighting fixtures that promote user safety,

¹⁰⁸ Museum Market Plaza Specific Plan Traffic Impact Study, prepared for Terra Nova Planning and Research by Endo Engineering, September 2008

defensible space and security, as well as to minimize the potential for vehicle-pedestrian collisions.

9. Proposed on-site loading facilities shall be designed in a manner that precludes trucks from backing into or out of the loading facilities from a public street, or to be required to use any public street for parking. All areas used by trucks shall be set at appropriate grades, properly drained, paved, and maintained.
10. The project proponent shall coordinate with SunLine Transit Agency and the City to assure that adequate provisions are made for public transit facilities on-site.
11. The project proponent shall contribute on a fair-share basis to the cost of circulation improvements required within the study area.

Mitigation Monitoring/Reporting Program

- A. The project proponent, or other responsible party, shall submit detailed development and off-site roadway improvement plans to the City for approval. Said plans shall be reviewed by staff to assure their compatibility and conformance with the originally approved development plans, as conditioned, and the mitigation measures cited above and in the project traffic report. Phasing of improvements shall be permitted as determined appropriate to assure their installation while ensuring the necessary level of traffic control and safety.
Responsible Party: Palm Springs Planning and Public Works Departments, Project Proponent
- B. The project proponent shall incrementally pay Transportation Uniform Mitigation Fees (TUMF) and other transportation improvement fees required by the City of Palm Springs.
Responsible Party: Project Proponent, Palm Springs Planning and Public Works Departments
- C. SunLine Transit Agency shall review project transit-related plans and materials, and provide recommendations on facilities and programs that will optimize the use of SunLine services in the project planning area.
Responsible Party: SunLine Transit Agency, Project Developer
- D. The City shall require that future subdivision and/or development plans include clearly delineated pedestrian and bike paths, and bicycle parking facilities
Responsible Party: Palm Springs Planning Department, Project Proponent
- E. The City shall require that each phase of development provide adequate emergency access consistent with the requirements of emergency service providers and the Palm Springs Municipal Code.
Responsible Party: Palm Springs Planning Department, Fire Marshall, Project Proponent.

- F. The City shall require that subdivision and/or development plans for each phase of development include parking facilities that meet the requirements of the City's parking ordinance. If applicable, the developer may be required to pay in-lieu fees consistent with Section 96.06.00 of the Palm Springs Zoning Ordinance.
Responsible Party: Palm Springs Planning Department, Project Proponent.

N. Utilities and Service Systems

Introduction and Background

This section of the EIR describes the existing utilities and service systems at the project site, the vicinity and regionally, and analyzes the potential constraints, risks and opportunities associated with these existing conditions. It assesses the potential impacts of the proposed Specific Plan relative to these utilities and service systems and sets forth mitigation measures that may be effective in reducing impacts. A wide range of resources, including personal communication with service providers has been used in researching and analyzing the impacts associated with the project's utilities/service systems. These are further discussed under Existing Conditions, below.

Thresholds of Significance/Criteria For Determining Significance

Standards and criteria have been drawn from a variety of sources, including Appendix G Environmental Checklist Form of the California Environmental Quality Act (CEQA) Guidelines, the Palm Springs General Plan. In order to adequately address the impacts that may arise from the development of the Museum Market Plaza project site, and to suggest appropriate mitigation measures, the following factors should be considered.

California Environmental Quality Act (CEQA) Guidelines

The following thresholds or criteria are derived from Section 15064 of CEQA, as well as from Appendix G of the CEQA Guidelines, which are used to determine the level of potential effect. The proposed Museum Market Plaza Specific Plan will have a significant effect on utilities and service system if it:

- a. Conflict with or obstruct construction of new public utilities or facilities, including above-ground and subsurface energy, fuel or telecommunication transmission facilities.
- b. Conflict with or obstruct the operation and maintenance of existing public utilities or facilities including above-ground and subsurface energy, fuel or telecommunication transmission facilities.
- c. Result in substantial adverse physical impacts associated with or create substantial impediments to the provision of new or physically altered government facilities.
- d. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- e. Require or result in the construction of new or wastewater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- f. Require or result in the construction of new stormwater drainage facilities or expansion

of existing facilities, the construction of which could cause significant environmental effects.

- g. Not have sufficient water supplies available to serve the project from existing entitlements and resources, or new expanded entitlements are needed.
- h. Have inadequate landfill capacity to accommodate the project's solid waste disposal needs.
- i. Fail to meet the water supply assessment requirements of Water Code Section 10910, et seq. (SB610), and the requirements of Government Code Section 664737 (SB 221).
- j. Fail to result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- k. Not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- l. Fail to comply with federal, state, and local statutes and regulations related to solid waste.
- m. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or create a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives for fire protection, police protection, schools, parks, and other public facilities.

Palm Springs General Plan

The Palm Springs General Plan recognizes the need to provide adequate and safe utility systems and facilities to support the City's existing and proposed land uses. The Plan's Recreation, Open Space & Conservation, Housing, Safety, and Community Design Elements include policies relevant to the proposed project and are set forth below.

- RC8.4 Achieve the mandated waste reduction and recycling objectives set forth by the California Integrated Waste Management Board and implement a program to recycle construction and demolition debris, in particular concrete and gravel products.
- RC8.11 Utilize solar technologies to replace conventional water heating, as well as space cooling and heating requirements, whenever possible.

- RC9.2 Encourage the responsible management and use of water resources through appropriate water conservation measures, financial incentives, and regulations.
- RC9.5 Protect the quality and quantity of water from adverse impacts of development activities so that sufficient water is available to sustain habitats and wildlife.
- CR10.5 Require that new development be contingent upon the project's ability to secure appropriate infrastructure services.
- CR10.6 Require developers of new projects to pay for the costs of construction and expansion water, sewer/wastewater, storm drainage improvements and other public utilities necessitated by that development.
- CR10.7 Require developers to notify utility agencies of their intent to develop a site early in the development process to provide sufficient time to plan for necessary capital improvements.
- CR10.10 Require new projects to connect with the City's storm/sewer system unless a hardship can be demonstrated. If septic systems must be used require installation of septic systems to meet State Water Resources Control Board Standards.
- CR10.14 Continue to implement a fee schedule to assess new development on a prorated basis for the cost of new sewer and storm drainage systems.
- CR10.15 Encourage all large-scale turf and irrigation projects to use tertiary treated water when feasible.
- HS4.4 Encourage the conservation of water resources through the incorporation of native plant landscaping and noninvasive species that are specially adapted to the desert climate.
- HS4.6 Continue to require, monitor, and enforce National Pollutant Discharge Elimination System permits and appropriate best management practices.
- SA4.8 Ensure that public and private water distribution and supply facilities have adequate capacity and reliability to supply both everyday and emergency firefighting needs.
- SA8.22 Develop an ongoing water system program that will provide adequate water supply for firefighting purposes within the City.
- CD7.1 Encourage the use of native desert plants and trees that require minimal water and maintenance.

- CD8.2 Require that developers incorporate appropriately sized vegetation and provide sufficient watering and maintenance in the landscaping of the project site that will provide a mature-looking landscape within three to five years of installation.
- CD15.5 Encourage the use of permeable paving materials to increase onsite percolation and reduce stormwater runoff.
- CD29.6 Encourage the use of solar energy systems and energy- and water- conserving appliances.
- CD29.8 Encourage on-site design practices that reduce stormwater runoff, including on-site retention, permeable paving, and increased native landscaping.

Solid Waste Management

1. Existing Conditions

The Museum Market Plaza site is located within the City of Palm Springs, which is provided solid waste disposal services by Palm Springs Disposal Services. Palm Springs Disposal Services transports solid waste from Palm Springs to Edom Hill Transfer Station in Cathedral City. Edom Hill is permitted to receive 2,600 tons of waste per day as a transfer station. From Edom Hill, waste is trucked to Lamb Canyon Sanitary Landfill in Beaumont, approximately 24 miles west of Palm Springs. Lamb Canyon Sanitary Landfill is permitted to accept 3,000 tons of waste per day. The remaining capacity of the landfill is approximately 20,908,000 cubic yards of waste and its estimated closing date is 2023.

Palm Springs Disposal Services uses Badlands Landfill in Moreno Valley as an alternate disposal site. Badlands is permitted to receive 4,000 tons of waste per day and has a remaining capacity of approximately 21,866,000 cubic yards. Its estimated closing date is 2016.¹⁰⁹

Source Reduction and Recycling

The Integrated Waste Management Act (AB939) was passed in 1989 and implemented in 1990. The purpose of this bill was to require every city and county in California to reduce solid waste by 25% by the year 1995 and 50% by 2000. Primarily the reduction has been accomplished through waste management plans that provide recycling services and green waste disposal services.

Hazardous Waste

As of February 9, 2006, California's "Universal Waste Rule" exemption expired, making it illegal to dispose of certain types of household hazardous wastes in the trash. These materials must now be properly disposed of at Hazardous Waste Collection Facilities. The term "household hazardous waste" refers to common batteries, electronic devices, fluorescent lights, mercury containing products, and aerosol cans. Collection facilities in Riverside County do not

¹⁰⁹ "City of Palm Springs General Plan," adopted October 2007.

accept explosives, bio-hazards, and radioactive material, but they will accept batteries, anti-freeze, waste oil, and water based paint, as well as other items. Riverside County Environmental Health Department has lists of contractors that will dispose of commercial hazardous waste for a fee.

2. Impacts

Development of the subject property will result in increased population that will generate additional solid waste, including construction materials, green waste, and municipal solid waste.

As currently proposed, the project will result in construction of 955 multi-family units. Based on solid waste generation rates provided by the California Integrated Waste Management Board, residential development in the Specific Plan area will generate approximately 1,120 tons of solid waste per year. Commercial development will include commercial retail and office development, which is expected to generate approximately 960 tons of solid waste annually. These estimates are based on buildout of the Specific Plan as shown in the land use plan. Solid waste generation will depend on actual development at buildout.

Land uses proposed under the Specific Plan are not anticipated to produce unusually high quantities of solid waste or hazardous waste materials. However, the proposed Specific Plan will result in an increase in the volume of solid waste generated over time. In order to ensure the safe and cost-effective disposal of solid waste generated by development in the Specific Plan area, monitoring of waste management is necessary. Development within the Specific Plan will be required to provide recycling receptacles at commercial establishments and within multi-family development.

The City of Palm Springs contracts with Palm Springs Disposal Services (PSDS) to provide for the City's recycling. Currently, the program includes both commercial and residential (single-family and multifamily) recycling. Waste is currently brought to the Edom Hill Transfer Station, which will accept and recycle or transfer waste from the City to other landfills, such as Lamb Canyon Landfill in Beaumont. In 2004, the City of Palm Springs diverted 60 percent of their solid waste, 10 percent more than the 50 percent diversion rate required by the State of California. Local governments are subject to fines of up to \$10,000 per day if the waste-diversion goals are not met (CIWMB 1999).¹¹⁰

3. Mitigation Measures

In order to ensure that impacts associated with solid waste disposal are further reduced, the following mitigation measures shall be implemented:

1. The developer shall implement recycling programs for all components of the development project.

¹¹⁰ "City of Palm Springs General Plan Update Draft EIR," Environmental Analysis/Utilities and Service Systems; 2007.

Mitigation Monitoring/Reporting Program

- A. Palm Springs Disposal Services (PSDS) shall work closely with the developer to assure the inclusion and maintenance of recycling areas and containers, which correspond with the City's waste disposal programs.

Responsible Parties: City, Palm Springs Disposal Services, Project Proponent.

Schedule: Ongoing

Wastewater Collection and Treatment

1. Existing Conditions

The City of Palm Springs contracts with Veolia Water North America to manage its wastewater system and provide a comprehensive wastewater treatment program, including a 10.9 million gallon per day (mgd) trickling-filter wastewater treatment plant, five pump stations, 225 miles of sewer collection pipelines, six percolation ponds, and a biosolids disposal program. The treatment plant currently accommodates approximately 60 percent of its capacity.

Desert Water Agency (DWA) operates a wastewater recycling facility. The City provides primary and secondary treated domestic sewage to the DWA, who then provides tertiary treatment. The recycled water is then used to irrigate the Tahquitz Creek Golf Course, DeMuth Park, Mesquite Golf Course, and other public facilities.¹¹¹

The City of Palm Springs provides sanitary sewer facilities to the Museum Market Plaza site area. Existing facilities in the area include a 10-inch line in Indian Canyon Drive north and south of Andreas Road, and 8-inch lines in Indian Canyon Drive south of Andreas Road, Belardo Road south of Tahquitz Canyon Way, Tahquitz Canyon Way west of Belardo Road and west of Palm Canyon Way, within the existing Desert Fashion Plaza.

2. Impacts

Development of the proposed project site will require the installation of new sewer lines and the expansion of existing pipes to service the project site. It will also result in an increased demand on existing wastewater collection and treatment facilities, as discussed below.

With the implementation of the project, the 8-inch line in Belardo Road will be extended northerly, in the extension of Belardo Road through the project. Six-inch lateral lines will connect individual blocks and buildings to the main lines. The western half of the existing 8-inch sanitary sewer line through the Desert Fashion Plaza will be abandoned.

Buildout of the Museum Market Plaza site will result in an increased demand on existing wastewater collection and treatment facilities. Domestic wastewater flows average about 100

¹¹¹ Ibid.

gallons per capita per day.¹¹² Based on this factor, and the estimated buildout population of approximately 2,000 persons the project is expected to generate approximately 200,000 gallons of wastewater per day. As stated above, the sewer treatment plant currently processes approximately 6.5 million gallons per day, and has a 10.9 million gallon per day capacity. The proposed project will increase flows by 3% per day, but will not significantly impact plant capacity. Impacts associated with the increase in sanitary sewer flows are expected to be less than significant.

3. Mitigation Measures

Impacts associated with sanitary sewer service are expected to be less than significant. No mitigation measures are required.

Water Services

1. Existing Conditions

Domestic water will be provided to the Museum Market Plaza site by the Desert Water Agency (DWA), via the installation of onsite piping and expansion of and connection to the existing water supply system. DWA has existing 12-inch water mains on the west and east sides of Palm Canyon Drive; a 10-inch main on the west side, and a 6-inch line on the east side of Indian Canyon Drive; a 12-inch main in Tahquitz Canyon Way, west of Belardo Road; a 12 inch main in Museum Drive, north of Tahquitz Canyon Way; and a 12-inch main in Belardo Road, south of Tahquitz Canyon Way, and north of the north boundary of the project site.

DWA obtains most of its water supply from groundwater. The City of Palm Springs is located within the Mission Creek subbasin, and the Garnet Hill and Palm Springs subareas of the Whitewater Subbasin, which are the two subbasins of the Coachella Valley Ground Water Basin.

2. Impacts

A Water Supply Assessment has been prepared in order to estimate projected water demand, and to ensure that DWA has sufficient water supplies to serve the Museum Market Plaza project for approximately 20 years. The Water Supply Assessment is included in Appendix E of this EIR and projects a total water demand of 259.3 acre-feet per year.

As discussed in Section III-G, (Water Resources), existing water demand, which is based on an average annual demand rate of 30.5 gallons per square foot per year for commercial and office uses and 230.5 gallons per square foot of restaurant space per year, is estimated to be approximately 64.9 acre-feet of groundwater per year. Therefore, the net water demand at project buildout is estimated to be 194.3 acre-feet annually.

¹¹² “Environmental Impact Analysis Handbook,” prepared by John G. Rau and David C. Wooten, 1980.

In accordance with the WSA prepared for this project and discussed in Section III-G (Water Resources) the net increase in water demand is moderate and is expected to have less than significant impacts within DWA's service area.

3. Mitigation Measures

No mitigation measures are recommended since DWA has demonstrated that sufficient water supplies are available to meet demand. Nonetheless, in order to encourage water conservation and efficient water use, project-specific measures related to water resources are included in Section III-G (Water Resources) of this EIR.

O. Economics

Introduction and Background

The following discussion analyzes the fiscal impacts of the proposed project on the City of Palm Springs. The analysis was prepared using the City's 2007-2008 budget estimates for a wide range of categories, and includes General Fund and restricted fund revenues, as well as costs associated with the provision of general government services, public safety and other costs. Other data sources included the California Department of Finance, the US Census, and project build out data.

1. Existing Conditions

The Museum Market Plaza Specific Plan is located within the corporate limits of the City of Palm Springs. The site is served by the City for all municipal services, including general government and public safety. In addition, the site is located within the City's Redevelopment Plan boundary. Redevelopment Areas in California were created through State enabling legislation to allow cities and counties to create economic development opportunities in areas which are blighted, or experiencing economic hardship. The primary revenue incentive for any local jurisdiction to form a Redevelopment Area is that property tax revenues, instead of being shared with the County and other taxing districts, are collected in their entirety by the jurisdiction. These property tax revenues must be used for economic development activities (80%) within the Redevelopment Area, and for affordable housing programs (20%).

The majority of the project site is currently developed. All but the portion of the Specific Plan located at the southeast corner of Cahuilla and Tahquitz Canyon Way contain structures and improvements. The project site is currently developed, and as such generates over \$220,000 in property tax revenue to the City's Redevelopment Agency annually¹¹³.

The project site also generates sales tax, which is a General Fund revenue. Because of the under-utilized nature of the project site, although sales tax revenues currently cannot be accurately estimated, they are expected to be limited. The project site currently does not include residential or resort uses, and therefore currently does not generate property transfer tax, transient occupancy tax, or motor vehicle in lieu fee revenues to the City. Conversely, the limited activities at the project site also result in limited costs of government. Although police and fire calls certainly occur within the project site, for example, they are not likely to be representative of a fully occupied, mixed-use center.

2. Project Impacts

Redevelopment of the project site will generate both costs and revenues for the City of Palm Springs. In order to determine these costs and revenues, a cost-revenue analysis was developed, using the Riverside County Guide for the preparation of such analyses. The Guide is recognized by local jurisdictions as the standard by which fiscal impact analysis is prepared for annexation

¹¹³ Property tax bill 2008 for Assessor's Parcels 513-092-010-3, 513-092-009-3, 513-092-003-7, 513-560-002-2, 513-560-004-4, 513-560-007-7, 513-560-008-8, 513-560-009-9, 513-141-013-7, 513-141-004-9.

efforts in Riverside County, and reasonably estimates anticipated costs and revenues. The analysis includes a number of categories, which are summarized below.

All analysis was completed in 2008 dollars. The land use assumptions made are for maximum permitted build out. Therefore, it has been assumed for purposes of this analysis that 955 condominiums, 300,000 square feet of retail space, 100,000 square feet of office space and 620 hotel rooms would be constructed. It has further been assumed in the cost-revenue analysis that the project would be built over a ten-year period, and that build out would be complete in the 10th year. After year 10, revenues and costs remain relatively constant, with the exception of property transfer tax, which fluctuates based on residential sales activity. Detailed Tables, which include the analysis of all revenue and costs, are provided in Appendix H of this EIR.

Property Tax Revenues

As previously stated, the property tax revenue which will be generated by build-out of the proposed project will not be a General Fund revenue to the City. The City will, however, receive property tax revenue through its Redevelopment Agency. For purposes of this analysis, it has been assumed that the current value of the land, shown as just over \$14 million on current tax rolls, would remain constant. New construction costs have been estimated as follows:

1. Condominium construction is assumed to have an assessed value of \$350,000 per unit.
2. Commercial retail construction is assumed to have a value of \$150 per square foot.
3. Commercial office construction is assumed to have a value of \$125 per square foot.
4. Hotel construction is assumed to have a value of \$205,000 per room.

Based on these assumptions, the proposed project will generate \$1.8 million in property tax at the end of year five, and \$3.6 million in property tax at year 10 and every year thereafter for the value of the structures. As stated above, the project site also generates property tax based on land value alone, which is assumed to continue to be collected at a rate of \$142,815 annually. This estimate is conservative, as the value of the land will increase with the increased value of the development on it. As can be seen in the summary Table III-45, below, property tax revenue is calculated only as part of the revenue total, and not as a General Fund revenue.

Residential Property Transfer Tax Revenue

Riverside County assesses property transfer tax upon change of ownership. The tax rate is \$1.10 per \$1,000, or 0.11%, of the unencumbered property value. The County passes through 50% of the tax to the local jurisdiction in which the sale occurs. The Guide stipulates the pattern of sales to be assumed, and does not allow that resales would occur in the first four years of a project's life. In addition, in order to assure a conservative analysis, it has been assumed that the commercial and hotel components of the project would not be sold. Only property transfer tax for residential development is included in the analysis. Based on these assumptions, the proposed project is expected to generate \$69,000 to \$128,000 annually to the City in residential property transfer taxes through buildout and beyond.

Sales and Use Tax Revenues

Sales tax represents a substantial portion of the City's General Fund revenue; sales tax is levied on retailers who sell taxable goods.

The analysis of sales tax revenues is calculated based on well established per square foot sales figures provided by a variety of sources for commercial development. In addition, the analysis is based on the resident population's disposable income. In addition to the residential sales tax generation potential, sales tax generation was also assumed for the hotel guests. Daily expenditures were estimated based on Desert Resorts Convention and Visitor's Bureau data.

Sales tax in Riverside County is collected at a rate of 7.75 percent by the State of California. Of that 7.75% (\$0.0775 per taxable dollar), the State retains 6.00% (\$0.06). The City receives 1 cent (\$0.01) of the sales tax for sales that occur within its jurisdiction, and the County allocates \$0.025 towards County transportation funds; the remaining \$0.050 is allocated for Measure A funds. Measure A fund revenues are discussed further, below.

The proposed project is expected to generate \$1,098,120 in annual sales tax revenues to the City at build-out.

Transient Occupancy Tax

Transient Occupancy Tax is collected for all hotel room stays in the City. For purposes of this analysis, it was assumed that the project's hotels would have an occupancy rate of 65%, and a nightly rate of \$126.27. The transient occupancy tax rate in Palm Springs is 11.5% for small hotels, and 13.5% for hotels of more than 125 rooms. For purposes of this analysis, transient occupancy tax was calculated at 13.5%. It is also expected that hotel operators would participate in the City's transient occupancy rebate program, which would return 50% of the annual tax collected to the operator for a period of 20 years. On this basis, build out of the proposed project will generate \$1,253,724 in transient occupancy tax to the City annually.

Utility Users Tax

The City imposes a utility users tax on all accounts within its boundary. This represents an on-going revenue for the City, based on energy usage. At build out, the proposed project will generate approximately \$316,019 in Utility Users Tax for the City.

Public Safety CFD

The Public Safety Community Facilities District was established in 2005 to fund police and fire protection services in the City. The assessment is made on individual property tax bills, and currently stands at \$362.24 per unit. The assessment is not applied to commercial property. At build out, the proposed project will generate \$316,019 annually to the City.

Motor Vehicle In-Lieu Fees

Motor Vehicle In-Lieu fees, or Motor Vehicle License Fees, are imposed on motorists in-lieu of a local property tax. The state collects and allocates a portion of these revenues to each local jurisdiction on a monthly basis. The City was expected to receive \$77.29 per capita in Fiscal Year 2007-2008. Based on a buildout population of 1,995, the proposed project is expected to generate an additional \$154,193 in motor vehicle in-lieu fees to the City at build out.

Highway User Gas Tax Revenue

The State of California assesses a per-gallon tax on all gasoline purchases and allocates a portion of these revenues to local jurisdictions throughout the State. Based on the per capita apportionment factor for the City, the Specific Plan is expected to generate \$35,371 in annual highway user gas tax revenues at buildout.

Measure A Revenue

A portion of the 7.75% sales tax is contributed to the Measure A fund, to fund regional and local transportation projects. Riverside County Transportation Commission (RCTC) manages and disburses these funds. At buildout, development in the Specific Plan area is expected to generate approximately \$1,576 in Measure A funds annually.

TUMF Fees

The City participates in the Transportation Uniform Mitigation Fee (TUMF) program. TUMF fees, which fund regional transportation improvement projects in the Coachella Valley, are paid by developers of new projects prior to the issuance of building permits. Fees are based on land use and type, and are adjusted annually; the project is expected to generate \$4.2 million in TUMF fees from development of the project site. These are one-time fees which occur at development, and are not recurring. Furthermore, the City passes these fees on to CVAG for regional projects. Therefore, as can be seen on Table III-45, the TUMF fee provides no income or cost to the City.

New Development Tax

As with the TUMF fee, the New Development Tax is a one-time payment which is assessed by the City at the issuance of building permits. The Tax funds General Fund expenditures, and is assessed based on square footage constructed. The project will generate up to \$817,772 for the City during the build out of the project. Once the project is complete, no further revenues will be realized.

Other Development-Related Revenues

In addition to the revenue sources described above, the General Fund collects fees and taxes, including business licenses, building permits, developer impact fees and plan check fees, which are directly related to the level of urban development that occurs in the City. These fees are largely based on project-specific criteria, including the size and type of construction, architectural features, and site design. Development of the Specific Plan will facilitate the development of residential and commercial development that will generate fees on an annual basis. While these fees are not quantified herein, it is important to recognize that the City will derive additional revenues from future development in the Specific Plan area.

Project-Generated Costs

General Government Costs include City-wide, support services such as Public Works, the Library, City Hall staff, and legal fees. The annual cost to the City to provide these services to the development in the Specific Plan area is estimated at \$1,162,270 at build out of the project.

The City will also incur costs associated with police and fire services to the Specific Plan area. Annual costs for provision of these services to development in the Specific Plan area is estimated at \$1,381,885 at build out.

Summary

As shown in Table III-45, below, the proposed Specific Plan is expected to result in a positive annual cash flow over buildout of the project. As previously stated, the analysis provides a broad overview of projected costs and revenues, and does not include additional revenues, which will be derived from other sources, such as development fees, fines, franchise agreements, and building permits. It is important to note that the City realizes economies of scale with new development, and the costs of associated with new public services and infrastructure generally decrease with each new project built, especially where in-fill development occurs and urban services are already in place. As previously stated, property tax has been omitted from the General Fund revenue calculations, but has been included in the calculation of the total revenues to be collected by the City at the end of the Table.

**Table III-45
Total Potential Costs/Revenues Associated with Development
Summary Table**

	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
ANNUAL REVENUES				
<i>General Fund:</i>				
Property Tax	\$0	\$0	\$0	\$0
Property Transfer Tax	\$96,385	\$128,879	\$69,454	\$73,920
Local Sales Tax	\$549,060	\$1,098,120	\$1,098,120	\$1,098,120
Transient Occupancy Tax	\$626,862	\$1,253,724	\$1,253,724	\$1,253,724
Utility Users Tax	\$158,010	\$316,019	\$316,019	\$316,019
Motor Vehicle In-Lieu Revenue	\$77,097	\$154,193	\$154,193	\$154,193
New Development Tax	\$408,886	\$408,886	\$0	\$0
<i>Restricted Funds:</i>				
TUMF Fees	\$2,114,970	\$2,114,970	\$0	\$0
Highway Users Gas Tax	\$17,686	\$35,371	\$35,371	\$35,371
Measure A	\$788	\$1,576	\$1,576	\$1,576
Public Safety CFD	\$172,970	\$345,939	\$345,939	\$345,939
ANNUAL COSTS				
<i>General Fund:</i>				
General Government Costs	\$581,135	\$1,162,270	\$1,162,270	\$1,162,270
<i>Restricted Funds:</i>				
Public Safety Costs	\$690,942	\$1,381,885	\$1,381,885	\$1,381,885
TUMF Allocation to CVAG	\$2,114,970	\$2,114,970	\$0	\$0
SUMMARY OF REVENUES/COSTS:				
<i>Revenues:</i>				
Total Annual General Fund Revenues	\$1,916,299	\$3,359,822	\$2,891,511	\$2,895,977
Total Annual Restricted Fund Revenues	\$2,306,414	\$2,497,857	\$382,887	\$382,887
Revenue Subtotal	\$4,222,713	\$5,857,679	\$3,274,398	\$3,278,864
Historic Average Interest Rate on 90-Day Treasury Bills	6.83%	6.83%	6.83%	6.83%
Anticipated Interest Earned on Revenues	\$288,411	\$400,079	\$223,641	\$223,946
Total Annual Revenues at Phase Buildout	\$4,511,124	\$6,257,758	\$3,498,039	\$3,502,810
<i>Costs:</i>				
Total Annual General Fund Costs	\$581,135	\$1,162,270	\$1,162,270	\$1,162,270
Total Annual Restricted Fund Costs	\$2,805,912	\$3,496,855	\$1,381,885	\$1,381,885
Total Annual Costs at Phase Buildout	\$3,387,047	\$4,659,125	\$2,544,154	\$2,544,154
Annual Cashflow at Phase Buildout	\$1,124,077	\$1,598,634	\$953,884	\$958,655
Net Property Tax Revenue to Redevelopment Agency	\$1,815,975	\$3,631,950	\$3,631,950	\$3,631,950
Current Property Tax to Redevelopment Agency (Land Only)	\$142,815	\$142,815	\$142,815	\$142,815
Total Annual Revenues to City	\$3,082,867	\$5,373,398	\$4,728,649	\$4,733,420

3. Mitigation Measures

Based on the fiscal analysis conducted for the Specific Plan, the project will contribute positively to the City. Equally important, it provides for land use synergies associated with the proposed mixed use nature of the project, and will help bring new permanent residents to the Downtown. The fiscal impact of the proposed project will not significantly impact the City's economics. No mitigation measures are required.